

The Yuma County Board of Supervisors met in a regular session on December 20, 2021. 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; County Attorney Jon Smith; Chief Civil Deputy County Attorney Bill Kerekes; Chief Health Officer Diana Gomez; Emergency Management Specialist Russ Hartley; Economic Development & Intergovernmental Affairs Director Alejandro Figueroa; Recorder Robyn Pouquette; Elections Director Tiffany Anderson; Facilities Management Director David Hylland; Public Works Director Josh Scott; Senior Planner Javier Barraza; Senior Planner Juan Leal-Rubio; Chief Information Officer Clif Summers; and Deputy Clerk/Executive Assistant Desarae Doten.

The Pledge of Allegiance was led by Supervisor Lines.

CALL TO THE PUBLIC: There were no comments received.

PRESENTATIONS, PROCLAMATIONS & APPOINTMENTS:

Supervisor Lines reported Sean Rodgerson is moving away from Yuma County and therefore resigned from the Planning and Zoning Commission. Supervisor Lines did not have a reappointment to make today, but hopes to have one at the next meeting.

No. 1: Presentation of "The County Line" by Yuma 77, the Yuma County Government Channel.

No legal action was taken.

No. 2: Recorder/Elections: Presentation regarding the 2021 election laws enacted following the 2021 regular legislative session and brief review of the 2022 legislative proposals as identified by statewide Recorders and election officials.

Ms. Pouquette shared the following information concerning the 2021 legislative session:

- It was the 3rd longest session in Arizona history
- Nearly 1,900 bills, memorials and resolutions were introduced (487 passed and 459 became law)
- Most election-related bills introduced in Arizona history

Ms. Pouquette reviewed changes concerning voter registration and early voting.

Ms. Anderson reviewed changes concerning write-in candidates, elections, elections equipment.

Ms. Pouquette reviewed several prohibitive measures that passed through the legislature.

The Arizona Association of Counties 2022 Legislative Platform was reviewed as follows:

- Election clean-up bill
- Permissive language to allow early voting to be open the weekend prior to Election Day
- Require any external organization that mails or emails election-related materials to include a clear disclosure that they are not a representative of the government agency
- Expect to play defense
- Changes in Senate Government Committee
- SB 1819 Arizona Supreme Court Order – Single Subject Bills

In closing, Ms. Pouquette thanked the current Election Advisory Committee members who meet on a quarterly basis and briefly reported on recent discussions that took place concerning a Vote Center Plan for the 2022 election cycle, vote center staffing and an Election Contingency Plan.

No legal action was taken.

CONSENT CALENDAR:

MOTION (LINES/PORCHAS): Approve items 1 through 12 as presented, excluding items 6 and 10.

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 December 20, 2021, 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 \$2,384,696.42 and Payroll in the amount of \$1,775,170.48 during the period of November 15, 2021 through November 24, 2021. *(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
11/15/2021	Accounts Payable	\$ 1,236,539.63

11/24/2021	Accounts Payable	896,808.36
11/18/2021	Payroll	1,775,170.48
HOUSING:		
11/17/2021	Vendors Payables	111,076.85
11/17/2021	Section 8 Vouchers	1,396.00
11/15/2021	AP E-Payments	34,469.57
11/24/2021	AP E-Payments	104,406.01
TOTAL:		\$ 4,159,866.60

No. 3: Clerk of the Board: Approve the minutes for: a) November 15, 2021 Regular Session; b) November 22, 2021 Special Session; c) November 29, 2021 Special Session, and; d) December 6, 2021 Regular Session.

No. 4: Engineering: Per ARS § 42-18303, authorize the Chairman to sign a deed for Parcel Nos. 728-29-088 and 729-49-901 from the March 2022 Tax Deeded Property Auction List and accept the offer in the amount of \$100 per parcel as submitted by Yuma County.

No. 5: Information Technology Services (ITS): Authorize the purchase of desktop and laptop computers and software in the amount of \$251,476.61, including tax and shipping, for the Life Cycle Management Program under the State Purchasing Contract Number ADSPO16-098163.

No. 7: Public Works: Reject the bid received as allowed by A.R.S. §11-254.01 for the Supply, Delivery and Application of Liquid Asphalt from VSS International and authorize staff to re-solicit bid proposals.

No. 8: Recorder/Elections: Authorize the Chairman to sign an Intergovernmental Agreement for election services between the Yuma County Board of Supervisors, Yuma County Recorder and the City of Somerton, effective from January 1, 2022 to December 31, 2026 with automatic renewal for one (1) successive five-year term.

No. 9: Recorder/Elections: Cancel the March 8, 2022 special all-mail election for the Martinez Lake Resort Unit No. 1 Road Improvement and Maintenance District board of directors due to lack of participation.

No. 11: County Attorney: Authorize and approve the appointment of the Arizona Attorney General to represent the interests of Yuma County in the pending appeal of property valuation case entitled AGUA CALIENTE SOLAR, LLC, V. ARIZONA DEPARTMENT OF REVENUE, ET AL., TX 2021-000424.

No. 12: County Attorney: Authorize and approve the attached Settlement Participation Forms acknowledging Yuma County's election to participate in the

"Distributor Settlement" and "Janssen Settlement", pursuant to the Settlement Agreement dated July 21, 2021, and authorize the Chairman to execute said Settlement Participation Forms.

CONSENT ITEMS PULLED FOR DISCUSSION:

No. 6: *Public Works*: a) Award the Waste Tire Removal and Disposal Services (2022-2025) Contract Bid No. WTRD-2022-2025CY.07 to CRM of America, LLC. at the unit prices of \$84.95 per ton for passenger cars and light pick-up truck tires and semi/large truck tires, and \$144.95 per ton for construction, agriculture and other tires and shreds/OTRs, and; b) Authorize the Public Works Director to execute all agreements and financial documents, as needed, to expedite the contracting process, contingent upon review by legal counsel.

Supervisor Lines stated he pulled the item to ask questions about the process.

Mr. Scott explained the county is required by statute to accept waste tires and this takes place at the North Gila Transfer Site. Staff sorts and piles the tires for CRM of America, LLC. to be picked up and hauled to their plant in Phoenix where they are shredded. Mr. Scott stated approximately 200,000 tires are received per year at the transfer site.

MOTION (LINES/PANCRAZI): Approve as presented.

VOICE VOTE: The motion carried 5-0.

No. 10: *Facilities Management*: Award the design-build contract for the construction of a new 3200 SF metal storage building for the Health Department to be located at 2725 S. Avenue B to GCI Construction and Inspections, LLC in the amount of \$346,430 and authorize the Facilities Management Director to sign the contract and issue the Notice to Proceed.

Chairman Reyes stated he would like to see more information on the record and noted the only document attached to this item was the bid tabulation sheet.

Mr. Hylland was present to answer Supervisor's questions.

MOTION (REYES/PORCHAS): Approve as presented.

VOICE VOTE: The motion carried 5-0.

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

No. 1: *County Administration*: Elect a Yuma County Board of Supervisors Chairman for Calendar Year 2022.

Ms. Thorpe reviewed the process and opened the floor for nominations.

Supervisor Pancrazi nominated Supervisor Reyes. The nomination was seconded by Supervisor Lines.

Ms. Thorpe closed the nominations and called for a vote to elect Supervisor Reyes as Chairman for 2022. The voice vote carried 5-0.

No. 2: County Administration: Elect a Yuma County Board of Supervisors Vice-Chairman for Calendar Year 2022.

Chairman Reyes reviewed the process and opened the floor for nominations.

Supervisor Porchas nominated Supervisor Lines. The nomination was seconded by Supervisor Simmons.

Motion to close nominations: (PORCHAS/PANCRAZI). The motion carried 5-0.

The motion to elect Supervisor Lines as Vice-Chairman for 2022 carried 5-0.

No. 3: County Administration/Public Health Services District/Emergency Management: Discussion and possible action regarding COVID-19 updates and activities.

Mr. Hartley reported Emergency Management continues to check with the testing sites weekly to share that information on the county website.

Ms. Gomez talked about the strain on health care centers due to the increase in cases and hospitalizations; hospitals have space and ventilators are available, but there is not enough staff. She stressed that if you are sick, regardless of your vaccination status; get tested which is important to reduce the spread of infection.

Supervisor Lines asked if Yuma County has the ability to test for the different variants. Ms. Gomez confirmed they do have the ability to do sequencing, and those reports are received on a regular basis.

In closing, Ms. Gomez reported on a meeting with staff from the Department of Homeland Security last week where it was emphasized that we are all fighting for the same resources and the surge at the hospital is not related to migrants seeking asylum, it is community spread.

No legal action was taken.

No. 4: *Clerk of the Board:* Action to appoint members of the Board of Supervisors to the following Boards and Commissions for Calendar Year 2022:

- a) Western Arizona Economic Development District Board (La Paz and Yuma Counties - Mohave County withdrew in 2021); and**
- b) Yuma Metropolitan Planning Organization Executive Board.**

Chairman Reyes reported staff is in the process of disbanding the Western Arizona Economic Development District Board (WAEDD) so this would be a temporary appointment.

MOTION (LINES/PANCRAZI): Reappoint current members.

VOICE VOTE: The motion carried 5-0

No. 5: *Clerk of the Board:* The Chairman will appoint Board members to serve on the following Boards and Commissions for Calendar Year 2022:

- a) Chamber of Commerce Legislative Affairs Committee;**
- b) Chamber of Commerce Transportation Committee;**
- c) County Supervisors Association Legislative Policy Committee;**
- d) Elections Advisory Committee;**
- e) Greater Yuma Economic Development Corporation;**
- f) Local Emergency Planning Committee;**
- g) Local Workforce Development Board Liaison (AZ@Work - Yuma County);**
- h) Western Arizona Council of Governments Executive Board;**
- i) Yuma Resource Water Management Group; and**
- j) Yuma Crossing National Heritage Area Corporation.**

Chairman Reyes noted there was only one change to the Chamber of Commerce Legislative Affairs Committee. The current primary (Supervisor Pancrazi) and the current alternate (Supervisor Lines) will be switched for Calendar Year 2022.

Chairman Reyes confirmed that all other appointments would remain the same.

No. 6: *Facilities Management/Health District:* Provide direction to staff upon hearing an updated presentation on prioritized Health Department facility renovation project options, including remodel, expansion, reconstruction and/or development of remote satellite clinic space, as to which option the Board wishes to pursue.

Mr. Hylland provided a Power Point presentation that highlighted the areas of concern with the existing building such as insufficient staff work space, lack of adequate training, meeting and multi-use room space and safety/security issues. Several options were reviewed which consisted of remodel, remodel/expansion and remodel/expansion/new construction.

Ms. Gomez confirmed the option, identified as the fourth, that consisted of remodel, expansion, and new construction was preferred.

Supervisor Simmons asked if this expansion will meet the Health Department's needs for years to come. Ms. Gomez confirmed it would be a viable option for the future. Mr. Hylland noted the plan is sized up for flexibility.

Supervisor Porchas stated there should be a plan for other county buildings that will become available before a decision is made for the Health Department. Chairman Reyes noted the importance to plan for any changes that will affect current tenants.

Supervisor Pancrazi questioned if the trailers would remain behind the building. Ms. Gomez confirmed the Tuberculosis (TB) Control Department would remain; however, Emergency Preparedness Division would move into the building.

Discussion ensued concerning the University of Arizona Cooperative Extension offices, currently located in the Health Department, which require 4,000 to 5,000 square feet of space, and may want or need to remain in close proximity to the Moody Garden.

Staff was directed to continue planning and work with partners and then return with a complete project that takes Yuma County 10-20 years into providing health services.

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.

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. 21-08: Albert Ceja, agent for the Cash Now Homes LLC, requests to change the land use designation of a parcel 22,870 square feet in size from Industrial (I) to Urban Density Residential (R-UD), Assessor's Parcel No. 666-26-007, located at 2305 East 15th Street, Yuma, Arizona.

Mr. Barraza provided the staff presentation.

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

MOTION (LINES/PORCHAS): Approve Minor Amendment Case No. 21-08 as recommended by the Planning Commission.

VOICE VOTE: The motion carried 5-0.

No. 2: *Development Services/Planning & Zoning Division*: Public Hearing: Rezoning Case No. 21-25: Dahl, Robins & Associates, Inc., agent for Five Management LLC, requests the rezoning of a parcel totaling approximately 7.05 acres in size from Local Commercial (C-1) to Recreational Vehicle Subdivision (RVS), Assessor's Parcel No. 728-36-901, located on the southwest corner of Foothills Boulevard and 48th Street, Yuma, Arizona.

Mr. Barraza provided the staff presentation.

Chairman Reyes opened the public hearing.

Mary Ellen Finch, Community Liaison, Marine Corps Air Station (MCAS) Yuma, spoke in opposition.

Adrian Vega, Dahl Robbins & Associates, stated they were in front of the Board several months ago and since then a new application was submitted for these parcels to match the surrounding properties. Mr. Vega confirmed the property owners agreed to the conditions of approval.

In response to Supervisor's questions, Mr. Vega confirmed there were be two access roads and one retention basin.

The public hearing was closed.

Supervisor Simmons thanked the developer and agents for working with the community, stating he has heard nothing but praise for doing so.

MOTION (SIMMONS/LINES): Approve Rezoning Case No. 21-25 as recommended by the Planning Commission.

VOICE VOTE: The motion carried 5-0.

The following conditions were approved:

Performance Condition: 1. Within 60 days of approval by the Board of Supervisors, the owner or agent shall:

- a. Provide an A.R.S. §12-1134 waiver.
- b. Record a Range 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 5,000 square feet in size within five (5) years of Board of Supervisors approval of this rezoning case.

No. 3: *Development Services/Planning & Zoning Division*: Public Hearing: Rezoning Case No. 21-26: Kevin Burge, agent for Avenue 5E Farm De LLC, requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel No. 748-20-001 located at the southeast corner of the alignment of Avenue 4¾ E and County 14½ Street, Yuma, Arizona.

Mr. Leal-Rubio provided the staff presentation.

Chairman Reyes opened the public hearing.

Kevin Burge, Core Engineering Group, responded to Supervisors' questions and noted the property owner and legal counsel were also in the audience.

Chairman Reyes closed the public hearing.

MOTION (LINES/PANCRAZI): Approve Rezoning Case No. 21-26 as recommended by the Planning Commission.

In response to Supervisor's questions, Mr. Leal-Rubio confirmed there would be irrigation provided.

VOICE VOTE: The motion carried 5-0.

The following conditions were approved:

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

- a. Provide an A.R.S. § 12-1134 waiver.
- b. Record an Infrastructure disclosure statement.
- c. Record a Schedule for Development disclosure statement.
- d. Record an Agriculture disclosure statement.
- e. Record a Range disclosure statement.
- f. Record an Avigation disclosure statement.

Schedule for Development: 1. Within two (2) years of approval by the Board of Supervisors and prior to approval of the Land Division Permit, the owner shall acquire an ingress/egress easement 20 feet in width to provide for physical and legal access and apply for a Grading Permit with the Yuma County Engineering Department to improve said ingress/egress easement in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attached Standard

Number B-Penetration and Chip Seal). The western end of the ingress/egress easement shall also contain the means for emergency vehicles to turn around. The turn-around shall be in accordance with 2003 International Fire Code and current Yuma County policies.

2. Within two (2) years of approval by the Board of Supervisors and prior to approval of the Land Division Permit, the owner shall apply for a Grading Permit with the Yuma County Engineering Department to improve the 20 feet wide ingress/egress easement, which provides direct access to the new lots, in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attached Standard Number B-Penetration and Chip Seal) The end of the ingress/egress easement shall also contain the means for emergency vehicles to turn around. The turn-around shall be in accordance with 2003 International Fire Code and current Yuma County policies. **3.** Within two (2) years of approval by the Board of Supervisors, the property shall be split by means of a Land Division Permit pursuant to Section 507.00 of the Yuma County Zoning Ordinance. Any required irrigation easement shall be recorded with the Land Division Permit. **4.** Within two (2) years of approval by the Board of Supervisors, the owner shall submit certification from a licensed engineer confirming the roadway referred to in items 1 and 2 of the Schedule for Development were constructed according to the Standard B-Penetration and Chip Seal. **5.** All lots shall be provided with means of irrigation and access to irrigation water prior to development of any of the existing parcels. The owner/applicant will submit a letter from the irrigation district to the Department of Development Services confirming that a satisfactory irrigation system is installed and the individual lots will have access to irrigation water

No. 4: *Development Services/Planning & Zoning Division: Public Hearing: Rezoning Case No. 21-23: Vianey Vega, agent for Jose Jaime & Lina Gomez, requests the rezoning of a parcel approximately 5 gross acres in size from Rural Area-10 acre minimum (RA-10) to Light Industrial-2 acre minimum (LI-2), Assessor's Parcel No. 196-25-002, located in the vicinity of the southeast corner of Avenue 3 E and County 14th Street, Yuma, Arizona; located in the 65-69 dB and 70-74 dB noise zone.*

Mr. Leal-Rubio provided the staff presentation.

Chairman Reyes opened the public hearing.

Vianey Vega, Vega & Vega Engineering, reported the purpose of this rezoning is for the owner to keep the option available to split the parcel in the future if he needs to.

Chairman Reyes closed the public hearing.

MOTION (LINES/PORCHAS): Approve Rezoning Case No. 21-23 as recommended by the Planning Commission.

VOICE VOTE: The motion carried 5-0.

The following conditions were approved:

Performance Conditions:

1. Within 60 days of approval by the Board of Supervisors, the owner/agent or agent shall:
 - a. Provide an A.R.S. § 12-1134 waiver.
 - b. Record an Avigation Disclosure Statement.
 - c. Record a Schedule for Development Disclosure Statement.
 - d. Record an Agriculture Disclosure Statement.

Schedule for Development:

1. Within one (1) year of approval by the Board of Supervisors, the property shall be split by means of a Land Division Permit pursuant to Section 507.00 of the Yuma County Zoning Ordinance, record a 1' non-access easement along County 14th Street excluding the existing access along the west property line of subject parcel. The Land Division Permit shall identify the following site constraints that must be addressed as conditions to the eventual issuance of building permits:
 - a. Non-compatible land uses for this location are the manufacturing of chemicals, petroleum, apparel, rubber, plastic, professional scientific and controlling instruments.
 - b. It is requested that specific uses are provided to MCAS-Yuma prior to their start to ensure compatibility.

DISCUSSION REGARDING LEGISLATIVE ISSUES:

No. 1: *County Administration*: Presentation and possible discussion regarding State, Federal and International legislative updates, which may include status of bills impacting Yuma County, timelines and composition of the legislatures, redistricting, and legislative strategies and priorities. (Action is limited to discussion only; however, the Board of Supervisors may provide direction to staff for future agenda items.)

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

He reminded the Board that the 2022 National Association of Counties (NACo) Legislative Conference will take place February 12-16 in Washington, D.C., and policy proposals will be accepted through January 12, 2022.

EVENTS CALENDAR/CURRENT EVENTS:

Board members and the County Administrator reported on and discussed events attended or to be attended on behalf of the County, presented a brief summary of current events and updated the schedule for future Board of Supervisors meetings as appropriate. *No legal action was taken, pursuant to A.R.S. §38-431.02(K).*

At 11:45 a.m. Chairman Reyes recessed the Yuma County Board of Supervisors and reconvened the meeting at 1:30 p.m.

DISCUSSION AND ACTION ITEMS – CONTINUED:

No. 7: County Administration -- 1:30 p.m.: Discussion and possible action to authorize the County Administrator to enter into a contract with ALLO Communications (dba ALLO Arizona, LLC) for Design and Construction of a Broadband Middle Mile Fiber Backbone, subject to legal review.

Ms. Thorpe acknowledged the following members of the Yuma County Broadband Proposal Evaluation Team who were present: Paul Brierley, Mark Smith, Clif Summers and Derek Masseth.

Mr. Brierley read a letter from the Yuma County Broadband Proposal Evaluation Team into the record. A handout was also provided to the Board.

Chairman Reyes noted the process has taken longer than they originally thought, and become more complicated, which is not a reflection on the Yuma County Broadband Proposal Evaluation Team.

Chairman Reyes called the following individuals forward who filled out a speaker card.

David Soffer, Director of Business Development, WANRack, expressed their concerns with the process and noted at this point, they had more questions than answers. He referenced Yuma County Resolution from 2019 related to the purchasing policy and asked the committee to ensure they followed the correct process, and if the answer is no, they believe the Request for Proposals (RFP) should go back out.

Rob Oyler, WANRack, stated his opinion that it comes down to a fiduciary issue to the constituents of Yuma County. He noted that ALLO did not publish their rates, and if you research that online, Google Fiber's are lower.

Brad Moline, ALLO Communications, informed the Board they would maintain some strands (12), and be able to support the county doing business in an agricultural area. Mr. Moline stated they were the only group who demonstrated willingness to use their own capital on the build and to invest in the region. Regarding ALLO's rates, the average resident pays \$46 per month and the Emergency Broadband Benefit (EBB) Program is available.

Brian Murray, representing Google, reported they charge \$30 a month and, with EBB participation, services are free. In closing, he reported Google Fiber has a written agreement with WANRack if they were awarded this contract.

Supervisor Lines reported as a part of the evaluation team he was surprised by the disparity in the answers. They were not clearly defined and so varied in the approach, which made it difficult for the selection team to do their scoring although they arrived at a conclusion. He stated he would like more information about the costs so the general public knows we have purchased and partnered with the best possible group going forward and have done 100% due diligence.

Chairman Reyes read the recommended motion and asked whether the Board had the authority to make any other decision.

Mr. Kerekes confirmed the Board had the authority at this point to either accept the recommendations of the committee and enter into negotiations to contract with ALLO, or they could eliminate that all together and direct staff to enter into negotiations with any another member who submitted a proposal, or reject all bids and start over.

MOTION (PANCRAZI/LINES): Reject all bids, and direct staff to reformulate and issue a new RFP for a Broadband Middle Fiber Backbone, and bring proposals and a recommendation back to the Board for consideration as soon as possible as we have a January 31, 2022 deadline.

Chairman Reyes asked if there is enough time to do that.

Ms. Thorpe stated staff would do whatever the Board directs as expeditiously as possible; however, with a January 31 deadline for the State Broadband Grant process she could not guarantee that can be met.

Supervisor Simmons expressed concern that this item has come before the Board several times and there have been reasons to extend, and now that was being considered again. He noted his support for the committee who has been meeting for the past 8-9 months, and were relied on to make the best choice, so his recommendation was to select ALLO Communications.

Supervisor Lines stated he believed the RFP needed to be refined to determine exactly how the money would be spent.

Supervisor Porchas echoed Supervisor Simmons comments and stated he believed the Board should take action today.

Chairman Reyes asked the County Attorney for their opinion if everything done so far will withstand a legal challenge and give the Board the ability to make a decision.

Mr. Kerekes explained a judgment call will be made based on the responses received from the various vendors, and that nobody from the County Attorney's Office was in the room to evaluate anyone's proposal. They are saying the RFP process used by the

committee was appropriate, but the decision of the committee has to be made based on their compliance with the specifications and provisions listed in the RFP.

ROLL CALL VOTE: PANCRAZI – Aye; LINES- Aye; PORCHAS – Nay; SIMMONS – Nay and REYES - Nay.

The motion failed, 2 in favor-3 opposed.

MOTION (PORCHAS): Authorize Administrator to negotiate a contract with ALLO for the Middle Mile Fiber Backbone.

Mr. Kerekes noted there is currently no contract presently for the Board to consider.

Ms. Thorpe stated the contract would be subject to legal review and could be brought back to the Board for approval.

After further discussion Ms. Thorpe asked the Board to withdraw the motion.

Supervisor Porchas withdrew his motion.

Ms. Thorpe suggested the following motion: Authorize the County Administrator to enter into negotiations for a contract with ALLO Communications (dba ALLO Arizona LLC) for Design and Construction of a Broadband Middle Mile Fiber Backbone, subject to legal review, and to bring the contract for approval by the Board of Supervisors.

MOTION (PORCHAS/SIMMONS): Authorize the County Administrator to enter into negotiations for a contract with ALLO Communications (dba ALLO Arizona LLC) for Design and Construction of a Broadband Middle Mile Fiber Backbone, subject to legal review, and to bring the contract for approval by the Board of Supervisors.

ROLL CALL VOTE: PORCHAS – Aye; SIMMONS – Aye; LINES – Nay; REYES- Aye and PANCRAZI – Nay.

The motion carried 3-2.

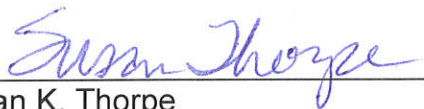
There being no further business to come before the Board, the Regular Session was adjourned at 2:19 p.m.

Adopted this 3rd day of January, 2022.



Marco A. (Tony) Reyes, Chairman

ATTEST:



Susan K. Thorpe
County Administrator/Clerk of the Board

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