



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

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Don Stapley, District 2  
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**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

# FORMAL MEETING AGENDA

## BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts and/or Board of Deposit)

**Thursday, November 06, 2008  
1:00 PM**

Agendas are available at least 24 hours prior to each meeting in the Office of the Clerk of the Board, 301 West Jefferson, Tenth Floor, Phoenix, Arizona, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and on the internet at [http://www.maricopa.gov/Clk\\_board/Agendas.aspx](http://www.maricopa.gov/Clk_board/Agendas.aspx). One or more Board members may attend telephonically. Board members attending telephonically will be announced at the meeting. The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3). Accommodations for individuals with disabilities, including alternative format materials, sign language interpretation, and assistive listening devices are available upon 72 hours' advance notice through the Office of the Clerk of the Board, 301 West Jefferson Avenue, Tenth Floor, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TTY (602) 506-2000. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

*See the Clerk and fill out a speaker's form if you would like to address the Board regarding any matter on the agenda.*

## Table of Contents

BOARD OF SUPERVISORS.....	3
PRESENTATIONS .....	3
STATUTORY HEARINGS .....	3
Clerk of the Board .....	3
Public Works .....	5
AGENCY ITEMS AND STATUTORY MATTERS.....	6
COUNTY OFFICERS .....	7
Clerk of the Board .....	7
County Attorney .....	7
Sheriff.....	7
COUNTY MANAGER .....	9
Crime Prevention - Meth Program .....	9
Government Relations .....	10
DEPUTY COUNTY MANAGER.....	10
Public Health.....	10
Workforce Management and Development .....	14
ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION.....	15
Animal Care & Control Services .....	15
Community Development.....	15
Human Services.....	17
Medical Examiner .....	18
CHIEF FINANCIAL OFFICER .....	18
Finance .....	18
Parks and Recreation .....	19
ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES .....	19
Environmental Services .....	19
ASSISTANT COUNTY MANAGER - PUBLIC WORKS .....	20
Public Works .....	20
BOARD OF SUPERVISORS.....	21
SETTING OF HEARINGS .....	21
Clerk of the Board .....	21
CONSENT AGENDA.....	22
Clerk of the Board .....	22
BOARD OF SUPERVISORS ADDENDUM.....	23
County Attorney .....	23
Public Works .....	23
Risk Management .....	23
Sheriff.....	24
FLOOD CONTROL DISTRICT AGENDA.....	24
LIBRARY DISTRICT AGENDA .....	28
CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS .....	28
PLANNING AND ZONING AGENDA .....	29
REGULAR AGENDA .....	29

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**GREEN – APPROVED / RED – DENIED / BLUE – CONTINUED**  
**GOLD – WITHDRAWN / BROWN – NO ACTION**

1. **INVOCATION – NO ACTION**
2. **PLEDGE OF ALLEGIANCE – NO ACTION**
3. **ROLL CALL – NO ACTION**

### **BOARD OF SUPERVISORS**

4. **Pet Showcase by Maricopa County Animal Care and Control. – NO ACTION**
5. **APPOINTMENT OF CONSTABLE – APPROVED**

Appoint a new Constable to fill the unexpired term of Constable Joe Reyes of the West McDowell Justice Precinct, who passed away on September 20, 2008. Term will expire on December 31, 2010. Constable Reyes faithfully served his constituency from January 1, 1999, until his passing. Per A.R.S. 11-421.01 Section C and consistent with Board of Supervisors' action related to the Constables' salaries (reference C2508006000), recommend setting the salary of the newly appointed Constable for the West McDowell Precinct at \$48,284. (C-25-09-003-9-00)

### **PRESENTATIONS**

6. **BEST TREND PERFORMANCE AWARD TO MARICOPA COUNTY – APPROVED**

Presentation regarding the Best Trend Performance Award to Maricopa County. Walgreens Health Initiatives (WHI), the pharmacy benefits manager for Maricopa County's employees, will present the "Best Trend Performance" award to the county for their outstanding trend results in 2007. Though a collaborative effort between Maricopa County and WHI, the county was able to reduce their per member prescription medication cost in 2007 by 2.44% in 2007 compared to the previous year. (C-35-09-003-P-00)

*Mr. Mike Schaiberger, Director of Employee Health Initiatives*  
*Mr. Richard Ashworth, Vice-President WHI*

### **STATUTORY HEARINGS**

**Clerk of the Board**

**7. LIQUOR LICENSE APPLICATIONS – APPROVED**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

**a. PERSON-TO-PERSON TRANSFER LIQUOR LICENSE FOR LAST CHANCE TRADING POST**

Approve an application filed by Todd Michael Grooms for a Series 06 Person-to-Person Transfer Liquor License application for the Last Chance Trading Post, 26427 S. Arizona Avenue, Chandler, AZ 85248. (AZ #06070122) (MCLL#6276) (C-06-09-135-L-00)

**b. LIQUOR LICENSE FOR TIBURON AQUARIUM RESTAURANT**

Approve an application filed by Alejandro Ricardo Corona for a New Series 12 liquor license for Tiburon Aquarium Restaurant & Flamingo Lounge at 16501 West Northern Avenue, Litchfield Park, AZ, 85340. (AZ#12077744) (MCLL#6277) (C-06-09-136-L-00)

**8. FRANCHISES – APPROVED**

**a. FRANCHISE EXTENSION - WATER UTILITY OF GREATER TONOPAH (WUGT)**

Pursuant to A.R.S. §40-283, convene the scheduled public hearing to solicit comments and consider the application by Water Utility of Greater Tonopah, for an extension to an existing public service franchise for a domestic water distribution system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. (F21283) (C-06-09-085-7-00)

**b. FRANCHISE APPLICATION - VALENCIA WATER COMPANY**

Pursuant to A.R.S. § 40-283, convene the scheduled public hearing, to solicit comments and consider the application filed by Valencia Water Company, for an extension to an existing public service franchise for a domestic water distribution system.

The Board previously approved franchise applications filed separately by Valencia Water Company and Water Utility of Greater Buckeye (WUGB), respectively. The area services were split between the two companies and both had portions of their Certificate of Convenience and Necessity (CC&N) areas covered under the Maricopa County Franchise Agreements. On February 27, 2008, the Arizona Corporation Commission approved a merger of WUGB into Valencia, and required that Franchise Agreements be obtained for Valencia to include both former WUGB CC&N and Valencia CC&N services areas.

Today's hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, an

extension to an existing public service franchise for a domestic water distribution system that includes both former WUGB CC&N and Valencia CC&N services areas will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. Further, upon approval, the existing franchises for Valencia Water Company Franchise and Water Utility of Greater Buckeye (WUGB) dated October 21, 1985 and June 1, 1992, respectively, are hereby rescinded. (C-06-09-090-L-00)

**9. BINGO APPLICATION - BRIARWOOD COUNTRY CLUB – APPROVED**

Pursuant to A.R.S. §5-403 and 5-404, convene the scheduled hearing on the application filed by Briarwood Country Club. At this hearing, the Board of Supervisors will determine the recommendation to the Arizona Department of Revenue to either approve or disapprove the license.

Briarwood Country Club, 20800 N. 135th Avenue, Sun City West, AZ 85375, is seeking approval of a bingo license for use twice a month on Wednesdays at 8:00 p.m. (A657-30) (C-06-09-141-L-00)

**Public Works**

**10. ROAD FILE DECLARATIONS – APPROVED**

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

- a. **ROAD FILE NO. 5801** to Open and Declare the following described alignments into the County Transportation System.

Various roadway alignments together with all appurtenant rights, lying within Section 32 – T2N, R7E of the G&SRB&M, Maricopa County, Arizona; said alignments are described as follows.78th Street The East 25 feet of the East half of the Southeast quarter of the Northwest quarter of the Southwest quarter of said Section 32;The South 25 feet of the East 25 feet of the East half of Northeast quarter of the Northwest quarter of the Southwest quarter of said Section 32;The West 25 feet of the West half of the Southwest quarter of the Northeast quarter of the Southwest quarter of said Section 32. Plymouth Street The South 25 feet of the North half of the Northeast quarter of the Southwest quarter of said Section 32;The North 25 feet of the South half of the Northeast quarter of the Southwest quarter of said Section 32, Except the West 30 feet thereof.80th Street The East 30 feet of the Northeast quarter of the Northeast quarter of the Southwest quarter of said Section 32, Except the South 25 feet thereof; The West 30 feet of the Northwest quarter of the Northwest quarter of Northwest quarter of the Southeast quarter of said Section 32;The West 40 feet of the Southwest quarter of the Northwest quarter of the Northwest quarter of the Southeast quarter of said Section 32;A parcel BEGINNING at the Northwest corner of the Southwest quarter of the Northwest quarter of the Southeast quarter of said Section 32; Thence East 25 feet

; Thence Southwesterly to a point 25 feet south of the Point of Beginning; Thence North 25 feet to the POINT OF BEGINNING. Quenton Street The North 40 feet of the Northwest quarter of the Northwest quarter of the Northwest quarter of the Southeast quarter of said Section 32, Except the West 30 feet thereof; The South 25 feet of the Southwest quarter of the Southwest quarter of the Southwest quarter of the Northeast quarter of said Section 32.79th Street The East 25 feet of the North 310 feet of the South 325 feet of the Northwest quarter of the Northeast quarter of the Southwest quarter of said Section 32;The East 20 feet of the North 198 of the south 533 feet of the Northwest quarter of the Northeast quarter of the Southwest quarter of said Section 32; The West 30 feet of the North 508 feet of the South 533 feet of the Northeast quarter of the Northeast quarter of the Southwest quarter of said Section 32;A parcel BEGINNING at a point 533 feet North and 25 feet East of the Southwest corner of the Northeast quarter of the Northeast quarter of the Southwest quarter of said Section 32; Thence West 45 feet to the point of curve of a non-tangent curve having a radius of 45 feet and a center which bears East 45 feet; Thence Northeasterly along said curve through a central angle of 225 degrees to a point of reverse curve to the left having a radius of 45 feet; Thence Southwesterly along said curve through a central angle of 45 degrees to a point on the East line of the West 30 feet of said Northeast quarter of the Northeast quarter of the Southwest quarter of said Section 32; Thence North along said East line to the POINT OF BEGINNING. This action is in accordance with A.R.S. Titles 28-6701, 6705(A) and 11-806.01(M).Supervisor District No.2  
(C-91-09-045-M-00)

- b. **ROAD FILE NO. 5803** to Open and Declare the following described alignments into the County Transportation System. That portion of Adobe Road lying within Adobe Estates, a subdivision as shown in Book 527 of Maps, Page 06, M.C.R. General Vicinity: University Drive and Signal Butte Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 2 (C-91-09-051-M-00)
- c. **ROAD FILE NO. A402-R** said alignment is also known as Virginia Avenue from 193rd Avenue to 192nd Avenue, lying within Supervisor District No. 4.  
(C-91-09-050-M-00)
- d. **ROAD FILE NO. A405** said alignment is also known as White Wing Road, from Cotton Lane (171st Avenue) to Sarival Avenue (163rd Avenue). Supervisor District No. 4 (C-91-09-046-M-00)
- e. **ROAD FILE NO. A404** said alignment is also known as Villa Lindo from 91st Avenue to 89th Avenue. Supervisor District No. 5  
(C-91-09-047-M-00)

#### **Planning and Development**

#### **11. ORDINANCE P-20 MARICOPA COUNTY ADDRESSING REGULATIONS – APPROVED**

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to solicit comments and consider the adoption of amended Ordinance P-20 Maricopa County Addressing Regulations regarding fee increases. The amended Ordinance is effective December 1, 2008. (C-44-09-032-M-00)

### **AGENCY ITEMS AND STATUTORY MATTERS**

## **COUNTY OFFICERS**

### **Clerk of the Board**

**12. 2009 MEETING SCHEDULE – APPROVED**

Adopt the 2009 Board of Supervisors' Meeting schedule. (ADM601) (C-06-09-162-M-00)

### **County Attorney**

**13. RELEASE OF LIEN FOR LINCOLN TRUST COMPANY V. BAYBERRY III LLC ET AL  
CV2008-051695 – APPROVED**

Accept the payment of \$20,306.21 for the release of a lien in favor of Maricopa County on Parcel APN 142-27-007G and authorize the execution and recording of all documents necessary to release the lien. This matter was discussed in Executive Session on July 21, 2008 under item E-19-09-006-2-00. (C-19-09-024-S-00)

### **Sheriff**

**14. DONATION – APPROVED**

Accept the donation to the Sheriff's Office of \$250.00 from Best Materials. (C-50-09-025-D-00)

**15. ACCEPTANCE OF STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)  
REIMBURSEMENT FUNDS – APPROVED**

Approve acceptance of \$3,022,483 in FY 2008 reimbursement funding from the Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP). The corresponding application was filed under BOS Agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also per A.R.S. §42-17106(b), approve an increase in the revenue and expenditure authority not-to-exceed \$3,022,483 and establish a new line in Non-Departmental (472) Detention Fund (255) Non-Recurring (0001) Reserved Contingency (4711) entitled "Detention Initiatives". Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The Sheriff's Office has applied for this formula-based reimbursement on behalf of the County for many years. SCAAP reimburses state and local government agencies a portion of the costs to incarcerate undocumented criminal aliens who are convicted of felony offenses. Indirect costs are not recoverable since only staff whose primary responsibility is the care, custody, or supervision of persons detained (pre-trial detention) and incarcerated (convicted and sentenced) inmates are allowable in the calculation. Use of award funds has been designated by the Bureau of Justice Assistance for corrections purposes only. (C-50-09-027-G-00)

**16. ONE-TIME ADDITION TO FLEET OF 2007 FWT CUSTOM TRAILER – APPROVED**

Approve a one-time addition to the fleet of a second 2007 FWT Custom Trailer for a mobile

repeater which is valued at \$83,237.23. The Sheriff's Office was awarded funding allowing for this purchase from the 2007 Arizona Department of Homeland Security Award number 333212-01 that was approved by the Board of Supervisors on December 19, 2007 (C-50-08-539-3-00).

Approval to accept this one-time addition to fleet will provide the Sheriff's Office a mobile repeater that can be deployed to an area with any mobile command vehicle to create a stand alone communication system with a significant area of coverage. Estimated annual operating costs begin after the one-year warranty expires and are anticipated to vary from zero to \$1,000 depending on use. This trailer has no continuing operating costs. Any costs incurred for maintenance will be considered one time and will be supported through the Intelligence Bureau, Counter Terrorism/Homeland Security Division; General Fund (100). This is a temporary addition to the fleet and will be removed at the end of its useful life with no funding from the General Fund for replacement. (C-50-08-539-3-02)

**17. AMENDED FY 2007 ANNUAL REPORT – APPROVED**

Approve resubmitting the Amended FY 2007 Annual Report originally approved by the Board of Supervisors on August 20, 2008 in agenda item C-50-07-003-2-02.

This report is associated with the Federal Equitable Sharing Agreement. The federal government has requested that the data previously submitted on the Amended FY 2007 Report, approved by the Board on August 20, 2008, be re-submitted on newly released forms for processing. (C-50-07-003-2-03)

**18. BOOK DONATIONS FROM INMATE LIBRARY – APPROVED**

Pursuant to A.R.S. § 11-251(9), approve the donation of books from the Sheriff's Office Inmate Library to include any 501(C)(3) charitable organizations as appropriate. These books are functionally obsolete with little or no salvage value.

The Sheriff's Office regularly receives donations of books from local libraries and citizens of little or no monetary value to be used in the jails. Approval of this agenda item expands the number of organizations that can receive books that might otherwise be placed in the recycle bin. (C-50-08-044-M-01)

**19. EXEMPTION FROM MARKINGS FOR DEEP UNDERCOVER VEHICLES – APPROVED**

Pursuant to A.R.S. §38-538-03 and §28-2511(A), approve the issuance of non-governmental license plates and exemption from county markings for two RICO deep undercover vehicles, forfeited under CV #2005-010838 and CV # 2008-002424, replacing two RICO vehicles being sold at auction. These replacement vehicles, which are part of the Sheriff's fleet of up to fifty deep undercover vehicles, will be used for enforcement undercover operations where regular plates impair the success of the case and safety of the officer. A detailed cross-referenced list of vehicle identification numbers is kept on file with the Clerk of the Board. (C-50-09-028-V-00)

**20. ONE TIME ADDITION TO FLEET OF TWO TRAILERS FOR SEIZED JET SKIS – APPROVED**

Approve the temporary addition to fleet of one Long Run trailer (year unknown) and one 1996 Zieman trailer, that are valued at approximately \$1,000 each and are seized property currently in Sheriff's Impound Operations. These trailers will be used by the Sheriff's Lake Patrol Division for the purpose of hauling jet skis that are seized during arrests.

There are no annual operating and maintenance costs. These vehicles are one-time additions to fleet that will be retired when they are no longer useful with no funding from the General Fund for replacement.  
(C-50-09-029-V-00)

**21. CORRECTIONS TO PREVIOUSLY REPORTED DONATIONS – APPROVED**

Accept the following corrections in donations greater than \$250 reported to the Board for the Sheriff's Office and approved on June 18, 2008 (C-50-08-057-M-00). The total amount should be \$4,950, not \$8,495 and the amount from Samuel Drewen should be \$300, not \$3,845. (C-50-08-057-M-01)

**22. IGA WITH AZ DEPARTMENT OF PUBLIC SAFETY FOR AZ COUNTER TERRORISM INFORMATION CENTER LEVEL B – APPROVED**

Approve the Intergovernmental Agreement (IGA) between the State of Arizona Department of Public Safety (DPS) and Maricopa County on behalf of the Maricopa County Sheriff's Office for participation in the State of Arizona Counter Terrorism Information Center (ACTIC). This Agreement becomes effective upon the approval and filing with the Secretary of State, signed by both parties, and will terminate upon a 30-day written notice by either party.

This IGA is for the Statewide Terrorism Liaison Officer Program, Urban Area Security Initiative (UASI) Level B. This is to enhance domestic preparedness Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) response services concerning the activities of terrorism. (C-50-09-030-3-00)

**23. IGA WITH AZ DEPARTMENT OF PUBLIC SAFETY FOR AZ COUNTER TERRORISM INFORMATION CENTER LEVEL A – APPROVED**

Rescind the action approving the former version of this agreement by the Board on September 6, 2006 (C-50-07-011-2-00), and approve the revised Intergovernmental Agreement (IGA) between the State of Arizona Department of Public Safety (DPS) and Maricopa County on behalf the Maricopa County Sheriff's Office for participation in the State of Arizona Counter Terrorism Information Center (ACTIC). This Agreement is retroactive from September 11, 2006, and will terminate upon a 30-day written notice by either party.

This IGA is for the Statewide Terrorism Liaison Officer Program, Urban Area Security Initiative (UASI) Level A. This is to enhance domestic preparedness Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) response services concerning the activities of terrorism. (C-50-07-011-2-01)

**24. REVISED MONTHLY DONATION REPORT – APPROVED**

In accordance with County Policy A2805, accept the revised monthly donation report received from Sheriff's Office for July 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-171-7-00)

**COUNTY MANAGER**

**Crime Prevention - Meth Program**

**25. ARIZONA METH PROJECT DONATION FROM SCF ARIZONA – APPROVED**

Accept donation of \$25,000 from SCF Arizona (State Compensation Fund) for the AZ METH PROJECT. This action will require an appropriation adjustment to General Fund (100) Non-departmental (470) Other Programs (4712) Non-recurring (0001) line item titled "Meth Project," increasing the FY 2008-09 revenue and expenditure budgets by \$25,000. Donation revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C-42-09-006-D-00)

**Government Relations**

**26. ACCEPTANCE AND IGA FOR INDIAN GAMING GRANT FUNDS FOR MARICOPA COUNTY COLLEGE DISTRICT ACE PROGRAM – APPROVED**

Pursuant to A.R.S. 5-601.02, authorize the acceptance of and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Salt River Pima-Maricopa Indian Community for the Maricopa County College District ACE Program in an amount not-to-exceed \$25,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Salt River Pima-Maricopa Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. Pursuant to ARS § 42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), Function Code 0000, increasing the FY 2008-09 revenue and expenditure budgets not to exceed \$25,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C-20-09-027-G-00)

**DEPUTY COUNTY MANAGER**

**Public Health**

**27. PURCHASE ORDER FROM ARIZONA DEPARTMENT OF HEALTH SERVICES FOR PUBLIC HEALTH EMERGENCY MANAGEMENT - CRI – APPROVED**

Approve the Purchase Order (E9H27899) from Arizona Department of Health Services (ADHS) to Maricopa County through its Department of Public Health for additional funding for the Intergovernmental Agreement (IGA) HG754199 for the Public Health Emergency Management Program (PHEM) for City Response Initiative (CRI). The purchase order allows to encumber in full a total not-to-exceed \$1,178,365 for the budget period starting August 1, 2008 through August 9, 2009. Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532, Function Code 0000) associated with the aforementioned grant in an amount of (\$349,434) for FY 2008-09. The appropriations adjustment is necessary because budget estimate included in the FY 2008-09 adopted budget is greater than actual award. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The Department of Public Health indirect rate for FY 2008-09 is 18.0%. Indirect costs are estimated at \$179,751

all of which is fully recoverable.

Funds for this IGA are provided by a grant from ADHS and do not increase the County's general fund. Estimated amount of \$1,429,312 was included in FY 2008-09 adopted budget. (C-86-07-050-2-05)

**28. CONTRACT AGREEMENT WITH CHILD AND FAMILY RESOURCES, INC. FOR FAMILY SUPPORT/FAMILY PRESERVATION SERVICES – APPROVED**

Approve the contract agreement from Child and Family Resources, Inc. and Maricopa County, through its Department of Public Health (MCDPH), for the Choices for Families (Safe and Stable Families) Project. This contract Agreement provides for a fixed payment of \$4,363 per month for a total of \$52,356 to MCDPH for the contract term starting October 1, 2008 and ending September 30, 2009. Maricopa County Department of Public Health indirect cost rate for FY 2008-09 is 18%. This grant allows for full indirect costs. Full indirect costs are estimated at \$7,986 all of which is recoverable.

An appropriation adjustment is not requested at this time by Public Health (860) Grant Fund (532) operating budget (0000), as these funds were included in the FY 2008-09 adopted budget. Of the total grant award, \$39,266 was already included in the FY09 adopted budget. (C-86-09-031-3-00)

**29. AMENDMENT TO IGA WITH BUCKEYE ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Buckeye Elementary School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$6,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$19,500 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-402-2-03)

**30. AMENDMENT TO IGA WITH LAVEEN ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Laveen Elementary School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$6,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$22,000 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-407-2-03)

**31. AMENDMENT TO IGA WITH MOBILE ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Mobile Elementary School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$1,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This

amendment brings the IGA to a new not-to-exceed aggregate amount of \$4,500 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-409-2-02)

**32. AMENDMENT TO IGA WITH SCOTTSDALE UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Scottsdale Unified School District to extend the term of the IGA from June 2, 2008 through June 1, 2009, and increase the contract by \$12,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$87,500 for the term July 1, 2006 through June 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-413-2-03)

**33. AMENDMENT TO IGA WITH BALSZ SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Balsz School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$6,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$21,000 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-415-2-02)

**34. AMENDMENT TO IGA WITH CAVE CREEK SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Cave Creek School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$7,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$31,000 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-416-2-02)

**35. AMENDMENT TO IGA WITH GILBERT UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Gilbert Unified School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$18,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$116,500 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-419-2-03)

**36. AMENDMENT TO IGA WITH PARADISE VALLEY UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Paradise Valley

Unified School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$12,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$109,000 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-423-2-03)

**37. AMENDMENT TO GRANT AWARD FOR WOMEN AND CHILDREN'S COMMUNITY HEALTH GRANT – APPROVED**

Approve Amendment No. 2 to the Grant Award (HG754060-005) from the Arizona Department of Health Services to Maricopa County through its Department of Public Health (MCDPH) for the Women and Children Community Health Group. This amendment extends the term of the award through December 31, 2009. In addition, Amendment No. 2 will also make administrative changes to the Terms and Conditions as detailed in the signed Amendment. All other terms and conditions shall remain in effect. (C-86-07-041-3-02)

**38. AMENDMENT TO IGA WITH PENDERGAST SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Pendergast School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$7,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$47,500 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-424-2-03)

**39. AMENDMENT TO IGA WITH QUEEN CREEK SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Queen Creek School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$7,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$23,000 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-426-2-02)

**40. AMENDMENT TO IGA WITH FOWLER SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Fowler School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$7,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$27,500 for the term July 1, 2006 through May 1, 2009. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-462-2-03)

**41. RESCIND PREVIOUS ACTION AND APPROVE AMENDMENT TO IGA WITH SPECIAL HEALTH CARE DISTRICT FOR WELL WOMAN HEALTHCHECK SERVICES – APPROVED**

1. Rescind the action on September 17, 2008 (C-86-08-044-2-04) regarding the approval of Amendment No. 3 to Intergovernmental Agreement (IGA) between Maricopa County Special Health Care District, d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County through its Department of Public Health (MCDPH), to provide Well Woman Healthcheck services to uninsured or underinsured women. The previous action request included text in the amendment that was stated incorrectly. This action removes completely the previous action regarding amendment No. 3. 2. Approve Amendment No. 3 to the Intergovernmental Agreement (IGA) between Maricopa County Special Health Care District, d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County through its Department of Public Health (MCDPH), to provide Well Woman Healthcheck services to uninsured or underinsured women. Amendment No. 3 increases the IGA by \$25,000 for a not-to-exceed amount of \$155,000 for the budget period July 1, 2007 through June 30, 2009. In addition, Amendment No. 3 authorizes that any increases in the amount of the IGA shall be accomplished through Purchase Orders issued by the County. All other terms and conditions of the original IGA shall remain in full force and effect.

This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS. Additional funding is provided by the Phoenix Affiliate of the Susan G. Komen Breast Cancer Foundation and does not increase the county general fund. This funding augments Well Woman Healthcheck services and provides additional funds for diagnostic and treatment services. (C-86-08-044-2-05)

**42. AMENDMENT TO IGA WITH CREIGHTON SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Creighton School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$12,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$37,000 for the term July 1, 2006 through May 1, 2009. (C-86-07-417-2-02)

**43. AMENDMENT TO IGA WITH KYRENE SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Kyrene School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$6,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$86,000 for the term November 1, 2006 through May 1, 2009. (C-86-07-483-2-02)

**Workforce Management and Development**

**44. PEAK PERFORMERS PROGRAM FOR CALENDAR YEAR 2009 – APPROVED**

Renew the Peak Performers Program (also known as the Spot Award Program) as a continuing employee recognition program for FY 2008-09, to allow for the purchase of American Express Gift Cards (02059-RFP) in denominations of 25 points, for a total of 175 points per FTE, with a maximum award of 50 points per employee per event; for both General Fund and Non-General Fund departments, with total program cost of not-to-exceed \$2,340,165: \$1,219,643 General Fund and \$1,120,522 Non-General Fund. These gifts cards

have no cash value. The General Fund portion of \$1,219,643 is budgeted in Dept (470) Fund (100) Org (4712) Other Programs line item "Workforce Development Peak Performers" split between operating (0000) and Non-Operating (0001). The Non General Fund portion of \$1,120,522 must be absorbed in the other funds budgets by Departments. The program year will cover the period from December 1, 2008, through December 31, 2009. Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$950,000 from FY 2008-09 Non-Departmental (470) General Fund (100) Other Programs (4712) Non-Recurring (0001) line item "Executive Compensation/Deferred Compensation" to a new line item in Non-Departmental (470) General Fund (100) Other Programs (4712) Non-recurring (0001) entitled "Workforce Development Peak Performers." (C-31-09-003-6-00)

## **ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

### **Animal Care & Control Services**

**45. AGREEMENT WITH SPRINGERPAW RANCH FOR NEW HOPE PROGRAM – APPROVED**

Approve an Agreement between Deborah Bessette, d.b.a. Springerpaw Ranch Rescue & Sanctuary, P O Box 1024, Tonopah, AZ 85354-0904, and Maricopa County to allow Springerpaw Ranch Rescue & Sanctuary under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 60 new hope rescues over the term of the agreement, for a total of \$2,400. The term of this Agreement is from November 6, 2008 through June 30, 2009. (C-79-09-036-3-00)

**46. DONATION – APPROVED**

Accept the monetary donation from Jean Tichenor of Paradise Valley, AZ in the amount of \$500 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-037-D-00)

### **Community Development**

**47. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - GREATER PHOENIX ECONOMIC COUNCIL – APPROVED**

Approve a Contract between Greater Phoenix Economic Council (GPEC) and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$644,776. The purpose of this Contract is to Provide FY 2008-2009 nonprofit economic development funding to the Greater Phoenix Economic Council (GPEC) for purposes to include regional marketing and promotion to improve the region's business image, industry prospecting to diversify the economy through the attraction and expansion of desirable business and industry in key economic clusters, and facilitating regional economic development collaborations to build a strong business climate and develop an effective regional economic development network of organizations with a common vision and mission. This Contract is effective from July 1, 2008 until June 30, 2009. (C-20-09-019-3-00)

**48. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - GREATER PHOENIX CHAMBER OF COMMERCE – APPROVED**

Approve a Contract between Greater Phoenix Chamber of Commerce and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$165,000. The purpose of this Contract is to Provide FY 2008-2009 nonprofit economic development funding to the Greater Phoenix Chamber of Commerce for purposes to include enrolling businesses into the Bid Source Program, matching contract bid requests with local business competencies and providing technical assistance that will help local businesses to successfully compete for available contracts. Activities will include regional marketing and promotion, industry prospecting; and facilitating regional economic development collaborations. This Contract is effective from July 1, 2008 until June 30, 2009. (C-20-09-020-3-00)

**49. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - COLLABORATION FOR A NEW CENTURY – APPROVED**

Approve a Contract between Collaboration for a New Century and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$25,000. The purpose of this Contract is to Provide FY 2008-2009 nonprofit economic development funding to the Collaboration for a New Century for purposes to include group and one-on-one technical assistance and training to up to 18 community and faith-based organizations in the following topical areas: strategic planning, process improvements, marketing, staff and board development, technology, capital improvements, finances, fundraising, and developing partnerships. This Contract is effective from July 1, 2008 until June 30, 2009. (C-20-09-021-3-00)

**50. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - EAST VALLEY PARTNERSHIP – APPROVED**

Approve a Contract between East Valley Partnership and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$15,000. The purpose of this Contract is to Provide FY 2008-2009 nonprofit economic development funding to the East Valley Partnership for purposes to include collaboration with local and regional economic development agencies; support for foundational improvements in areas that highly impact the region; leadership and oversight for the East Valley; and promotion of a connection between economic development, workforce development, and training and education. This Contract is effective from July 1, 2008 until June 30, 2009. (C-20-09-023-3-00)

**51. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - SOUTHWEST VALLEY CHAMBER OF COMMERCE – APPROVED**

Approve a Contract between Southwest Valley Chamber of Commerce and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$3,000. The purpose of this Contract is to Provide FY 2008-2009 nonprofit economic development funding to the Southwest Valley Chamber of Commerce for purposes to include purchase and installation of one multimedia kiosk in a prominent Southwest Valley location and connection of 25 businesses to prospective customers through the use of the kiosk. This Contract is effective from July 1, 2008 until June 30, 2009. (C-20-09-022-3-00)

**52. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - GREATER PHOENIX CONVENTION AND VISITORS BUREAU – APPROVED**

Approve a Contract between Greater Phoenix Convention and Visitors Bureau and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$250,000. The purpose of this Contract is to provide FY 2008-2009 nonprofit economic development funding to the Greater Phoenix Convention and Visitors Bureau for purposes to include conducting familiarization trips for meeting planners considering booking conventions in the metro area; conducting sales missions to major cities to familiarize the selected markets; focusing on attracting "express" meetings market and multi-cultural organization meetings and conventions; developing and conducting a marketing campaign; highlighting the Maricopa County Events Center, Chase Field, or other county-owned sites in the Meeting Professional Guide; and other related activities.. This Contract is effective from July 1, 2008 until June 30, 2009. (C-20-09-028-3-00)

#### **Human Services**

**53. AMENDMENT TO CONTRACT WITH FOUNDATION FOR SENIOR LIVING HOME IMPROVEMENTS – APPROVED**

Approve Amendment No. 4 to Contract C-22-08-089-1-03, between Maricopa County through its Human Services Department and FSL Home Improvements, an affiliate corporation of the Foundation for Senior Living, a not-for-profit organization, to perform Weatherization and Utility Repair/Replacement services for low income families. Funding in this contract has been reduced by \$14,791, from \$1,149,262 to \$1,134,471. This funding is provided to Maricopa County from sources such as: Arizona Department of Commerce Energy Office (DOC), Arizona Public Service (APS) Southwest Gas (SWG), Salt River Project (SRP), and Arizona Department of Economic Security (AZ DES). This Amendment is effective from July 1, 2008 to June 30, 2009. (C-22-08-089-1-04)

**54. HEAD START POLICIES AND PROCEDURES – APPROVED**

Approve the following described Head Start Policies and Procedures and Standards of Conduct as recommended by the Maricopa County Head Start Zero-Five Program. 1. Policy Council Community Representative Selection Policy and Procedure, No. 11.04: This procedure outlines the steps required to select community representatives to serve on the Policy Council. 2. Policy Council Staff Termination Policy and Procedure, No. 11.03: This procedure outlines the process for involving the Policy Council in the termination of Maricopa County Head Start Zero-Five Program staff. 3. Self Assessment Policy and Procedure, No. 12.09: This procedure outlines how the Maricopa County Head Start Zero-Five Program conducts an annual program self assessment as required by Head Start Performance Standards. 4. Head Start Standards of Conduct: These Standards of Conduct outline how the staff of the Maricopa County Head Start Zero-Five Program is expected to represent themselves and the program.

Some of the responsibilities of the Board of Supervisors outlined in the Head Start Act amended December 12, 2007, include the following. 1) Reviewing and approving all major policies of the agency, including a) the annual self-assessment and financial audit; b) personnel policies of such agencies regarding the hiring, evaluation, termination, and compensation of agency employees; and, 2) Developing procedures for how members of the Policy Council are selected. (C-22-09-110-6-00)

**55. MEMORANDUM OF UNDERSTANDING WITH BUCKEYE OUTREACH FOR SOCIAL SERVICES – APPROVED**

Approve the Memorandum of Understanding (MOU) between Buckeye Outreach for Social

Services and Maricopa County administered by its Human Services Department to provide Producing Leaders of Tomorrow (PLOT) program activities to Buckeye Outreach for Social Services youth participants. Funding for these activities is provided through Arizona State Department of Economic Security (C-22-09-094-G-00). This MOU is non-financial and is effective upon signature by both parties and will expire August 31, 2009. (C-22-09-111-3-00)

**56. AUTHORIZE PAYMENT TO AMPCO PARKING FOR LEASED PARKING SPACES – APPROVED**

Authorize the Human Services Department to expend funds for the purpose of payments to AMPCO Parking for leased parking spaces from AMPCO Parking for leased spaces next to the Security Building located at 234 N. Central Avenue. The amount for FY 2008-09 will not exceed \$45,000. The amount for FY 2009-10 will not exceed \$45,000 and the amount for FY 2010-11 will not exceed \$45,000. The funds are allocated from each of the Departments individual divisions. The vendor is paid through Purchase Order # PG08221AM0017 issued by Materials Management Department for FY's 2008-2011. (C-22-09-113-3-00)

**Medical Examiner**

**57. EXECUTIVE COMPENSATION PACKAGE – APPROVED**

Approve an Executive Compensation Package (ECP) for David Boyer, Unclassified Director of the Office of the Medical Examiner's Office; awarding a Schedule 4 Leave Accrual Rate effective May 19, 2008.

The ECP agreement will authorize a deposit of 7.9 hours of PTO hours per pay period to Mr. Boyer's leave balance and award him a Schedule 4 Leave Accrual Rate to be effective May 19, 2008. Mr. Boyer accepted the position as the Director of the Medical Examiner effective May 19, 2008. The request for this action will increase his PTO accrual from 6.9 hours per pay period. His current 2.3 FML hour will remain the same. (C-29-09-002-M-00)

**58. AFFILIATION AGREEMENT WITH UNIVERSITY OF ARIZONA, ARIZONA HEALTH SCIENCES CENTER – APPROVED**

Approve an Affiliation Agreement between Arizona Board of Regents acting on behalf of The University of Arizona, Arizona Health Sciences Center (Colleges of Medicine, Nursing, Pharmacy, and Public Health), and Maricopa County through the Office of Medical Examiner, for the purpose of providing coordinated clinical educational programs for the education and training of health science students and to cooperate in the development of settings for coordinated clinical, educational, research and public service programs of interest to the University and Maricopa County. This Affiliation Agreement is non-financial. The term of this Agreement is June 15, 2008 and shall terminate on June 14, 2009. (C-29-09-004-3-00)

**CHIEF FINANCIAL OFFICER**

**Finance**

**59. FUNDS TRANSFERS; WARRANTS – APPROVED**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on

microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

#### **Parks and Recreation**

**60. CERTIFICATES OF INCLUSION WITH ARIZONA GAME & FISH AND US FISH AND WILDLIFE UNDER AUTHORITY OF SAFE HARBOR AGREEMENT – APPROVED**

Approve Certificates of Inclusions between Arizona Game & Fish Department (AGFD) with the concurrence of the U.S. Fish and Wildlife Service (USFWS) and Maricopa County Parks and Recreation Department as Cooperators under the authority of the Safe Harbor Agreement entered into on March 12, 2008 between AGFD and the USFWS in order to carry out conservation efforts for the benefit of topminnow and pupfish. Each aquatic location within the county parks system would require a separate Certificate of Inclusion. This action will allow the Director of Parks & Recreation to enter into these inclusion agreements provided they are in the same form as the template provided in Appendix 2 of the Safe Harbor agreement. Any changes to the form would require a separate agenda item. There is no financial impact. (C-30-09-011-3-00)

**61. NAMING OF THE BUCKEYE HILLS PUBLIC SHOOTING RANGE – APPROVED**

Approve re-naming the Maricopa County Buckeye Hills Shooting Range Complex (the entire facility) to be named the "General Joe Foss Shooting Complex at Buckeye Hills" and naming the 200-yard Rifle Range at the complex to be named the "Ensign John C. Butler Rifle Range." The Facilities Review Committee and the Parks & Recreation Advisory Commission have reviewed the names and have made the recommendations. This facility is in District 5. (C-30-09-014-M-00)

### **ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

#### **Environmental Services**

**62. TRANSFER OF CONTINGENCY FUNDS FOR THE STORMWATER PROGRAM – APPROVED**

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$189,034 from FY 2008-09 Non-Departmental (470) General Fund (100) Contingency (4711) Operating (0000) titled "Stormwater Enforcement" to Non-Departmental (470) General Fund (100) Other Programs (4712) Operating (0000) entitled "Stormwater Management." This action authorizes the transfer of contingency funds for the Stormwater Program to achieve measurable goals of the EPA's six minimum control measures. This request funds three FTE's (\$182,134), supplies and services (\$4,500), and capital (Three laptops at \$2,400 annually via Technology Finance Program) in the Stormwater program that assists in initiating further actions to ensure County compliance under the terms of Maricopa County's Stormwater permit to achieve improved compliance.

On December 18, 2007, Maricopa County applied for coverage under a Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit issued by the Arizona Department of Environmental Quality (ADEQ). As a permittee the County is required to meet certain performance standards Implementation of the "maximum extent practicable" (MEP) standard requires that in accordance with its permit, Maricopa County will develop and

implement "Best Management Practices (BMP's)" and the achievement of measurable goals to satisfy each of the six minimum control measures that must be addressed in its stormwater management program. The six minimum control measures are: (1) public education and outreach on Stormwater impacts; (2) public involvement/participation; (3) illicit discharge detection and elimination; (4) construction site stormwater runoff control; (5) post-construction Stormwater management; and (6) pollution prevention/good housekeeping for municipal operations. 40 C.F.R. § 122.34(b). (C-88-09-005-2-00)

## **ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

### **Public Works**

**63. AMENDMENT TO TRANSWESTERN V. MARICOPA COUNTY – APPROVED**

Approve authorization to amend the settlement of Transwestern Pipeline Company, LLC v. Maricopa County, CV-07-2333-Phx-JWS (consolidated) for additional compensation of \$705,000.00 to be paid to Maricopa County.

On April 9, 2008, the Board approved settlement in the above cases (which include CV-07-2333-PHX-JWS, CV-07-2337-PHX-JWS and CV-07-2340-PHX-JWS) for the amount of \$700,000.00 (Agenda No. C-19-08-048-M-00). Subsequently, Transwestern approached Maricopa County indicating additional land was needed to complete its gas pipeline project – 7.58 acres of permanent easement and 6.37 acres of temporary workspace easement. Utilizing the same valuation terms as the original settlement, Maricopa County and Transwestern agreed to additional compensation in the amount of \$705,000.00, subject to approval by the Board. This additional compensation brings the total settlement amount for the three cases filed against Maricopa County to \$1,405,000.00. This proposed settlement on all the property being acquired by Transwestern will be effectuated by a stipulated judgment which will be filed with the Clerk of the Board when it is entered by the Court. Supervisorial District 4. (C-19-08-048-M-01)

**64. BID AND AWARD FOR RUBBERIZED BITUMINOUS SURFACE TREATMENT – APPROVED**

Approve the solicitation of bids for the Maricopa County Department of Transportation's Rubberized Bituminous Surface Treatment, FY 09 Work Order No. 30050054; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by ten percent.

This project consists of approximately 112.26 lane miles of existing road surfaces to be treated with a rubberized bituminous material. To complete the project, replacement or installation of pavement delineation and other miscellaneous work items are required. Supervisorial District No(s). 2, 3 and 5 (C-91-09-056-M-00)

**65. ANNEXATION (RIGHT OF WAY) BY THE CITY OF EL MIRAGE – APPROVED**

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of El Mirage of County right-of-way within: Dysart Road from Peoria Avenue to Varney Road, in accordance with Ordinance No.008-06-08. Supervisory District No. 4 (C-91-09-058-M-00)

**66. ASSIGNMENT OF STATE LAND RIGHT OF WAY TO CITY OF SURPRISE – APPROVED**

Approve an application to assign Maricopa County's interest in a right of way granted by the Arizona State Land Department on January 15, 1999. Our interest in the right of way will be assigned to the City of Surprise, a municipal corporation. The right of way, known as Arizona State Land Department R/W No. 16-104394, is for the South eighty (80) feet of the Southeast quarter of Section 36, T5N, R2W, G&SRB&M, Maricopa County, Arizona on the Jomax Road alignment between 167th Avenue and 163rd Avenue. The area has been annexed by the City of Surprise and is now under the city's jurisdiction.

The Arizona State Land Department requires that we follow their administrative rules and regulations in the transfer of state trust property rights, by having both the County (Assignor) and the City (Assignee) sign the application for the assignment and assumption of interest. Supervisory District: 4 (C-91-09-057-M-00)

**67. REVISED QUIT CLAIM DEEDS WITH TOWN OF QUEEN CREEK – APPROVED**

Approve and execute revised Quit Claim Deeds QC-SEC.-09 and QC-SEC.-10 from Maricopa County to the Town of Queen Creek. The two Quit Claim Deeds were previously approved by the Board of Supervisors on May 3, 2006 (C-64-06-228-0-00). The two Quit Claim Deeds are revised to remove Germann Road between Hawes Road and Ellsworth Road as an identified road being transferred to the Town of Queen Creek.

Maricopa County entered into an Intergovernmental Agreement (C-64-06-292-2-00) with the Town of Queen Creek to transfer Thirty-three roadway segments to the Town of Queen Creek (IGA recorded in MCR 2006-1027227). In order to facilitate the transfer and annexation of these roadways, Maricopa County quit claimed rights in these roadways to the Town of Queen Creek. The Quit Claim Deeds were approved by the Board of Supervisors on the May 3, 2006 agenda. The two Quit Claim Deeds for Section Nine (9) and Section Ten (10) of Township Two South, Range Seven East erroneously included a reference to Germann Road that was not part of the Intergovernmental Agreement. The two Quit Claim Deeds QC-SEC.-09 and QC-SEC.-10 are being submitted for Board approval with a revised legal description eliminating the reference to Germann Road by exception to the legal descriptions. Project No. TL005, Conveyance of Roadways to Town of Queen Creek. Supervisory District No. 1 (C-64-06-228-0-01)

## **BOARD OF SUPERVISORS**

### **Board of Supervisors**

**68. LETTER IN SUPPORT OF PROPOSED SPECIAL AIR TRAFFIC RULE REGARDING LUKE AIR FORCE BASE – APPROVED**

Approve and sign a letter endorsing with full Board support the proposed establishment of a Special Air Traffic Rule (SATR) in the vicinity of Luke Air Force Base. (C-20-09-029-M-00)

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Clerk of the Board**

**69. FORMATION PETITIONS FOR THE PROPOSED CHANDLER COUNTY ISLAND FIRE DISTRICT – APPROVED**

Pursuant to A.R.S. § 48-851, receive the signed formation petitions for the proposed Chandler County Island Fire District located in the City of Chandler municipal planning area and set a hearing on the petition for 9:00 a.m., Tuesday, November 18, 2008. At the hearing on November 18th, the Board will order the formation of the district if the petitions are valid and appoint the three members of the organizing board of directors of the district. The order of the Board shall be final and the proposed district will be formed 30 days from the date of the Board's vote. (Supervisorial District 1) (C-06-09-160-7-00)

## **CONSENT AGENDA**

### **Clerk of the Board**

#### **70. RESCIND PREVIOUS ACTION TO ACCEPT DONATIONS – APPROVED**

Rescind the previous action taken on October 15, 2008 under C-06-09-142-7-00 to accept Library District donations for the month of September. This item was inadvertently placed as a Board of Supervisors' consent item rather than being listed as a Library District agenda item. A correct and separate agenda item is found listed on the November 6, 2008 Library District agenda under agenda item number C-06-09-161-7-00. (C-06-09-142-7-01)

#### **71. DONATIONS – APPROVED**

In accordance with County Policy A2805, accept the monthly donation report received for the AZ METH PROJECT for October 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-174-7-00)

#### **72. DUPLICATE WARRANTS – APPROVED**

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-09-168-7-00)

#### **73. MINUTES – APPROVED**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors' meetings held August 11, 2008; August 22, 2008; August 26, 2008; and August 30, 2008. (C-06-09-163-7-00)

#### **74. SECURED TAX ROLL CORRECTIONS – APPROVED**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-169-7-00)

#### **75. SETTLEMENT OF PROPERTY TAX CASES – APPROVED**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated November 6, 2008. List is on file in the Clerk of the Board's Office. (C-06-09-173-7-00)

**76. TAX ABATEMENTS – APPROVED**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-170-7-00)

**BOARD OF SUPERVISORS ADDENDUM**

**County Attorney**

**A-1. ARI CENTRAL V. MARICOPA COUNTY, TX2007-000440 – WITHDRAWN**

Take action in response to Plaintiff's Offer of Judgment submitted in Ari Central v. Maricopa County, TX2007-000440, as discussed in Executive Session on November 6, 2008. (C-19-09-034-M-00)

**A-2. AUTHORIZE SETTLEMENT IN LIFE TIME FITNESS, INC. V. MARICOPA COUNTY – APPROVED AS AMENDED**

Authorize settlement in Life Time Fitness, Inc, v. Maricopa County, TX2005-050182, TX2006-000417, and TX2007-000625, as discussed in Executive Session on November 6, 2008. (C-19-09-033-M-00)

**Public Works**

**A-3. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-176-7-00)

**A-4. CHANGE ORDER WITH KNOCHEL BROTHERS, INC FOR GAVILAN PEAK PARKWAY – APPROVED**

Approve Change Order No. 2 to Maricopa County Department of Transportation Contract No. 2008-022 with Knochel Brothers, Inc. (T243 - Gavilan Peak Parkway - North Valley Parkway to Joy Ranch Road) to construct additional lanes, a signal, and ramp modification at the interchange with I-17. This change order increases the Contract amount by \$2,500,000. Supervisorial District No. 3

Change Order Summary: Change Order No. 1 (Departmental approval 10/16/2008, \$6,029). Prior to commencement of the major earthwork activities, it was noted that there were a number of native plants, saguaros, and an ocotillo, that were in areas of either significant cut or roadway embankment slopes. This change order is to establish a payment to the Contractor to relocate these plants outside of the slope areas, but within the right-of-way. (C-91-09-078-M-00)

**Risk Management**

**A-5. SETTLEMENT IN MURILLO V. MARICOPA COUNTY – APPROVED**

Approve Settlement in the amount of \$250,000 between Maricopa County and Margarita

Murillo, et al., concerning Maricopa County Superior Court Case No. CV2007-022878, GL5000032372/MM9002030594 and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. This matter was discussed in Executive Session on September 29, 2008. (C-75-09-007-2-00)

**Sheriff**

**A-6. DONATIONS – APPROVED**

In accordance with County Policy A2805, accept the monthly donation report received from Sheriff's Office for September 2008 and October 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-177-7-00)

**FLOOD CONTROL DISTRICT AGENDA**

**F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-175-7-00)

**F-2. ADJUSTMENT #1 TO FY 2008-09 CIP BUDGET – APPROVED**

Approve the following adjustments to the Flood Control District of Maricopa County (District) (690) FY 2009-2013 Five-Year Capital Improvement Program (CIP), which result in a net change of \$0:

**Decrease** Flood Control Capital Projects Fund (990) Year 1 (FY 2008-09) project expenditure budgets as follows:

<b>Project Number</b>	<b>Name</b>	<b>Amount</b>
F022	City of Chandler	\$400,000
F121	East Maricopa Floodway	\$1,325,000
F207	Buckeye FRS No. 1	\$15,000
F310	Powerline FRS	\$280,000
F344	Wittmann ADMP	\$710,000
F371	Upper New River	\$12,000
F442	East Mesa ADMP	\$783,000
F450	Glendale/Peoria ADMP	\$1,253,000
F470	White Tanks ADMP	\$7,978,000
F480	Queen Creek ADMP	\$189,000
F625	Metro ADMP	\$150,000
Reserve (FCPR)		\$1,521,000

**Increase** Flood Control Capital Projects Fund (990) Year 1 (FY 2008-09) project expenditure budgets as follows:

<b>Project Number</b>	<b>Name</b>	<b>Amount</b>
F117	South Phoenix Drainage Improvements	\$591,000
F126	Salt/Gila River	\$125,000
F201	White Tanks Dam No. 4	\$384,000
F202	McMicken Dam	\$830,000
F211	Buckeye/Sun Valley ADMP	\$530,000
F300	Spook Hill FRS	\$44,000
F343	Wickenburg ADMS	\$362,000
F400	Skunk Creek and New River	\$2,000
F420	Spook Hill ADMP	\$761,000
F491	Higley ADMP	\$16,000
F565	Durango ADMP	\$8,640,000
F580	ACDC ADMP	\$176,000
F620	Maryvale ADMP	\$725,000
F700	Floodprone Properties Acquisition	\$1,430,000

Primary factors associated with forecast expenditure **decreases**:

F022	Design estimate reduced - funding reallocated to accelerate other projects.
F121	Construction slowed due to logistical work stoppage – funding reallocated to accelerate other projects.
F207	Projected labor expenditures decreased – funding reallocated to accelerate other projects.
F310	Design delayed - funding reallocated to accelerate other projects.
F344	Funding administratively reallocated to new Floodprone Property Assistance Program account (F370) for tracking purposes.
F371	Bid price lower than estimated price - funding reallocated to accelerate other projects.
F442	Construction delayed - funding reallocated to accelerate other projects.
F450	Milestone initially projected for Fiscal Year 2009 previously accelerated into Fiscal Year 2008 - funding reallocated to accelerate other projects.
F470	Construction and land acquisition delayed due to design delay - funding reallocated to accelerate other projects. Additional land acquisition and design delayed due to SR-303L corridor realignment potential - funding reallocated to accelerate other projects.
F480	Design delayed - funding reallocated to accelerate other projects.
F625	Scope decreased due to lack of project partner funding - funding reallocated to accelerate other projects.
FCPR	Funding reallocated to accelerate other projects.

Primary factors associated with forecast expenditure **increases**:

F117	Accelerated to utilize available funding.
F126	Accelerated to utilize available funding.

F201	Design contract award value greater than anticipated value.
F202	Milestone previously projected for Fiscal Year 2008 delayed into Fiscal Year 2009.
F211	Accelerated to utilize available funding.
F300	Increase in projected legal costs associated with condemnation settlement; net revenue anticipated.
F343	Construction previously projected for Fiscal Year 2008 delayed into Fiscal Year 2009; construction contract completion date remains unchanged. Forecast increase partially offset by funding administratively reallocated to new Floodprone Property Assistance Program account (F370) for tracking purposes.
F400	Projected labor expenditures increased.
F420	Accelerated to utilize available funding. Forecast increase partially offset by construction contract award below engineer's estimate.
F491	Project management to be accomplished under consultant contract.
F580	Increase in projected construction costs.
F565	Accelerated to utilize available funding.
F620	Accelerated to utilize available funding.
F700	Funding administratively reallocated from projects F343 and F344 for tracking purposes. Net Floodprone Property Assistance Program forecast expenditure increase of \$10,000 due to projected labor expenditure increase.

This Agenda Item impacts all Supervisory Districts.  
(C-69-09-018-2-00)

**F-3. IGA WITH CITY OF GLENDALE FOR PRELIM DESIGN OF AT&SF RAILROAD CHANNEL PROJECT – APPROVED**

Approve Intergovernmental Agreement (IGA) FCD 2008A006 between the Flood Control District of Maricopa County (District) and the City of Glendale (Glendale) to cost share preliminary planning, engineering, and professional services for a Candidate Assessment Report (CAR) to develop preliminary alternatives for the proposed Atchison, Topeka and Santa Fe (AT&SF) Channel and Basin project (PCN 470.07.20). The total cost of the project (\$205,798) will be shared equally between the District and Glendale

This AT&SF Channel and Basin project was originally identified in the White Tanks Area Drainage Master Plan Update (ADMP) to provide a regional drainage outfall for this area as well as alleviate flooding problems impacting existing and proposed transportation infrastructure. The proposed channel extended from the Dysart Drain north along the Burlington Northern Santa Fe (BNSF) Railroad spur to Waddell Road and included a peak reducing basin at Olive Avenue. Several proposed projects including the Northern Parkway, expansion of the BNSF facilities, the Woolf Properties warehouse and distribution center complex, and the existing Surprise Water Reclamation Plant at Cactus Road, make the original alignment infeasible. Glendale proposed a CAR to study alternatives and develop a preferred solution that would provide the needed outfall without overtaxing the Dysart Drain, alleviate the existing flooding problems at road intersections and along the railway, and integrate with the proposed Northern Parkway Improvements so that public

infrastructure investments can be optimized. The IGA covers the development of the CAR and conceptual plans for a preferred alternative. The study includes data collection, updates to the current area hydrology model, and development of alternative alignments which satisfy the project constraints for area flood mitigation. A stakeholder selection process will be used to screen and refine the proposed alternatives to a preferred recommendation. The proposed alternatives will be evaluated in context with the Northern Parkway Design Concept Report. Extensive coordination between the two (2) projects is planned to optimize cost and utility of the final solution. In addition, an assessment of the recreational and multimodal trail opportunities associated with the proposed channel will be prepared to determine the feasibility of including those components in the final solution. The total expense of the CAR is estimated to be (not to exceed) \$205,798 and is to be cost shared equally between the District (\$102,899) and the Glendale (\$102,899). This project is in Supervisory District 4 (C-69-09-021-3-00)

**F-4. IGA WITH CITY OF MESA FOR MCDOWELL ROAD BASIN AND STORM DRAIN PROJECT – APPROVED**

Approve Intergovernmental Agreement (IGA) FCD 2006A008 between the Flood Control District of Maricopa County (District) and the City of Mesa (City) for the rights-of-way acquisition, utility relocation, construction, construction management, operation and maintenance of the McDowell Road Basin and Storm Drain Project, (#420). The Project is estimated to cost \$6,700,000 for which the IGA provides for a District cost share of 65% (estimated to be \$4,355,000) and a City cost share of 35% (estimated to be \$2,345,000). The \$367,000 of the projects cost were borne by the City of Mesa in Fiscal Year 2003-2004 for rights-of-way acquisition, making the remaining project cost to be expended \$6,333,000.

The Spook Hill Area Drainage Master Plan (ADMP) was adopted in 2002 by the Board of Directors of the District (Board) and the Mesa City Council as the recommended plan for addressing continued flooding in the watershed. The Board approved IGA FCD 2002A013 on June 4, 2003 (C-69-03-068-2-00) for the rights-of-way acquisition of the detention basins associated with the ADMP. The City has acquired a detention basin site at the southwest corner of McDowell Road and Sossaman Road. The Board also approved IGA FCD 2004A002 on November 3, 2004 (C-69-05-053-2-00) for cost-sharing the design of the Project with the City of Mesa. The Project includes construction of a detention basin near Sossaman Road and McDowell Road, and a storm drain that runs from the existing detention basin east of Hawes Road, west on McDowell Road to west of Sossaman Road, to an existing channel that directs stormwater into the Spook Hill Flood Retarding Structure. The project is designed for the 100-year level of protection. The Project is located in Supervisory District 2. (C-69-09-023-3-00)

**F-5. BIDS AND AWARD FOR MCDOWELL ROAD BASIN AND STORM DRAIN PROJECT – APPROVED**

Authorize the Flood Control District of Maricopa County (District) to issue an Invitation for Bids for Contract FCD 2006C010, McDowell Road Basin and Storm Drain Project, (#420), and to award the contract to the lowest responsible bidder if the bid is not more than 10% over the engineer's estimate.

The Spook Hill Area Drainage Master Plan (ADMP) was adopted in 2002 by the Board of Directors of the District (Board) and the Mesa City Council as the recommended plan for addressing continued flooding in the watershed. The Board has approved IGAs FCD 2002A013 for the rights-of-way acquisition of the detention basin and FCD 2004A002 for design of the Project. IGA FCD 2006A008 for cost-sharing the construction Project with the City of Mesa is being considered by the Board on this same agenda. The Project includes

construction of a detention basin near Sossaman Road and McDowell Road, and a storm drain that runs from the existing detention basin east of Hawes Road, west on McDowell Road to west of Sossaman Road, to an existing channel that directs stormwater into the Spook Hill Flood Retarding Structure. The project is designed for the 100-year level of protection. The project is located in District 2. (C-69-09-022-5-00)

**F-6. RESOLUTION FCD 2008R009 DISTRICT FACILITIES SAFETY ENHANCEMENTS – APPROVED**

Adopt Resolution FCD 2008R009, District Facilities Safety Enhancements. The Resolution authorizes and directs the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to develop and negotiate Intergovernmental Agreements (IGA) and/or Agreements for the cost sharing, design, construction, construction management, and operation and maintenance with others and authorization to perform design, program funding, and Construction for safety mitigation measures on existing District Facilities (Project).

The District has begun to evaluate existing facilities such as the Agua Fria Levees based on the City of Avondale's request for Regional Levee Safety Mitigation in the FY 2004/2005 Capital Improvement Program Prioritization Procedure. These investigations indicated that large portion of the Agua Fria Levees have barriers, but there are approximately six (6) miles of the levees that do not. The investigation indicated that safety mitigation measures could reduce potential hazards. The use of District Facilities along the Agua Fria River, as indicated in the 221 Agreement (IGA FCD 77001) between the District and the U.S. Army Corps of Engineers, shows that the levees were identified as a component of the Maricopa County Regional Trail System. As such, the District could develop cost sharing opportunities that would reduce the District's capital and operation and maintenance costs for the installation of safety mitigation measures on District facilities. Investigation of other District facilities indicates that there are additional opportunities to reduce hazards through implementation of safety mitigation measures. The Flood Control Advisory Board recommended and endorsed the Project Resolution on August 27, 2008. This item impacts all Supervisory Districts. (C-69-09-024-6-00)

## **LIBRARY DISTRICT AGENDA**

**L-1. DONATIONS – APPROVED**

In accordance with County Policy A2805, accept the monthly donation report received from Library District for September 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-161-7-00)

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

77. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) – **NO ACTION**
  
78. Supervisors'/County Manager's summary of current events. – **NO ACTION**

\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\*

## **PLANNING AND ZONING AGENDA**

### **REGULAR AGENDA**

#### **1. SPECIAL USE PERMIT - PANZER PROJECT – APPROVED**

Case Number: Z2003050  
Supervisorial District: 1  
Applicant: John Rottweiler and Phillip Rottweiler  
Location: East of Val Vista Drive and south of Warner Road (in the Gilbert area)  
Request: Special Use Permit (SUP) for outdoor storage in the Rural-43 zoning district (approx. 4.91 ac.) - Panzer Project  
Commission Action: Approve by vote of 9-0 subject to staff recommended stipulations "a" through "s", but with modified language to stipulation "f.1".  
(C-44-09-045-7-00)

#### **2. ANTHEM REZONE – DENIED**

Case Number: Z2007065  
Supervisorial District: 3  
Applicant: Earl Curley and Lagarde  
Location: West of Gavilan Peak Pkwy. and north of Daisy Mountain Drive (in Anthem)  
Request: Zone change from C-O CUPD/PAD to C-2 CUPD/PAD zoning district (approx. 8.4 ac.)  
Commission Action: Deny by a vote of 7-2  
(C-44-09-046-7-00)

#### **3. SPECIAL USE PERMIT - AMERICOR SELF STORAGE – CONTINUED TO 12/3**

Case Number: Z2008025  
Supervisorial District: 3  
Applicant: Earl, Curley and Lagarde, PC  
Location: West of Gavilan Peak Pkwy. and north of Daisy Mountain Drive (in Anthem)  
Request: Special Use Permit for mini-storage, RV and boat storage, and ancillary truck rentals in the C-O CUPD/PAD and/or C-2 CUPD/PAD zoning district (approx. 7.5 ac.)  
Commission Action: Approve by a vote of 8-1 subject to staff recommended stipulations "a" through "q", but with modifications to stipulations "l" and "m".  
(C-44-09-047-7-00)