

The Yuma County Board of Supervisors met in a regular session on April 4, 2022. The meeting was held at 198 South Main Street, Yuma, Arizona.

CALL TO ORDER: At 9:00 a.m., Chairman Marco A. (Tony) Reyes convened the Board of Supervisors in open session, also sitting as the board of directors of all special taxing districts where noted. Supervisors present were: Marco A. (Tony) Reyes, Martin Porchas, Jonathan W. Lines, Lynne Pancrazi and Darren Simmons.

Others present were: County Administrator Susan Thorpe; Deputy County Administrator/Interim Facilities Management Director Ian McGaughey; County Attorney Jon Smith; Chief Civil Deputy County Attorney Bill Kerekes; Human Resources Director Felicia Frausto; Employee Relations Specialist Oscar Chavez, III; Human Resources Trainer Nallely Flores; Benefits Representative Alejandra Jimenez; Benefits Specialist Karla Vasquez; Chief Health Officer Diana Gomez; Director of Nursing Kathy Ward; Housing Director Jesus Roldan; Public Works, Manager Fleet Services Kelly Fricke; Sign Technician Joe Escalante; Grants Administrator Diana Veloz; Grants Administrator Veronica Garcia; Grants Specialist Maria De Los Reyes; Probation Supervisor Ben C. Rowe; Juvenile Court Director Edward Gilligan; Planning Director Maggie Castro; Senior Planner Javier Barraza; Senior Planner Juan Leal-Rubio; Land Development Engineer Arturo Alvarez; Economic Development & Intergovernmental Affairs Director Alejandro Figueroa; and Deputy Clerk/Executive Assistant Desarae Doten.

The Pledge of Allegiance was led by Supervisor Lines.

CALL TO THE PUBLIC: No comments were received.

PRESENTATIONS, PROCLAMATIONS & APPOINTMENTS:

No. 1: *County Administration: Presentation by Julie Engel, President/CEO, on Greater Yuma Economic Development Corporation (GYEDC) activities.*

Ms. Engel provided a PowerPoint presentation that included information about the Arizona Western College Manufacturing Program, leading industries, attraction activity, business retention and expansion, grants and studies (\$703,000 awarded), and projects shaping the future.

No. 2: Chairman proclaims April 2022 as "*National County Government Month*".

Supervisor Porchas read the proclamation into the record.

No.3: Chairman proclaims April 2022 as "*Yuma County Government Employee Appreciation Month*".

Supervisor Lines read the proclamation into the record and presented the same to Ms. Frausto and Mr. Chavez, III.

Ms. Vasquez and Ms. Jimenez from the Benefits Division were present to discuss "Gratitude Grams" which can be sent from one staff member to another as a way to say thank you through the month of April. Human Resources will be responsible for distribution.

Ms. Flores reported Human Resources is offering courses about ways to praise and encourage employees.

No. 4: Chairman proclaims April 2022 as "Fair Housing Month" in Yuma County.

Chairman Reyes read the proclamation into the record and presented the same to Ms. Veloz, Ms. Garcia and Ms. De Los Reyes.

No. 5: Chairman proclaims the week of April 3-9, 2022 as "Library Week in Yuma County".

Supervisor Pancrazi read the proclamation into the record and presented the same to Ms. Wisdom.

No. 6: Chairman proclaims the week of April 4-10, 2022 as "Public Health Week" in Yuma County.

Supervisor Simmons read the proclamation into the record and presented the same to Ms. Gomez and Ms. Ward.

No. 7: Chairman proclaims the week of April 11-15, 2022 as "Work Zone Awareness Week" in Yuma County.

Supervisor Simmons read the proclamation into the record and presented the same to Ms. Fricke and Mr. Escalante.

CONSENT CALENDAR:

MOTION (LINES/PANCRAZI): Approve Item Nos. 1 through 12 as presented.

VOICE VOTE: The motion carried 5-0.

The following items were approved on the consent calendar:

No. 1: Assessor: Approve Tax Roll Corrections as listed in batch dated April 04, 2022, pursuant to A.R.S. Title 42, Chapter 16, Article VI. (A full listing of all corrections is in the agenda packet on the web at: <https://www.yumacountyaz.gov/government/board-of-supervisors/meetings>.)

No. 2: Financial Services: Approve the Accounts Payable Demands disbursed in the amount of \$4,049,918.37 and Payroll in the amount of \$1,745,017.09 during the

period of March 04, 2022 through March 14, 2022. (A detailed listing is available for review from the agenda packet on the web at:

<https://www.yumacountyaz.gov/government/board-of-supervisors/meetings.>)

DATE	TYPE	WARRANTS TOTAL
3/04/2022	Accounts Payable	\$ 1,653,318.67
3/14/2022	Accounts Payable	1,982,152.51
3/11/2022	Payroll	1,745,017.09
HOUSING:		
3/10/2022	SD Checks	90.78
3/10/2022	AP's Check's	165,911.22
3/10/2022	Section 8 Vouchers	1,747.00
3/04/2022	AP E-Payments	20,300.72
3/14/2022	AP E-Payments	226,397.47
	TOTAL:	\$ 5,794,935.46

No. 3: County Administration/Clerk of Board: Approve the minutes for the March 21, 2022 Regular Session.

No. 4: Engineering: Authorize the Department of Engineering Staff to prepare and submit an application for a RAISE (Rebuilding American Infrastructure with Sustainability and Equity) Grant to finalize design, utility relocation, acquire right of way, and construction of Avenue D-E Alignment from SR 195 to US 95 (County 16th St).

No. 5: Engineering: Authorize publication of the "Notice of Intent to Grant Franchise and License" to Cactus State Utility Operating Company, LLC to operate and maintain Citrus Park Subdivision water transmission and set the date for consideration of action to grant the Franchise as May 16, 2022.

No. 6: Engineering: Authorize publication of the "Notice of Intent to Grant Franchise and License" to Cactus State Utility Operating Company, LLC to operate and maintain Rancheros Bonitos Subdivision water transmission and set the date for consideration of action to grant the Franchise as May 16, 2022.

No. 7: Engineering: Authorize publication of the "Notice of Intent to Grant Franchise and License" to Cactus State Utility Operating Company, LLC to operate Tierra Mesa Estates water transmission and set the date for consideration of action to grant the Franchise as May 16, 2022.

No. 8: Public Health Services District: Authorize the District Director to accept and sign the Memorandum of Understanding between the University of Arizona Mel and Enid Zuckerman College of Public Health (MEZCOPH) and the Yuma County Public Health Services District effective April 4, 2022, to improve community health in

Yuma County by enhancing public health instruction, practice, research, and workforce development.

No. 9: *Public Health Services District:* Authorize the District Director to execute and implement Senate Bill 1847, Intergovernmental Agreement Contract No. CTR058763 between the Arizona Department of Health Services (ADHS) and Yuma County Public Health Services District.

No. 10: *Sheriff's Office:* Authorize the Sheriff to purchase an Unmanned Aerial System (UAS) from DRONENERDS in an amount not to exceed \$125,000, funded from the State of Arizona Department of Emergency (DEMA) Grant No. M21-0078, for the purpose of enhancing border security.

No. 11: *County Administration/OMB:* Adopt Budget Amendment Resolution No. 22-04 amending budget authority for various departments/agencies/districts utilizing available and appropriated budget authority.

No. 12: *County Attorney:* Approve the First Amendment To The Forensic Psychiatry Services Agreement with WellPath For the Restoration To Competency Program, and authorize the Chairman to sign said Amendment.

DISCUSSION AND ACTION ITEMS: The Board will open each of the following items separately for discussion and action, as appropriate.

No. 1: *County Administration/Public Health Services District/Emergency Management:* Discussion and possible action regarding COVID-19 updates and activities.

Ms. Gomez reported positive case numbers continue to trend downward, approximately 80% of the eligible population are vaccinated against COVID-19, and a second booster shot is available for those who are over 50 years old or immunocompromised.

Discussion ensued regarding Governor Ducey ending the Public Health Emergency Declaration last week.

No legal action was taken.

The Chairman recessed the Yuma County Board of Supervisors and convened as the Yuma County Housing Governing Board.

HOUSING GOVERNING BOARD - DISCUSSION CALENDAR: The Board will open each of the following items separately for discussion and action, as appropriate.

No. 1: *Housing:* Conduct a Public Hearing to allow the public to comment on the Yuma County Housing Department Public Housing Agency Annual Plan, FSS Action Plan, Section 8 Admin Plan and ACOP. Any comments received at the

public hearing will be attached to the Public Housing Annual Plan.

Chairman Reyes opened the public hearing. No comments were received. The public hearing was closed.

Mr. Roldan was present to answer questions.

No legal action was required.

The Chairman adjourned the Yuma County Housing Governing Board and reconvened the Yuma County Board of Supervisors in Regular Session.

SPECIAL DISCUSSION AND ACTION ITEMS -- 2021 EMPLOYEE RECOGNITION

CEREMONY: The Board will open each of the following item separately for discussion and action, as appropriate.

No. 1: *County Administration*: Recognition of Yuma County Employees for their Years of Service.

Ms. Thorpe explained a ceremony is generally held in person at the Historic Yuma Theatre where employees are able to come onto the stage and shake hands with the Board of Supervisors; however during the COVID-19 Pandemic the event has taken place virtually.

Ms. Thorpe read each individual's name into the record for their 5, 10, 15, 20, 25, 30, 35 and 45 years of service.

Special Recognition was provided to Ben C. Rowe, Jr., for his 45 years of service. Ed Gilligan, Juvenile Court Director, presented Mr. Rowe with a certificate and gift of appreciation.

DISCUSSION AND ACTION ITEMS - CONTINUED: The Board will open each of the following items separately for discussion and action, as appropriate.

No. 2: *Development Services/Zoning Division*: Review and approval of the Calendar Year 2021 Annual Report.

Ms. Castro provided the annual report that included information concerning the Planning and Zoning Division, Building Safety Division, Environmental Programs Division and Permit Services Division.

MOTION (PANCRAZI/LINES): Approve as presented.

VOICE VOTE: The motion carried 5-0.

No. 3: Administration/Grants: Discussion and possible action to re-prioritize projects for the Fiscal Year 2022 Community Development Block Grant (CDBG) applications to the Arizona Department of Housing.

Ms. Veloz reported the projects were ranked by the Board during the January 3, 2022 regular session as follows:

Project #1: Catholic Community Services - Safehouse Expansion (\$200,000)

Project #2: Foothills Multi-Purpose Complex (Park) - ADA Playground Equipment (\$250,000)

Project #3: B&C Colonia Lighting on 5th Street. *(The Board requested staff to look into the costs and determine whether this is a viable project.)*

Ms. Veloz reported Project #3 is estimated to cost \$274,000 for solar lighting equipment and maintenance, and \$90,000 through Arizona Public Service (APS) for the initial installation of the light posts.

Project #4: Alternative – Yuma County's Owner-Occupied Housing Rehabilitation Program.

Discussion ensued between the Board and staff about whether Yuma County pays for lighting in certain areas. Ms. Thorpe stated staff would work with APS to see who is paying those bills and find out how long they have been there.

Ms. Veloz informed the Board that staff has until the next meeting to ratify the applications, which need to be advertised in the local newspaper. Staff recommended that the lighting project is not viable due to the dollar amount and because there is already a lighting district on 6th Street; therefore, the alternative project for Yuma County's Owner-Occupied Housing Rehabilitation Program should be moved up from Project #4 to Project #3.

Supervisor Porchas stated he did not have a problem with that, but he wants to make sure the Board is looking at areas that need assistance, and investing money back into the community. Ms. Veloz explained those areas would need to be declared "blighted" by the Board of Supervisors.

MOTION (LINES/PANCRAZI): Approve the recommendation to re-prioritize the projects for the Fiscal Year 2022 Community Development Block Grant.

VOICE VOTE: The motion carried 5-0.

No. 4: Human Resources: a) Discussion regarding the recruitment process for County Administrator's position, and; b) Board of Supervisors appointments to the County Administrator's recruitment panel.

Ms. Frausto was present to discuss the process and provided a copy of the advertising brochure and document providing details about the options available to the Board for the County Administrator recruitment. She noted the recruitment could open today, and Human Resources would begin screening the applications on April 18.

The following options were reviewed and discussed:

Option A: A recruitment (5 members) panel is selected that consists of two (2) Board members and three (3) other members (at the discretion of the Board).

Option B: A recruitment (5 members) panel consists of the 5 Board of Supervisors members.

Option C: The Board of Supervisors directs Human Resources to select a recruitment (5 members) panel. *This would be the only process that is not subject to open meeting law.*

Chairman Reyes mentioned the salary range listed in the brochure (\$72.40 minimum to \$116.77 maximum per hour), and noted concerns about the maximum amount plus benefits being too high and he would not want to create expectations. Ms. Frausto explained the information provided was based on a market study done in relation to all other counties in Arizona. Supervisors agreed to advertise the salary from the starting point to mid-range.

Chairman Reyes polled the Board to see which option was preferred and "Option A" was agreed upon as the most logical.

Supervisor Pancrazi and Supervisor Simmons were appointed to be on the interview panel.

Supervisor Pancrazi suggested appointing Yuma County Recorder Robyn Pouquette as the elected official on the panel.

No legal action was taken.

PLANNING & ZONING AGENDA: Full legal descriptions of property sites for all Rezoning Cases are available for public review at the Yuma County Board of Supervisors' Office.

EXPEDITED REZONING and PUBLIC HEARINGS: These items will be opened as a group for public hearings and acted upon by one motion to adopt the recommendation of the Planning & Zoning Commission, except for any item that is removed by a Board member for separate consideration. That item will be discussed and acted upon separately following action on expedited items.

Chairman Reyes opened the public hearing. There were no comments. The public hearing was closed.

Mr. Leal-Rubio was present to answer questions.

Supervisor Lines asked to see the map for Rezoning Case No. 22-02.

MOTION (LINES/PORCHAS): Approve the Planning and Zoning Commission's recommendation of approval.

VOICE VOTE: The motion carried 5-0.

No. 1: *Development Services/Planning & Zoning Division*: Public Hearing: Rezoning Case No. 22-02: Najeh Edais, agent for REE, L.L.C. requests the rezoning of a parcel 80.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Recreational Vehicle Subdivision (RVS), Assessor's Parcel No. 198-18-013, located at the southwest corner of Fortuna Road and the alignment of County 12½ Street, Yuma, Arizona.

The following conditions were approved:

Performance Condition: 1) Within 60 days of Board of Supervisors approval, the owner/agent shall:

- a. Provide an A.R.S. §12-1134 waiver.
- b. Record a range and restricted airspace disclosure statement.
- c. Record an avigation disclosure statement.
- d. Record a Schedule for Development disclosure statement.

Schedule for Development: 1) The owner/applicant shall record a final plat subdividing the subject property into parcels of at least 6,000 square feet in size within five (5) years of Board of Supervisors approval of this rezoning case.

No. 2: *Development Services/Planning & Zoning Division*: Public Hearing: Special Use Permit Case No. 22-01: Bruce Schmidt, agent for Santa Fe Hacienda Construction, requests a Special Use Permit per Section 604.03M of the Yuma County Zoning Ordinance to allow an Accessory Dwelling Unit on a parcel 30,098 square feet in size zoned Low Density Residential-20,000 square feet minimum, Assessor's Parcel No. 701-18-245, located at 12325 East Blue Sky Lane, Yuma, Arizona.

The following conditions were approved:

Operational Conditions: 1) The approval of the Special Use Permit is based on the site plan submitted by the applicant. Any change from the site plan will require approval by the Planning Director pursuant to Section 402.04 of the Yuma County Zoning Ordinance. **2)** The principal dwelling and accessory dwelling unit shall not be rented out separately.

Performance Condition: 1) Within 60 days of the Board of Supervisors approval, all owners, or their agents, must provide the following: a. An A.R.S. § 12-1134 waiver

REZONING -- REGULAR PUBLIC HEARING ITEMS: Staff will make a **full presentation** on each of the following items, followed by separate discussion, public hearing, and action by the Board of Supervisors.

No. 1: *Development Services/Planning & Zoning Division: Public Hearing:*
Minor Amendment Case No. 22-01: Kevin Dahl from Dahl, Robins & Associates, Inc., agent for 11E LLC, requests to change the land use designation of a 6.9 acre portion of a parcel 27.39 gross acres in size from Agricultural/Rural Residential (A-RR) to Regional Commercial (C-RC), part of Assessor's Parcel No. 182-30-013, located in the vicinity of the northwest corner of Highway 95 and Avenue 11E alignment, Yuma, Arizona.

Mr. Barraza conveyed that the applicant wished to postpone Minor Amendment Case No. 22-01 and Rezoning Case No. 22-01 until the May 16 Board of Supervisors meeting.

The Board asked Mr. Barraza to provide the staff presentation for Minor Amendment Case No. 22-01.

Supervisor Reyes opened the public hearing.

Michael Callahan, Plant Manager for Gowan Milling, spoke in opposition.

Brandy Shill, Gowan Milling, spoke in opposition.

David Hardin, Yuco Gin, spoke in opposition.

Chairman Reyes acknowledged the points made about how this designation would negatively affect the community.

Supervisor Simmons noted this area is within his district and he was glad the applicants requested a continuance so more discussions can happen to see if this could work for everyone.

John Daily spoke in opposition.

Chairman Reyes closed the public hearing.

MOTION (SIMMONS/PANCRAZI): Continue item to May 16.

VOICE VOTE: The motion carried 5-0.

No. 2: *Development Services/Planning & Zoning Division: Public Hearing:*
Rezoning Case No. 22-01: Kevin Dahl from Dahl, Robins & Associates, Inc., agent

for 11E LLC, requests the rezoning of a 6.9 acre portion of a parcel 27.39 gross acres in size from Rural Area-20 acre minimum (RA-20) to General Commercial (C-2), part of Assessor's Parcel No. 182-30-013, located in the vicinity on the northwest corner of Highway 95 and Avenue 11E alignment, Yuma, Arizona.

MOTION (SIMMONS/PANCRAZI): Continue item to May 16.

VOICE VOTE: The motion carried 5-0.

No. 3: *Development Services/Planning & Zoning Division: Verona Estates subdivision-Modification of Subdivision Regulations: Adrian Vega of Dahl Robins and Associates, representing Principle Engineering Group, Inc., requests modifications from the Yuma County Subdivision Regulations, Section 4.15(B) and Section 4.15(D), and a modification from the Yuma County Public Work Standards (YCPWS), Section 7.2.5-3, for the proposed Verona Estates subdivision, Assessor's Parcel No. 212-02-034, zoned Recreational Vehicle Park (RVP), located on the southwest corner of Avenue 3E and County 16th Street, Yuma, Arizona.*

Mr. Leal-Rubio provided the staff presentation.

Chairman Reyes asked who decided on the amount of \$10,000 for the chip-seal. His comment was made in reference to the Planning and Zoning commission's recommendation to deny the following modification:

4. Modification from YCSR, Section 4.15(B)–Perimeter Roads: To not to improve County 16th Street. The Developer shall provide a \$10,000.00 chip-seal contribution to Yuma County for future County 16th Street improvements in lieu of this requirement.

Mr. Alvarez stated that was based on conversations between the County Engineer and the consultant.

Chairman Reyes opened the public hearing. No comments were received. The public hearing was closed.

MOTION (REYES/SIMMONS): Approve modifications recommended by the Planning and Zoning Commission.

VOICE VOTE: The motion carried 5-0.

DISCUSSION REGARDING LEGISLATIVE ISSUES:

No. 1: *County Administration: Discussion and possible action regarding State and Federal legislative updates, which may include international issues, status of bills*

impacting Yuma County, timelines and composition of the legislatures, redistricting, and legislative strategies and priorities.

Mr. Figueroa provided an update and PowerPoint concerning State, Federal and International legislative updates.

Supervisor Pancrazi and Supervisor Lines asked staff to write a letter for the Board along the lines of Senator Sinema and Senator Kelly's letter to President Biden urging him not to end Title 42 because of the impact on our community.

Mr. Figueroa asked the Board if they would like more virtual meetings scheduled with Arizona's Congressional Delegation to discuss Yuma County's 2022 Legislative Priorities.

Chairman Reyes confirmed he would and asked staff to see if they can find a time when some members of the Board can attend and focus on two to three items to discuss. He stated it would be ideal to schedule with a congressman/congresswoman, rather than their staff.

Ms. Thorpe asked for clarification if the County's request to meet was only going to be with congressional staff, would the Board like only County staff to participate. Chairman Reyes stated if a Board member wants to attend they can.

No legal action was taken.

EVENTS CALENDAR/CURRENT EVENTS:

No. 1: Board members and County Administrator will report on events attended or to be attended on behalf of the County, may present a brief summary of current events and may update the schedule for future Board of Supervisors meetings, as appropriate. No legal action will be taken, pursuant to A.R.S. §38-431.02(K).

No legal action was taken.

There being no further business to come before the Board, the Regular Session was adjourned at 12:10 p.m.

Adopted this 18th day of April, 2022.



Marco A. (Tony) Reyes, Chairman

ATTEST:



Susan K. Thorpe
County Administrator/Clerk of the Board

SKT/dd/sp

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