



**S**ANTA CRUZ COUNTY PROVISIONAL  
**COMMUNITY COLLEGE DISTRICT**  
**GOVERNING BOARD**

**SPECIAL Board Meeting Minutes**

**TUESDAY, JULY 5, 2022**

Santa Cruz Center Board Room  
 2021 North Grand Avenue  
 Nogales, AZ 85621

**1. OPENING ITEMS**

**A. Call to Order:**

Dr. Marcelino Varona, Jr., Chairperson, called a SPECIAL Public Board Meeting of the Santa Cruz County Provisional Community College District Governing Board to order on Tuesday, July 5, 2022, at 2:00 p.m.

**Pledge of Allegiance:**

Ms. Collier led the Pledge of Allegiance.

**Roll Call / In Attendance:**

- Present at the meeting were – Dr. Marcelino Varona, Jr.-Chairperson, Mr. Fanning- Vice Board Member, Dr. Angela Meixell- Board Member (joined via ZOOM), Ms. Liz Collier- Board Member, Mr. Greg Lucero- Board, Mrs. Georgina Tavera- Finance Manager. Dr. Morgan Phillips and Mr. Jeff Silvyn from Pima Community College and Mr. David Pauole, PCC District Attorney, joined via ZOOM.

**B. Adoption of the Agenda:**

Chairperson Varona entertained a motion to adopt the agenda of Tuesday, July 5, 2022, SCCPCCD SPECIAL Governing Board Meeting as presented. Mr. Fanning motioned to adopt the agenda as presented, seconded by Mr. Lucero. Motion carried unanimously, 5-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Marcelino Varona, Jr.	X		
Mr. John Fanning	X		
Dr. Angela Meixell	X		
Ms. Liz Collier	X		
Mr. Greg Lucero	X		

**C. Public Comment – Call to Audience**

- a. There was no call to the public.

**2. PUBLIC HEARING DISCUSS PERMANENT BASE ADJUSTMENT**

**A. Discussion of Procedure for “Permanent Base Adjustment”**

*SCCPCCD Finance Manager, Mrs. Georgina Tavera, provided a review of the process*

- Mrs. Tavera presented a list of actions taken last week. She stated that she and Ms. Collier met with the County; also present at that meeting were SCCPCCD Attorney Pauole, a representative from the County Attorney, Election Director, Alma Shultz; they discussed the IGA; a final quote was not provided due to the voter household numbers not being final;

- The Resolution was signed last week by Chairperson Varona and Mr. Fanning and has been posted on the website;
- The notice approved by Attorney Pauole has been translated to Spanish and will be included in the Newspaper two consecutive times;
- Some county forms were adjusted and made simpler and easier to read; these will be handed out; another step taken and finalized was the package to the Auditor's General
- Mrs. Tavera added that she will schedule a follow-up meeting with Alma and also discuss the IGA numbers;

*Note: Chairperson Varona informed everyone that Dr. Meixell was attending this meeting via ZOOM due to illness.*

- Chairperson Varona reviewed the steps for clarification purposes:
  - He asked Mrs. Tavera to explain the last sentence in the first paragraph of the Notice of Election so that Board Members are consistent and say the same thing when asked by the community members: "If approved, the base expenditure limit of the District will be permanently adjusted by \$1,392,941"
  - Mrs. Tavera explained that this amount was determined by the formula set up by law back in 1979-1980; this has the inflation rate, population, and base amount;
  - The base amount in 1979 was \$1.5M and now changed to \$2.8M (adding \$1.3M); this means it brings an increase to the expenditure limitations of \$524K to spend (based on FTSE);
- Chairperson Varona asked Attorney Pauole if it was acceptable that sometimes it mentioned Santa Cruz only but not County; Attorney Pauole said it was a clerical mistake and will be revised;
- Mr. Lucero asked for clarification about the cost of printing the publicity pamphlet and we don't know the final number to order;
- Ms. Collier said she contacted the printer and said we needed approximately 12,000 households (18 pages);
- Chairperson Varona asked Attorney Pauole if there was a problem with Ms. Collier doing this; Attorney Pauole said we were not trying to influence the outcome of the election by making arrangements for the publication of the publicity pamphlet; this is a requirement that has to be done by law;
- Mr. Fanning asked if we will be responsible for only getting the pro statements (notarized or not); should the County be responsible for that?
- Mr. Lucero asked for the deadline to submit the arguments; he was informed it was August 10, 2022, at 5pm;
- Attorney Pauole added that once the arguments are received, the public pamphlet needs to be shared with the Auditors General Office by August 18<sup>th</sup>; then they will have less than 15 days to respond (should be a quick turnaround);
- Dr. Phillips said most of the things are the same pieces for having the election notice filed; the concern was when moving into trying to convince people to vote for the initiative and have to be careful. He added that this is not something that the College can be involved with;
- Mr. Jeff Silvyn also provided brief information about the deadlines; he added that the district can provide factual information but cannot advocate for it; he shared what

Pima has done in the past; the publicity for the proposal was handled by a citizens group committee (community) that formed in favor of the ballot proposition and left all of the communications related to the advocacy to them; Pima only provided background information; the committee also solicited the letters of support;

- Dr. Meixell questioned the publicity brochure saying it had letters of support from Pima Board Members in it; Mr. Silvyn explained that it was an odd distinction but said the distinction was permissible;
- Ms. Collier was wondering about the need to notarize these letters which might cause a hardship for the people; Mr. Silvyn said they did not require them to be notarized;
- Attorney Pauole said it was a very cautious approach to look on his behalf (he elaborated); he added it was best to be safe and it was a good idea to have the letters notarized;
- Ms. Collier addressed her concern about not having a notary available in Patagonia and Sonoita; Attorney Pauole said we will cross that bridge when we get there and for now, make an effort to try to get them notarized; if they are not able to get them notarized, then they will sort that out at the end;
- Dr. Varona addressed his concern about “sorting it out at the end”; what if someone from Patagonia does not have the letter notarized but everyone else did, will this cause a legal issue for us?
- Attorney Pauole did not have a definitive answer and explained his reasoning; he said the good news did not require notarization and that based on that precedent, we will be okay; he also said it was allowed to ask for letters of support;
- Dr. Meixell was appreciative of Attorney Pauole being safe and conservative but said it was less risky to have notarized letters of support; she concluded by saying she will be approaching her leaders in her community for letters of support but felt it would be a difficult requirement to ask them to go to their bank and get it notarized;
- Mr. Fanning went back to his previous comments explaining what his responsibilities were when they did it with K-12; he asked what was the difference from the K-12 to what was currently being discussed;
- Attorney Pauole explained the differences and added that the County Elections Department said it was our responsibility to put together the publicity pamphlet and get it printed;
- Mr. Lucero asked Attorney Pauole if it was prohibited for county staff to send letters of support; he said we could not use Provisional Community College resources or attempt to influence the outcome of the election; he added that staff could not go out and solicit letters of support while they are on-the-clock because that would be the use of Community College resources, but could do so as private citizens;
- Mr. Lucero asked what was the process to form a Citizens Committee, and if that was something that we get involved with; Attorney Pauole explained the procedure;
- Mr. Fanning asked where the funding came from to form the Citizens Committee/PAC?
- Mr. Silvyn elaborated on the Pima College Election and how it was organized; he added that the Board and the College did not participate in the organization; as far as funding, it was all privately funded but the Foundation could be used, too;
- Attorney Pauole said that due to them receiving this IGA until Friday afternoon from the County, there are a couple of things they are unclear about right now; there is no

need to get Board approval adding that the Board had already given authority to Mrs. Tavera to approve it as part of the Resolution;

- Chairperson Varona stated that with Attorney Pauole's recommendation that we do not need formal action as it was established on a previous Resolution; the meeting proceeded to Item B.

**B. Presentation of IGA between SCCPCCD and Santa Cruz County**

*SCCPCCD Finance Manager, Mrs. Georgina Tavera, provided a review of the process and approval*

- Mrs. Tavera said that they had received the IGA Friday afternoon and still had questions for Alma on some items (distribution, cost, etc.). She asked the Board to table this item;
- Chairperson Varona asked Attorney Pauole for his guidance; Attorney Pauole said there was no need to table this item as the Board had already delegated the authority to approve the IGA to Mrs. Tavera; no action was needed at this time;

**C. Presentation of Pamphlet Printing Job Quote**

- Mrs. Tavera said they did not have the final household numbers from Alma yet and requested a follow-up meeting for tomorrow or Thursday for the final numbers;
- Ms. Collier said it was approximately \$8-\$9K for about 12,000 copies of 18 pages. She asked if she had to get another quote from another printer. Attorney Pauole said he advised K-12 Districts they do not need more than one written quote unless there is something in their policy that states to obtain more written quotes; she asked for all the letters to be in Word format and make it easier for her to compile; letters can be emailed, too;
- Dr. Meixell asked if the ballot proposition had a number assigned; Attorney Pauole said it was just assigned by the County: #413; she suggested adding this number to the title; she also mentioned the statement and if students are allowed to write a letter; Attorney Pauole said they were allowed; Mr. Silvyn explained there should be a distinction and be careful not to have an instructor set aside class time and suggest they write letters (then we are using college resources);
- Chairperson Varona asked for clarification and said it did not make sense to him because Pima students were not part of us (two different things); Mr. Silvyn expanded by saying it was unlawful under State Law for college resources to be used to influence the outcome of *any* election, could not be done;
- Mr. Lucero asked about the printing job quote; Attorney Pauole again reminded them about making an adequate delegation of authority to Mrs. Tavera to make sure this election is held; Mrs. Tavera added that everything was reviewed by Attorney Pauole and thanked him for all of his assistance and support; Mrs. Tavera added there was a link to the website that explained the process; Ms. Collier has made adjustments and it is not final yet;
- Chairperson Varona asked if this could be reviewed publicly and Attorney Pauole approved and said it was legal to do so;
- Once it is ready, Ms. Collier will send the link to all Board Members and asked to provide their feedback;
- Chairperson Varona and the Board thanked Dr. Phillips and Mr. Silvyn for attending the meeting and for their efforts;

**D. Executive Session Items**

- a. Nothing was addressed.

**E. Adjournment**

Chairperson Varona entertained a motion to adjourn the meeting at 2:50 p.m. Ms. Collier motioned to adjourn the Special Board Meeting of July 5, 2022, seconded by Mr. Fanning. Motion carried unanimously, 5-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Marcelino Varona, Jr.	X		
Mr. John Fanning	X		
Dr. Angela Meixell	X		
Ms. Liz Collier	X		
Mr. Greg Lucero	X		

Having no further business to discuss, Chairperson Varona adjourned the meeting at approximately 2:50 p.m.

*Minutes presented respectfully by:*

---

Ms. Liz Collier  
SCCPCCD Board Member