

Board of Supervisors
May 25, 2005
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: Robert Damon, Chairman; Manuel Ruiz, Vice-Chairman; John Maynard, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk of the Board. Also present: Mayra Ochoa, Ken Zehentner, Dennis Miller, Dr. Marcelino Varona, Mary Dahl, Abbie Zeltzer, Rolando Figueroa, Nicole Waldron, Craig Sullivan, Tom Lodge, Judy Brown, Susan Aceves, Mike Bader, Sheriff Estrada, Carol Cullen, Bruce Pheneger, Ron Lehman, Tony Freeland, and Chuck Thompson.

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

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

CALL TO THE PUBLIC: Rolando Figueroa, Communications Workers of America (CWA), addressed the Board concerning the agenda item related to Mr. Lucero's Contract and again requested that the Board extend the same opportunity to the remainder of the Santa Cruz County employees to have the ability to negotiate and have a voice at the table; he requested that the Board place the CWA Resolution on an upcoming agenda.

Sheriff Estrada presented a plaque of appreciation to Lt. Col. Samuel Jones, Arizona Rangers, for his assistance to local law enforcement.

REPORTS:

BOARD OF SUPERVISORS: Vice-Chairman Ruiz reported that he and the County Manager attended the Small Counties Forum and CSA Meetings last week; he attended the celebration of the Mariposa Community Health Center's 25th Anniversary; he provided an update on Port Authority activities.

Supervisor Maynard reported that he attended an ADOT Board Meeting in Benson on Friday, a SEAGO Executive Board Meeting in Clifton on Saturday and the Patagonia Elementary School DARE graduation this week.

MANAGER: None

FINANCE: Senior Accountant, Mayra Ochoa, reported \$9,743,700 in the General Fund, of which \$9,268,865 is invested; \$1,620,545 in the Road Fund, of which \$1,011,399 is invested; \$757,311 in the Flood Control District Fund, of which \$582,363 is invested; \$14,984,317 total for all funds, of which \$14,021,317 is invested; \$9,973,700 estimated end of month balance, compared to \$7,186,385 cash at May 2004, a difference of \$2,787,315.

SHERIFF: Sheriff Estrada reported that the current jail population is 93, 86 males and 7 females; 19 inmates have been sentenced to the County jail and 3 to the AZ Department of Corrections; 92 have been charged with felonies and 1 with a misdemeanor; 29 (31%) are undocumented aliens; 3 have been committed to the County jail on a daily basis. 97 persons were booked in during the past week.

Sheriff Estrada further reported that during the month of May, 40 inmates were transported to clinics at the cost of \$4,000 for consultation services only, not including medication, referrals to other doctors or analysis; this year, Santa Cruz County has paid \$8,000 to Coconino County to house remanded juveniles, because Santa Cruz County doesn't have a facility to house such prisoners; Pima County has been housing a Santa Cruz County remanded juvenile for approximately 3 years as a courtesy hold, which saved Santa Cruz County \$72,000.

Sheriff Estrada stated that the Rio Rico High School graduation was held last week; DARE graduations were held throughout the County.

PATAGONIA LIBRARY QUARTERLY REPORT: Patagonia Library Director, Abbie Zeltzer, provided the Board with a quarterly report as required in Resolution #1999-17 for the continuation of non-mandated funding from Santa Cruz County.

COUNTY SUPERVISORS ASSOCIATION (CSA) LEGISLATIVE REPORT: Craig Sullivan and Nicole Waldron, CSA, provided the Board with a legislative report and expressed appreciation to Dennis Miller, Director of Governmental Relations for Santa Cruz County, for his lobbying efforts.

ACTION ITEMS:

LAND DEVELOPMENT AGREEMENT AND ASSURANCE AGREEMENT FOR THE RANCH AT ALISO SPRINGS SUBDIVISION, LOTS 1-25 AND COMMON AREA "A" (PRIVATE STREETS)(CASE #SUB-04-07): Community Development Department Director, Mary Dahl, explained that this agenda item was tabled from 3 months ago along with the final plat approval; this is a 25 lot residential subdivision located in the Tubac area; the developer has obtained a certificate of 100 years of assured water supply for the shared well system and has otherwise met all of the requirements of the subdivision regulations.

At the previous meeting, the Board of Supervisors requested that the developer meet once again with the community to discuss water issues, specifically alternatives to the shared well system being proposed; the applicant met last Thursday in the community with 20-25 members of the public; a positive move was made for water supply issues on the West side of the Interstate as Gary Brasher offered to evaluate the benefits to him of extending his service area across the interstate from the Barrio de Tubac to serve this subdivision, up Aliso Springs Road and the Aliso Springs JT Ranch area.

Gary Brasher requested that the developer allow him the time to perform the evaluation.

Ms. Dahl stated that it is staff's recommendation to approve the plat with the signing of the Land Development and Third Party Trust Agreements; all conditions set by the Planning & Zoning Commission have been met.

Supervisor Maynard made a motion to approve the Land Development Agreement and Assurance Agreement for the construction of the Ranch at Aliso Springs Subdivision; second by Vice-Chairman Ruiz; motion carried unanimously.

Supervisor Maynard thanked Ms. Dahl for coordinating discussion efforts between all parties.

FINAL PLAT FOR THE RANCH AT ALISO SPRINGS SUBDIVISION, LOTS 1-25 AND COMMON AREA "A" (PRIVATE STREETS)(CASE #SUB-04-07): Supervisor Maynard made a motion to approve; second by Vice-Chairman Ruiz; motion carried unanimously.

Ron Lehman thanked the Board of Supervisors and County staff for their cooperation on this matter.

IGA WITH PIMA COUNTY FOR HIDTA XV GRANT FUNDS: Vice-Chairman Ruiz made a motion to approve; second by Supervisor Maynard.

Attorney Hawn explained that the total amount of funding for this HIDTA agreement is significantly greater than in the past because Santa Cruz County is going to be the pass through agency for funding for the HIDTA Board's staff.

Motion carried unanimously.

PROFESSIONAL SERVICES CONTRACTS FOR ARIZONA HIDTA PERSONNEL: RAYMOND VINNIK-EXECUTIVE DIRECTOR, JAMES LUKASH-DEPUTY DIRECTOR, BETTY COHEN-FINANCIAL MANAGER, MICHAEL HOLMES-PROGRAM COORDINATOR AND JAMES STONE-PROGRAM COORDINATOR: Vice-Chairman Ruiz made a motion to approve; second by Supervisor Maynard; motion carried unanimously.

REQUEST APPOINTMENT OF PRECINCT COMMITTEEMEN FOR THE SANTA CRUZ COUNTY DEMOCRATIC PARTY: Supervisor Maynard made a motion to appoint Precinct Committeemen for the Santa Cruz County Democratic Party with the exception of Precinct Tubac #11; second by Vice-Chairman Ruiz; motion carried unanimously.

FAIR HOUSING RESOLUTION #2005-10: Community Development Department Director, Mary Dahl, requested that the Board and the County approve the Resolution reaffirming its commitment to fair housing practices and principles and direct staff to take actions identified to affirmatively further fair housing.

Vice-Chairman Ruiz made a motion to approve the Fair Housing Resolution #2005-10 and allow staff to undertake whatever action is necessary and that the Chairman be authorized to sign on behalf of the County; second by Supervisor Maynard; motion carried unanimously.

APPLICATION FOR LIQUOR LICENSE: THE ARTIST'S PALATE, TUBAC, AZ was approved as submitted. (JM/MR; c.u.)

APPROVAL OF CANVASS OF THE RESULTS OF THE 5/17/2005 SPECIAL ELECTION: Supervisor Maynard made a motion to approve as presented by staff; second by Vice-Chairman Ruiz.

Dr. Marcelino Varona stated that this Election, conducted by Melinda Meek, was wonderful; he complimented the professionalism of Melinda Meek and the Elections Department.

Motion carried unanimously.

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

MINUTES of 4/20/05 were approved as submitted. (JM/MR; c.u.)

The Board of Supervisors recessed the Regular Meeting to convene as the Flood Control District Board. (JM/MR; c.u.) The Flood Control District Board convened in Executive Session (Santa Cruz County Flood Control District v. Delta Properties et al. Santa Cruz County Case No. CV04-144) at 10:40 a.m. and reconvened at 10:50 a.m. (MR/JM; c.u.)

FLOOD CONTROL:

SETTLEMENT AGREEMENT WITH ARMANDO DE LA OSSA IN SANTA CRUZ COUNTY FLOOD CONTROL DISTRICT V. DELTA PROPERTIES ET AL. SANTA CRUZ COUNTY CASE NO. CV04-144: Ken Zehentner stated that this settlement agreement covers acquisition of property needed for the Chula Vista Flood Control Project; the County will purchase the property at the appraised value of \$8,900 and will pay for hookup to the City of Nogales sewer system for approximately \$13,000; the sewer system hookup costs can be reduced using County forces.

Vice-Chairman Ruiz made a motion to approve the settlement and to authorize the Chairman to sign on behalf of the Flood Control District Board; second by Supervisor Maynard; motion carried.

PROFESSIONAL SERVICES CONTRACT WITH BAKER PETERSON, BAKER AND ASSOCIATES, INC. FOR CHULA VISTA FLOOD CONTROL PROJECT LAND ACQUISITION: Ken Zehentner stated that this contract is to initiate the professional services required for the acquisition of additional parcels of land for the Chula Vista Flood Control Project in the amount of \$14,000.

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

The Board adjourned as the Flood Control District Board and reconvened the Regular Meeting. (JM/MR; c.u.) The Board recessed the Regular Meeting to convene in Executive Session (Employment contract of Greg Lucero, County Manager) at 10:55 a.m. and reconvened at 11:40 a.m. (JM/MR; c.u.)

ACTION ITEMS CONTINUED:

COUNTY MANAGER EMPLOYMENT CONTRACT AMENDMENT: Vice-Chairman Ruiz made a motion to approve the Amendment to the Employment Contract of Mr. Lucero effective 07/01/05 and that the Contract reflect that the salary will increase to \$130,000 plus the benefit of life insurance; second by Supervisor Maynard; motion carried unanimously.

Meeting adjourned at 11:45 a.m.

Melinda Meek
Clerk of the Board

Robert Damon
Chairman