



"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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Fulton Brock, District 1  
Don Stapley, District 2  
Mary Rose Wilcox, District 5

**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)

**Wednesday, August 20, 2008  
9:00 AM**

Agendas are available within 24 hours of 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.*

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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**GOLD – WITHDRAWN / BROWN – NO ACTION**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**

### **STATUTORY HEARINGS**

#### **Public Works**

5. **ROAD FILE DECLARATIONS – APPROVED**

Approve 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. A408**

Approve and adopt resolution on Road File No. A408, said alignment is also known as Banff Lane from 71st Avenue to 68th Drive, lying within Supervisorial District 4.

(C-91-09-007-M-00)

- b. **ROAD FILE NO. A411**

Approve and adopt resolution on Road File No. A411, said alignment is also known as Planada Lane, from 87th Avenue to 83rd Avenue, lying within Supervisorial District 4.

(C-91-09-011-M-00)

- c. **ROAD FILE NO. A412**

Approve and adopt resolution on Road File No. 412, said alignment is also known as Burnt Water Road from State Route 87, North approximately 765.5 (alignment), lying within Supervisorial District 2.

(C-91-09-008-M-00)

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **Sheriff**

**6. AGREEMENT WITH GOODYEAR POLICE DEPARTMENT FOR PARTICIPATION WITH MCNNET – APPROVED**

Approve the Agreement between the Maricopa County Sheriff's Office and the Goodyear Police Department to reimburse \$11,000 for overtime expenses for the Officer assigned to the Maricopa County Neighborhood Narcotics Enforcement Team (MCNNET). The Sheriff's Office indirect cost rate for FY 2009 is 12.2%. The unrecoverable indirect costs are estimated to be \$1,342. The term for this Agreement is July 1, 2008 through June 30, 2009.

Maricopa County Juvenile Probation is the administrating agency for the MCNNET grant, funded through the Bureau of Justice Assistance, which was approved by the Board of Supervisors on July 23, 2008 (C-20-09-006-G-00). The Goodyear Police Department has participated in the MCNNET Program for approximately fourteen years. These efforts reduce violent crime within the unincorporated areas of the County and west valley communities. (C-50-09-010-3-00)

**7. COST REIMBURSEMENT AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATION--MORTGAGE FRAUD TASK FORCE – APPROVED**

Approve the Cost Reimbursement Agreement between the Maricopa Sheriff's Office and the Federal Bureau of Investigation (FBI) and acceptance of up to \$15,855 for participation in the Mortgage Fraud Task Force. This Agreement will become effective upon signatures of the parties and may be terminated at any time upon mutual consent, or unilaterally upon written notice from the terminating party to the other party at least 30 days prior to the termination date. The Sheriff's indirect cost rate for FY2009 is 12.2%, the unrecoverable indirect costs are estimated to be \$1,934.31. The FBI will notify the Sheriff's Office of the applicable annual limits prior to October 1st each year. Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-09 not-to-exceed by \$15,855. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

Approval of this item will allow the Sheriff's Office to recover overtime expenses incurred while participating in the FBI Mortgage Fraud Task Force (MFTF). MFTF is a joint cooperative effort among the FBI and local law enforcement agencies creating an efficient and cohesive unit capable of detecting, investigating and prosecuting organized groups and individuals involved in Federal/State/Local financial crimes. (C-50-09-011-G-00)

**8. FEDERAL ANNUAL CERTIFICATION REPORT FOR FY 2008 AND AMENDED REPORT FOR FY 2007 – APPROVED**

Approve the Federal Annual Certification report for submission to the U.S. Department of Justice and the U.S. Department of the Treasury that covers the period July 1, 2007 through June 30, 2008. Also approve the amended Federal Annual Certification report that covers the period July 1, 2006 through June 30, 2007.

The annual certification report is a requisite of the Federal Equitable Sharing Agreement. The current agreement continues through September 30, 2008. (C-50-07-003-2-02)

**9. WARRANTY REPLACEMENT OF ONE-TIME ADDITION TO FLEET – APPROVED**

Approve the one-time addition to fleet of a warranty replacement vehicle, a 2007 LDV/Freightliner MT-55 with custom Utilimaster body, VIN 4UZAASBV17CY85948. This vehicle replaces a 2006 LDV/Freightliner MT-55 with custom Utilimaster body, VIN 4UZAASBV96CW80182, fleet number 45604, originally approved as a one-time addition to fleet by the Board in January 2006.

The original vehicle, a command post, purchased with Homeland Security funds arrived with structural damage that is irreparable and the vendor has agreed to replace it through the warranty. Functional equipment from the original command post will be transferred to the replacement command post. When the transfer is complete, vehicle 45604 will be removed from the fleet. There will be no additional cost to the Sheriff's Office or the County. (C-50-06-516-3-03)

**10. SALE AND TRANSFER OF CONTROLLERS FOR LIGHTS AND SIRENS TO POSSE – APPROVED**

Pursuant to A.R.S. §11-251(9), approve the sale and transfer of three obsolete, surplus Unitrol Light and Siren Controllers for \$1.00 per unit to the Tactical Vehicle Posse group.

The Sheriff's Office has switched the siren and light controller units for patrol vehicles to TouchMaster Delta from Unitrol. (C-50-09-008-M-00)

**11. CONTINUATION OF EXEMPTION FROM MARKINGS FOR REPLACEMENT UNDERCOVER SHERIFF'S VEHICLES – APPROVED**

Pursuant to A.R.S. §38-538.03, approve the continuation of an exemption from county markings for eight Sheriff's fleet undercover replacement vehicles as follows: 2008 Chevy Impala (white); 2008 Dodge Charger (white); 2008 Dodge Charger (silver); 2008 Ford Expedition (black); 2008 Ford Expedition (tan); 2008 Ford Expedition (black); 2008 Ford 250 (white); and 2008 Ford F250 (white)., with Maricopa County Identification Numbers: 52825, 13827, 13828, 31839, 31897, 31883, 31815, and 31816.

The replacement vehicles will be used in law enforcement situations involving felony investigations or activities of a confidential nature where personnel safety and enforcement is better accomplished without noticeable law enforcement insignia. Exemptions granted pursuant to A.R.S. §38-538.03 are in effect for one year. (C-50-09-009-M-00)

**12. AMENDMENT TO ANTHEM SPACE LEASE – APPROVED**

Approve and execute Amendment No. 5 to Lease No. L-7361 with Anthem Community

Council, INS., Sub-Landlord, as successor in interest to Del Webb Corporation for the property located at 3701 W. Anthem Way, Anthem, Arizona 85086. The purpose of this amendment is to extend the term through June 30, 2009, and to implement monthly rental payments of \$3,120.38 for months one through seven and of \$3,179.25 for months eight through twelve for a fiscal year total of \$37,738.91. This amendment is effective from July 1, 2008 to June 30, 2009.

The County has occupied office space in Anthem for use by the Sheriff's Office since November of 2004 and has paid nominal rent during this term of this agreement. An amendment to the sublease is now required to bring the rent to a market level and to extend the term of the sublease through the end of the current fiscal year. This item has been reviewed and approved by the County Facilities Review Committee. (C-50-05-029-M-05)

**13. RED-LINED VEHICLE USE FOR 2008 HOLIDAY SEASON MALL PATROL – APPROVED**

Approve the temporary use of 24 red-lined vehicles to be assigned for Sheriff's Office holiday season mall patrol beginning Friday, November 28 through midnight, Wednesday, December 31, 2008.

Eleven valley malls will be patrolled. Fuel costs, estimated to be \$7,500, will be funded within the Sheriff's Office appropriation. (C-50-09-012-M-00)

## **TRIAL COURTS**

### **Justice Courts**

**14. TRANSFER EXPENDITURE APPROPRIATION FOR EVIDENCE PRESENTATION SYSTEMS – APPROVED**

Pursuant to A.R.S. § 42-17106, transfer expenditure appropriation in the amount of \$269,118 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Justice Courts (240) Justice Courts Judicial Enhancement Fund (204) Non-Recurring (0001). Also decrease the revenue appropriation in the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line by \$269,118. Approval of this action will support one-time expenditures to implement the Evidence Presentation System in the Justice Courts.

According to the Justice Courts' Strategic Plan, "A recently completed analysis looking at the long-term trends of growth in court filings and revenue completed by Justice Court Administration indicated that filings have increased at an annual rate of 2.4% over the eighteen year period from Fiscal Year (FY) 1988 through Fiscal Year (FY) 2006. The aggregate increase in filings over that period was 44%. Increases in case filings and litigant appearances in the Maricopa County Justice Courts call for new and effective ways to convey both statutory and procedurally instructive information to citizens. The courts, mindful of their Vision Statement "to provide community-based, user-friendly, efficient and professional justice" also see the need to enhance efficiencies in the conduct of trials and other courtroom appearances. New applications for technology in the courtroom can assist in the conveyance of information and in the conduct of court trials. The Maricopa County Justice Courts wish to purchase Evidence Presentation Systems for seventeen (17) courtrooms (total cost \$115,730) and four (4) Video/Electronic Presentation Evidence Carts (individual cost of \$13,240, total cost \$52,959) for each regional facility (which would be

shared by the co-located courts). Contractor labor and travel costs are calculated at \$85,115 and \$1,650, respectively. Sales tax calculated at \$13,664. Total costs of \$269,118. (C-24-09-001-2-00)

#### **Juvenile Probation and Detention**

##### **15. FAMILY COUNSELING GRANT – APPROVED**

1. Participate, by resolution, in the State of Arizona Family Counseling Program for FY 2008-09, administered by the Juvenile Court pursuant to A.R.S. 8-261 through 8-265 for the purpose of strengthening family relationships and prevention of juvenile delinquency. 2. Authorize the use \$91,513 in matching General Funds for FY 2008-09, which is included in the Department's FY 2008-09 General Fund (100) appropriated budget.

The Juvenile Probation Department in Maricopa County has participated in the Family Counseling Program provided by the Arizona State Legislature, A.R.S. 8-261 through 8-265 for the past 35 years. The objective of the program is to divert delinquent or incorrigible offenders from the court process by providing counseling until the family can mobilize its own resources for meeting its problems. In addition, the counseling is provided to reduce referral frequency to the Juvenile Probation Department. The allocation to Maricopa County for FY 2008-09 is \$366,050 which will be retained by the Administrative Office of the Supreme Court. A 4 to 1 ratio County match is required in the amount of \$91,513 and is included in the Juvenile Probation Department's FY 2008-09 budget. A resolution by the Board of Supervisors will make it possible for approximately 1,500 families to participate in the Family Counseling Program during the next fiscal year. (C-27-09-001-G-00)

#### **Superior Court Judges and Commissioners**

##### **16. TRANSFER EXPENDITURE APPROPRIATION RELATED TO INFORMATION TECHNOLOGY SERVICES ENHANCEMENT – APPROVED**

Pursuant to A.R.S. §42-17106, transfer expenditure appropriation in the amount of \$200,000 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to the Superior Court (800) Judicial Enhancement Fund (208) Non-Recurring (0001). Also decrease the revenue appropriation in the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line by \$200,000. Approval of this action will support one-time expenditures for consulting services to enhance IT services within Superior Court.

Increase the level of budgeted expenditures by \$200,000 will allow the Court Technology Services (CTS) Department of the Maricopa County Judicial Branch to enlist IT consulting services (Two FTE's - Web Developer Specialists) to address the deficiencies and enhancements in key functionality and data exchanges in the areas of: Justice Court financials, Juvenile Financials, Juvenile Court, Juvenile Probation and Criminal. Expected benefits of this project are: Increased efficiencies at both the court and other justice and law enforcement agencies, increased shared data across agencies and reduce overall workload required, increased availability of court statistical data will be obtained allowing for court staff to produce various ad-hoc statistical requests and increased ability to track capital cases. (C-38-09-002-2-00)

**COUNTY MANAGER**

**Government Relations**

**17. RESOLUTION TO APPLY AND ACCEPT TRIBAL GAMING FUNDS FOR SUN LAKES FIRE DISTRICT'S PROTECTIVE COATS AND PANTS – APPROVED**

Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the Sun Lakes Fire District's (SLFD) Protective coats and protective pants in an amount not-to-exceed \$69,192 for FY2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. If funds are awarded, pursuant to A.R.S. §42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not to exceed \$69,192, function code 0000. The grant period would be October 1, 2008 -September 30, 2009. 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.

This grant funding will enhance public safety by obtaining protective coats and pants for Sun Lakes firefighters to help minimize exposure to the toxic chemicals, carcinogens, and bodily fluids that contaminate the protective clothing worn by firefighters while performing their duties. (C-20-09-012-G-00)

**18. RESOLUTION TO APPLY AND ACCEPT TRIBAL GAMING FUNDS FOR SUN LAKES FIRE DISTRICT'S SELF-CONTAINED BREATHING APPARATUS – APPROVED**

Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the Sun Lakes Fire District's (SLFD) self-contained breathing apparatus (SCBA) in an amount not-to-exceed \$173,085 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. If funds are awarded, pursuant to A.R.S. §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 \$173,085. The grant period would be October 1, 2008 - September 30, 2009. 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.

Grant funding will go to protect the lives and safety of Sun Lakes firefighters and the citizens they serve by purchasing self-contained breathing apparatus (SCBA's) for Sun Lakes firefighters. (C-20-09-011-G-00)

**19. RESOLUTION TO APPLY AND ACCEPT TRIBAL GAMING FUNDS FOR THE BUCKEYE VALLEY FIRE DISTRICT – APPROVED**

Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the Buckeye Valley Fire District for thermal imaging cameras in an amount not to exceed \$20,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. If funds are awarded, pursuant to A.R.S. § 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 \$20,000. The grant period would be October 1, 2008 - June 1, 2009. 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.

This grant would enable the Buckeye Valley Fire District to purchase thermal imaging cameras to reduce the chance of civilian injury or death from smoke or fire. These tools would be new equipment to replace aged and outdated equipment in an effort to provide for continuous quality improvement. (C-20-09-014-G-00)

#### **Office of the County Manager**

**20. ADDITION OF SHERIFF'S VEHICLE FOR HUMAN SERVICES CAMPUS PATROL – APPROVED**

Approve the temporary addition of one fully equipped Sheriff's patrol vehicle to the county fleet. The one-time purchase of this vehicle will be funded by the "Crime Prevention Grants" line in Non-Departmental (470) General Fund (100) and will be removed from the fleet at the end of its useful life. This vehicle will be used by a MCSO Sheriff's Deputy to patrol the Human Services Campus as approved in C-20-08-047-0-00.

The vehicle will provide for the Sheriff's Office deputy to patrol the Maricopa County Human Services Campus and the surrounding area to assist with security and deter activities that threaten clients of the campus. (C-20-08-047-0-01)

**21. SECURITY BUILDING DEVELOPMENT AND BUILD-OUT – APPROVED**

Authorize the cancellation of the auction to lease retail space at the Security Building.

Due to revised plans for utilization of retail space in the Security Building, it is necessary to cancel the auction for leasing retail space in the Security Building which was previously authorized under C-20-08-019-0-00. The Facilities Review Committee recommends the cancellation of the retail space lease auction. (C-20-08-019-0-01)

### **DEPUTY COUNTY MANAGER**

#### **Management and Budget**

**22. TRANSFER EXPENDITURE AUTHORITY FOR REPORT AND SURVEYS ON PHOENIX PROPERTIES LOCATED AT 355 AND 358 N. 5TH AVENUES – APPROVED**

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$20,000 from FY 2008-09 Non-Departmental (470) General Fund (100) General Fund Contingency (4711) Operating (0000) to an existing line item in Non-Departmental (470) General Fund (100) Other Programs (4712) Operating (0000) entitled "Pappas Security and Utilities". Approval of this action will provide funding for the Phase I report, Asbestos and Lead-based paint surveys and Misc supplies. These adjustments will result in a net impact of zero to the County budget.  
(C-49-09-017-2-00)

**23. COUNTY SUPERVISORS ASSOCIATION DUES INCREASE – APPROVED**

Pursuant to A.R.S. §42-17106(b), the Office of Management and Budget (OMB) requests the approval to transfer \$14,801 from Non-Departmental (470) Operating (0000) General Fund (100) Contingency (4711) to the line item in General Fund Dues and Memberships; County Supervisors Association (100-470-4721-0000) and expend these funds on the invoice received from the County Supervisors Association.

The County has received an invoice from the County Supervisors Association in the amount of \$162,816 for County Supervisors Association Service Fees. This is an unexpected increase of 10% to the annual dues that were paid by the County in FY 2007-08. Since the actual annual dues are more than anticipated or budgeted in the FY 2008-09 budget, there is a remaining balance of \$14,801 in the line item. OMB requests authority to transfer \$14,801 from Non-Departmental Contingency to the Dues and Memberships org to allow OMB to process and pay the invoice received. (C-49-09-014-2-00)

**Workforce Management and Development**

**24. EXECUTIVE COMPENSATION PACKAGE – ADDITIONAL ACCRUAL RATE SCHEDULE – APPROVED**

Approve an Executive Compensation Package (ECP) for Helen Dusick, an unclassified Project Manager in Workforce Management & Development, awarding a Schedule 6 Leave Accrual Rate effective June 30, 2008. (C-31-08-011-2-01)

**ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

**Animal Care & Control Services**

**25. DONATIONS – APPROVED**

Accept the monetary donation from **Vernice Windus** of Chandler, AZ in the amount of \$250; **Francine Osborn** of Chandler, AZ in the amount of \$400; and a monetary donation from **Richard Schwartz** of Tempe, AZ in the amount of \$249 for the care of the animals. The total for these donations received is \$899. 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-79-09-010-D-00)

**26. IGA WITH TOWN OF BUCKEYE FOR ANIMAL CONTROL FIELD SERVICES – APPROVED**

Approve an Intergovernmental Agreement (IGA) between Maricopa County through Maricopa County Animal Care & Control and the Town of Buckeye, for Animal Control Field Services. This IGA is effective from September 1, 2008, through June 30, 2013. The Town of Buckeye agrees to pay full cost recovery for field services for FY 2008-09 estimated to be \$56,000 for 10 months of service based on historical levels of service for this jurisdiction. In accordance with A.R.S. 42-17106(B), approve the transfer of revenue and expenditure authority between Non-Departmental (470), Non-Departmental Grants Fund (249) and the Animal Care and Control Department (790) Animal Care and Control Field Operation Fund (574). This action will require a revenue and expenditure appropriation adjustment **decreasing** the FY 2008-09 Non-Departmental (470), Non-Departmental Grants Fund (249) Operating (0000) by \$56,000 and **increasing** the FY 2008-09 Animal Care and Control Department (790) Animal Care and Control Field Operation Fund (574) Operating (0000) by \$56,000. Also, authorize the Office of Management and Budget to adjust the revenue and expenditures for FY 2009-10, FY 2010-11, 2011-12, and FY 2012-13 based on 12-month service levels estimated to be at least \$67,200 annually.  
(C-79-09-011-3-00)

### **Human Services**

**29. IGA WITH KYRENE SCHOOL DISTRICT NO. 28 FOR FOOD SERVICE FOR HEAD START – APPROVED**

Approve an Intergovernmental Agreement between Kyrene School District No.28 and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$5,686. This Intergovernmental Agreement is funded by a grant from Department of Health and Human Services, (C-22-09-001-3-ZZ). The purpose of this Intergovernmental Agreement is to provide food service to Head Start . This Intergovernmental Agreement is effective from October 1, 2008 until September 30, 2009.  
(C-22-09-091-3-00)

**30. IGA WITH MESA PUBLIC SCHOOLS FOR HEAD START FOOD SERVICE – APPROVED**

Approve an Intergovernmental Agreement between Mesa Public Schools and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$230,626. This Intergovernmental Agreement is funded by a grant from Department of Health and Human Services, (C-22-09-001-3-ZZ). The purpose of this Intergovernmental Agreement is to provide food to Head Start participants. This Intergovernmental Agreement is effective from October 1, 2008 until September 30, 2009.  
(C-22-09-089-3-00)

**28. ACCEPT FUNDS FOR WORKFORCE DEVELOPMENT SUMMER YOUTH PROGRAM – APPROVED**

Authorize the Human Service Department Workforce Development Division to accept funding from the Arizona State Department of Economic Security in the amount of \$131,250. The indirect cost rate for Human Services for FY 2008-09 is 15.2%. Indirect costs of \$17,317.71 are fully recoverable. Also, approve revenue and expenditure appropriation adjustments to the HSD Fund (222), associated with the grant in the amount of not-to-exceed \$131,250 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The

Joint Legislative Budget Committee (JLBC) enacted the FY 2009 Budget on July 2, 2008. Pursuant to A.R.S. section 41-1966.01 the summer youth education and training program is established to be funded by monies appropriated from the state general fund. These funds are targeted for youth involved in the juvenile justice system, at-risk of dropping out of school, and/or involved in activities that will limit opportunities for success.  
(C-22-09-094-G-00)

**27. AMENDMENT TO THE BOYS AND GIRLS CLUB EAST VALLEY LEASE FOR HEAD START – APPROVED**

Approve and execute Amendment No. 2 to Lease No. C-22-04-107-4-02 with The Boys and Girls Club of the East Valley for the property located at 44 North Oak, Gilbert, AZ. The purpose of this amendment is to extend the term and set the rental rate. This amendment is effective from September 1, 2008 to August 31, 2013.  
(C-22-04-107-4-02)

**31. AMENDMENT TO IGA WITH CITY OF PHOENIX FOR JOINT SERVICES AGREEMENT – APPROVED**

Approve Amendment No. 3 to an Intergovernmental Agreement between City of Phoenix and Maricopa County through the Human Services Department in the not-to-exceed amount of \$125,000. This amendment is funded by a grant from WIA, C-22-09-008-3-00. The purpose of this amendment is to extend the term for one more year and the funding of this agreement. This amendment is effective from July 1, 2008 to June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.  
(C-22-07-065-2-04)

**32. MOU WITH ARIZONA PROJECT CHALLENGE – APPROVED**

Approve a Memorandum of Understanding between Arizona Project ChalleNGe, and Maricopa County through the Human Services Department, for the purpose of providing assistance to Project ChalleNGe participants in career development. This Memorandum of Understanding is non-financial and is effective from August 6, 2008 until June 30, 2009.  
(C-22-09-092-3-00)

**33. MOU WITH VALLEY CHRISTIAN CENTERS FOR PRODUCING LEADERS OF TOMORROW PROGRAM ACTIVITIES – APPROVED**

Approve a Memorandum of Understanding between Valley Christian Centers, Inc., and Maricopa County through the Human Services Department, for the purpose of providing PLOT (Producing Leaders of Tomorrow) program activities to Valley Christian Center's participants. This Memorandum of Understanding is non-financial and is effective from August 6, 2008 until June 30, 2009.  
(C-22-09-093-3-00)

**34. AMENDMENT TO VALLEY OF THE SUN YMCA – APPROVED**

Approve Amendment No. 2 to a Contract between Valley of the Sun YMCA (Las Artes Program) and Maricopa County through the Human Services Department in the not-to-exceed amount of \$450,000. This contract is funded by a grant from the Department of Economic Security IGA C-22-09-008-3-00 (which is approved under C-22-09-007-3-ZZ). The purpose of this amendment is to renew the contract for year two of the three one-year options and to add funds to the contract. This amendment is effective from September 1, 2008 to August 31, 2009. All other terms and conditions of the Contract remain in full force

and effect.  
(C-22-08-097-1-02)

## **CHIEF FINANCIAL OFFICER**

### **Finance**

#### **35. 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.

#### **36. RIGHT OF ENTRY WITH THE CITY OF AVONDALE – APPROVED**

Authorize the Chairman of the Board to execute a Right of Entry, with the City of Avondale, for the use of county property (30' X 30' triangle = 450 square feet), at the Avondale Family Health Clinic located at the northwest corner of Van Buren and Eliseo Felix Jr. Way.

Granting the Right of Entry will allow the City of Avondale to begin the installation of a traffic signal and street improvements before negotiations to determine the value of the property to be acquired by the City are completed. The Facilities Review Committee supports the granting of the Right of Entry. (C-18-09-012-8-00)

### **Materials Management**

#### **37. SOLICITATION SERIALS – APPROVED**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

##### **a. RECOMMENDATION FOR RENEWAL: 05084-RFP, INMATE ANGER MANAGEMENT GROUPS - MCSO**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)05084-RFP, Inmate Anger management Groups - MCSO

Contract renewal to provide anger management training/counseling to MCSO inmates. Grant funded. Serial: 05084-RFP Item: Inmate Anger management Groups - MCSO Estimate: \$1,650,000/three years to cover period ending September 30, 2011. Awardees: Concepts For Change Inc, Sage Counseling, Inc.  
(C-73-09-017-3-00)

##### **b. RECOMMENDATION FOR RENEWAL: 05099-C, ASPHALT ACRYLIC SEAL AND PETROLEUM RESIN**

Approve the renewal/extension of the following contracts: (These are

recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.) Serial - 05099-C, Asphalt Acrylic Seal And Petroleum Resin

Serial - 05099-C Item - Asphalt Acrylic Seal And Petroleum Resin Estimate - \$1,200,000.00 To cover contract period ending October 31, 2011 Ergon Asphalt Products (C-73-09-014-3-00)

**c. RECOMMENDATION FOR RENEWAL: 05097-C, BULK FUEL, PURCHASE & DELIVERY – UNLEADED GASOLINE & DIESEL FUEL**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.) Serial: 05097-C Bulk Fuel, Purchase & Delivery – Unleaded Gasoline & Diesel Fuel

Pricing agreement renewal to purchase unleaded gasoline for use by Equipment Services for fuel storage tanks and vehicles. Serial: 05097-C Item: Bulk Fuel, Purchase & Delivery – Unleaded Gasoline & Diesel Fuel Estimate: \$20,000,000.00 / 3 Years To cover period ending November 30, 2011 Awardee(s): Union Distributing Company (C-73-09-015-3-00)

**d. RECOMMENDATION FOR RENEWAL: 05083-C, FLOUR, BULK**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.) 05083-C, Flour, Bulk

Contract renewal for the purchase and delivery of bulk flour for the Sheriff's Food Factory. Vendor renewed at same price. Serial: 05083-C Item: Flour, Bulk Estimate: \$632,000/one year To cover period ending August 31, 2009 Awardee: Food Source International (C-73-09-016-3-00)

**e. RECOMMENDATION FOR RENEWAL: 05095-S, EMPLOYMENT CLASSIFIED ADVERTISEMENTS AND DISPLAY PUBLISHING SERVICES**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.) 05095-S, Employment Classified Advertisements and Display Publishing Services

This action is taken to renew this contract for three years. Estimated, not to exceed amount is established at \$2,000,000, based on expenditures of the initial three years of the contract. All County departments have access to and use the contract. Serial: 05095-S Item: Employment Classified Advertisements and Display Publishing Services Estimate: \$2,000,000.00 / 3 Years To cover period ending August 31, 2011 (C-73-09-018-3-00)

**f. RECOMMENDATION FOR AWARD: 08036-S, EXPEDITED MOVING SERVICES AND SYSTEMS RECONFIGURATION**

Approve the following solicitation serial items. The action on the following items is

subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.08036-S, Expedited Moving Services And Systems Reconfiguration

Price agreement for expedited moving and modular furniture system reconfiguration services for all County agencies. This is a multiple award contract.Serial: 08036-SItem: Expedited Moving Services And Systems ReconfigurationEstimate: \$900,000/three years Terms: three years with three one-year renewal optionsAwardee(s): KC Installation & Moving, Pancom Southwest Inc., Interior Solutions, Goodmans Interior Structures, Arizona Office Solutions LLC (C-73-09-019-3-00)

**g. RECOMMENDATION FOR AWARD: 08066-RFP, ENERGY SAVING SERVICES, MARICOPA COUNTY FACILITIES**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. 08066-RFP, Energy Saving Services, Maricopa County FacilitiesValue of Award: \$700,000 estimate/three yearswith three one-year renewal optionTo cover period ending August 31, 2011

The purpose of the contract is to contract with an Energy Services Company to perform an investment grade energy audit on County Facilities and determine energy saving improvements for the County to implement. The second phase will be determined after the audit is complete and the County determines if any of the suggested improvements should be implemented. If the County chooses to implement the recommendations the County may have the ESCO do the work or the County may have the improvements made under a separate contract. (C-73-09-020-3-00)

**h. RECOMMENDATION FOR INCREASE: 04058-C, PLASTIC AND STYROFOAM PRODUCTS AND UTENSILS**

Approve an increase in the price agreement for the following contract: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).04058-C, Plastic And Styrofoam Products And Utensils

Previous Award: \$175,000.00Value of Increase: \$800,000.00Total Value: \$975,000.00Contract Period: To cover period ending July 31, 2010 (C-73-09-013-3-00)

**Parks and Recreation**

**38. SPOT AWARD PROGRAM FOR PARKS AND RECREATION DEPARTMENT – APPROVED**

In accordance with Section X of the Maricopa County Compensation Plan, approve the continuation of a Spot Award Token Program as an employee recognition program for FY 2008-09, in addition to the American Express Performa Card Peak Performer Program for Parks and Recreation Department. Estimated annual cost of the Spot Award Token Program is under \$350.00 and will be absorbed from non-general fund sources within the Department (Fund 241 and Fund 240). The Program will cover the period from July 1, 2008 through June 30, 2009.  
(C-30-09-003-2-00)

**39. DONATION POLICY WAIVER FOR PARKS AND RECREATION – APPROVED**

Approve a waiver for the Parks and Recreation Department to section C.2 of Policy A2508 Policy for Receiving Donations, requiring a monthly report of donated funds to the Board of Supervisors for FY 2008-09. According to section C.3 the Parks & Recreation department maintains a segregated Donation Fund approved annually by the Board during the budget cycle and therefore requests a waiver to the monthly reporting policy.  
(C-30-09-004-2-00)

**40. AGREEMENT WITH HARVEST FAMILY ENTERTAINMENT-ARIZONA AND FLOOD CONTROL DISTRICT FOR ADOBE DAM REGIONAL PARK CONCESSION SITE – APPROVED**

Approve a Non-Disturbance and Attornment Agreement between Harvest Family Entertainment-Arizona, LLC (“Concessionaire”), a Missouri limited liability company; the County of Maricopa (“County”), a political subdivision of the State of Arizona; and the Flood Control District of Maricopa County (“FCD”), a political subdivision of the State of Arizona. By this Agreement, FCD agrees that the rights of the Use Management Agreement between County and Concessionaire (C-30-08-034-1-00) shall not be disturbed except as stipulated in the Non-Disturbance and Attornment Agreement. The Use Management Agreement between the County and Concessionaire is for the management, operation and maintenance of Adobe Dam Regional Park Aquatic and Amusement Park Concession. The term of the Agreement shall correspond with the Use Management Agreement (twenty five years) beginning October 1, 2008 and ending September 30, 2033, with a twenty-five year renewal option.  
(C-30-09-005-3-00)

**41. AMEND FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM – APPROVED**

Pursuant to A.R.S. 42-17106(B), approve the following: 1. Amend the FY 2008-09 Five-Year Capital Improvement Program in the Non-Departmental (470) General Fund County Improvement Fund (445):a. Decrease the Park System Master Plan Project (PSMP) project expenditure budget by \$80,000 in Year 1 (FY 2008-09) to \$132,344.b. Increase the Visitor Centers and Amphitheaters (VAMP) project expenditure budget by \$80,000 in Year 1 (FY 2008-09) to \$ 4,386,859.The net impact to the overall county budget is zero.  
(C-30-09-006-2-00)

**ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

**Environmental Services**

**42. JOINT RESOLUTION AMENDING THE ONE STOP SHOP PROGRAM – APPROVED**

Approve an amended joint resolution between the Board of Supervisors and the Flood Control District of Maricopa County regarding the Maricopa County One Stop Shop Program. The amended resolution updates authorities, includes additional departments and programs and restates the mission and responsibilities related to the One Stop Shop Program. The original joint resolution was adopted by both Boards on April 21, 1999 under C#3299028.

The revised mission of the Maricopa County One Stop Shop Program shall be to coordinate and integrate the application and review process from previous enumerated clearances,

permits or approvals from Maricopa County Planning and Development Department, Maricopa County Department of Transportation, Maricopa County Assessor's Office, Maricopa County Environmental Services Department, Maricopa County Air Quality Department and the Flood Control District of Maricopa County so as to minimize duplication of effort and cost on the part of applicants, and likewise promote the efficiency of the review process. The Maricopa County Board of Supervisors and the Board of Directors of the Flood Control District of Maricopa County may from time to time designate additional agencies, departments, and districts to participate in the One-Stop Shop Program. Specifically, information is to be shared to the extent practicable among the various agencies, departments, and districts. Planning and Development Department, as lead agency shall have overall authority to coordinate, facilitate and provide oversight to the Maricopa County One Stop Shop Program. Specifically, the Director of the Planning and Development Department, or his/her designee shall have the responsibility to grant final approval for issuance of a Final Permit Clearance. A corresponding agenda item is found under the Flood Control District Agenda under item C-69-09-003-00. This item was continued from the August 6, 2008 meeting. (Supervisorial Districts 1, 2, 3, 4, and 5)

(C-88-08-012-2-00)

**43. EXPENDITURE INCREASE FOR PURCHASE OF LAPTOP COMPUTERS – APPROVED**

Approve an expenditure budget increase to the Environmental Services (880) Environmental Health Fee Fund (506) in the amount of \$320,000 for the one time purchase of 105 laptop computers for Environmental Health Department inspection and enforcement staff. Approve an expenditure budget increase to the Environmental Services (880) Environmental Health Fee Fund (506) in the amount of \$320,000. This action will require an expenditure appropriation adjustment decreasing the FY 2008-09 Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) line item "Potential Expenditures from Fund Balance" in the amount of \$320,000 and increasing the FY 2008-09 Environmental Services (880) Environmental Health Fee Fund (506) Non-Recurring (0001) in the amount of \$320,000. Also, this action requires a decrease in the FY 2008-09 Revenue budget for Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001). This action will fund a one-time purchase of 105 laptop computers for Environmental Health Department inspection and enforcement staff.

(C-88-09-001-2-00)

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

### **Public Works**

44. 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-06-09-066-7-00) – **APPROVED**

**45. RIGHT-OF-WAY ACQUISITION AGREEMENT WITH SIERRA NEGRA RANCH FOR SILVER SPRINGS RANCH – APPROVED**

Approve a Right-of-Way Acquisition Agreement between Sierra Negra Ranch L.L.C., a Nevada limited liability company and Maricopa County, a political subdivision of the State of Arizona.

Right-of-Way Acquisition Agreement allows Maricopa County to apply for right of way from the Arizona State Land Department on behalf of the developer of Silver Springs Ranch, as requested by the State Land Department. The developer of Silver Springs Ranch is Sierra Negra Ranch L.L.C. All fees and costs are borne by Sierra Negra Ranch L.L.C. Upon completion of construction, the roadway will be incorporated into the Maricopa County Highway System. (Supervisory District 4)  
(C-91-09-013-M-00)

**46. IGA FOR PRELIMINARY ENGINEERING DESIGN OF THE AGUA FRIA BOULEVARD (HAPPY VALLEY ROAD) SCOUR PROTECTION PROJECT – APPROVED**

Approve an Intergovernmental Agreement with the Maricopa County Department of Transportation (MCDOT) and Flood Control District (FCD) 2008A007 to cost share the preliminary engineering design (Project Design Concept) of the Agua Fria Boulevard (Happy Valley Road) Scour Protection Project. FCD will act as the lead agency for the project. The estimated cost for the project is \$300,000 and MCDOT is responsible for 50% of the estimated total cost, not-to-exceed \$150,000.

The agreement allows MCDOT and FCD to cost share a design study for the drop/grade control structure and related channelization between Agua Fria Boulevard and Deer Valley Road. The project will be funded through MCDOT's Bridge Preservation Project (BRIG) budget, Job Number T300, Happy Valley Road at Agua Fria Grade Control Structure. The study will refine the design concept and cost estimate of the drop/grade control structure to protect the Agua Fria Boulevard bridge, establish the northern end of a channel segment at a logical starting point and facilitate economical construction of the Deer Valley Road bridge. (Supervisory District 4) (C-91-09-019-M-00)

**47. BIDS AND AWARD FOR SUN VALLEY PARKWAY MICRO SURFACE – APPROVED**

Approve the solicitation of bids for the Maricopa County Department of Transportation's Micro Seal Project at Sun Valley Parkway, MCDOT Pavement Preservation (PAVE) Project , Job No. T286, and approve the award to the lowest responsive bidder, provided that the lowest responsive bidder does not exceed the Engineer's estimate by more than ten percent.

This project consists of laying down approx. a 1" thick mat of Micro Seal material. A Micro Seal will help this road by covering the cracks that were sealed earlier, and will provide a smoother ride. This will also assist in a safer road for bike riders using this route. In addition, replacement or installation of pavement delineation and other miscellaneous work items are required to complete the project. The project consists of approximately 170 lane miles of road. This project is located in Supervisory District 4. (C-91-09-023-5-00)

**48. BIDS AND AWARD FOR QUEEN CREEK LANDFILL CLOSURE CONSTRUCTION PROJECT – APPROVED**

Approve the solicitation of bids for construction for Queen Creek Landfill Closure Project, Maricopa County Solid Waste Management Department (SWMD) Project No. QU001, and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10 percent. Approval of this agenda item will meet the Arizona Department of Environmental Quality (ADEQ) and EPA/RCRA SubTitle D requirements for landfill closure to start within 180 days of last acceptance of garbage.

This project will provide the final placement of soil and grading of the total landfill acreage to comply with the ADEQ approved closure plan. The project will also provide the necessary grading and gas collection system for an overflow parking area located on the Southeast

area of the closed landfill for use by the Town of Queen creek. Grading and landscaping of certain additional areas for use by the Town of Queen Creek will be included in the closure project. Any additional costs for requested grading and landscaping will be funded by the Town of Queen Creek. This project will also include grading and installation of retention basins to meet applicable Storm Water Pollution Prevention Plan requirements and for Post-Closure maintenance and monitoring. An IGA will be negotiated with the Town of Queen Creek for on-going maintenance requirements and funding for those areas on the landfill specifically designed for use by the Town of Queen Creek. This project will be procured in accordance with the mandate set forth in the Maricopa County Procurement Code, Article 5, and Section 504. This project is located in Supervisorial District 1.  
(C-91-09-024-5-00)

**49. APPLY AND ACCEPT GRANT FUNDS FROM USDA UTILITIES PROGRAMS – APPROVED**

Approve the application and acceptance of grant funds from the United States Department of Agriculture (USDA) Utilities Programs in the amount of \$205,000. These grant funds are to fund an illegal dumping outreach campaign and to train and certify 12 Maricopa County Solid Waste Management (MCSWM) employees on hazardous materials (Hazmat). Authorize the Solid Waste Director to sign necessary reporting and reimbursement paperwork to administer the grant. The term of the grant is from October 1, 2008, through August 31, 2009. This grant is non-renewable. Also, if the grant award is made, approve a revenue and expenditure budget increase in the amount of \$205,000 in FY 2008-09 to the Public Works (910) Solid Waste Fund (581). The Maricopa County Department of Finance has calculated MCSWM's indirect cost rate at 5.8% of the total direct cost equal to \$193,761.81. The recoverable indirect cost of administering this grant is \$11,238.19. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is 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.

The United States Department of Agriculture Utilities Program may grant Maricopa County Solid Waste Management \$205,000 to fund alternatives to illegal dumping educational campaign and the Hazmat tuition of 12 employees and 10 operations employees' hourly training. (Supervisorial Districts 1, 2, 3, 4, and 5) (C-91-09-014-G-00)

**50. ADMINISTRATIVE CORRECTION – APPROVED**

Approve an administrative correction to the action taken by the Board on August 6, 2008, that authorized the submission of a grant application in the amount of \$500,000 to the Arizona Department of Transportation (ADOT) for SAFETEA-LU Enhancement Program Round XVI funds for Phase 1 of the Historic Bridge Rehabilitation of the Old US-80 Gila River Bridge, aka Gillespie Dam Bridge (TT188). This administrative correction is necessary to include the Adoption of a Resolution as required by Federal Enhancement Grant Application. (C-64-08-228-3-02)

**51. ANNEXATION 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: Northern Avenue from 125th Avenue (Alignment) to 115th Avenue (Alignment), in accordance with City of El Mirage Ordinance No. 008-04-06. (Supervisorial District 4)  
(C-91-09-025-M-00)

**52. ANNEXATION BY THE CITY OF PHOENIX – APPROVED**

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of Phoenix of County right-of-way within: 51st Avenue and Dobbins Road and 51st Avenue and South Mountain Avenue, in accordance with the City of Phoenix Ordinance No. G-5189. (Supervisory District 5)  
(C-91-09-027-M-00)

**53. ANNEXATION BY THE CITY OF SURPRISE – APPROVED**

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of Surprise of County right-of-way within: Cotton Lane from Cactus Road to Acoma Road, in accordance with the City of Surprise Ordinance No. 08-21. (Supervisory District 4)  
(C-91-09-028-M-00)

**54. ANNEXATION BY THE TOWN OF BUCKEYE – APPROVED**

Pursuant to A.R.S. §9-471(N), approve the annexation by the Town of Buckeye of County right-of-way within: Airport Road from Van Buren Street to Interstate 10, in accordance with Town of Buckeye Ordinance No. 24-08. (Supervisory District 4)  
(C-91-09-026-M-00)

**55. AMENDMENT TO ROAD ABANDONMENT AB-214R – APPROVED**

Adopt Resolution AB-214R to abandon a portion of Old Baseline Road in the vicinity of Old Baseline Road and 133rd Avenue, per A.R.S. §28-7214, by extinguishing the easement which was conveyed to Maricopa County by means of an Easement and Agreement for Highway Purposes on April 2, 1981, and recorded by the Maricopa County Recorder as Docket 15165 page 603.

Request that the Board of Supervisors resolve to abandon a portion of Old Baseline Road in the vicinity of Old Baseline Road and 133rd Avenue, Road File No. AB-214R which is recorded with the Maricopa County Recorder at Docket 15165 page 603 described as: The South 40 feet of the East one-half of the Southwest one-quarter of Southeast one-quarter of the Northeast one-quarter (E2 SW4 SE4 NE4) of Section 3 – T1S, R1W of the G&SRB&M, Maricopa County, Arizona. This action will authorize the abandonment of a County Easement/Right-of-way in accordance with Abandonment No. AB-214R according to A.R.S. §§28-6701, 6709, 7202 and 7214. (Supervisory District 5) (C-64-08-210-0-01)

**BOARD OF SUPERVISORS**

**Clerk of the Board**

**56. REAPPOINTMENT TO THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF MARICOPA COUNTY – APPROVED**

Approve the reappointment of Gloria Munoz to a four-year term on the Board of Commissioners of the Housing Authority of Maricopa County, term to expire on June 30, 2012.

Pursuant to A.R.S. §36-1404 and the bylaws, the authority is governed by a seven member Board of Commissioners. The County Manager shall recommend one person to serve on the Board subject to the approval of the Board of Supervisors. Commissioners serve four

year terms. (C-20-09-013-9-00)

## **SETTING OF HEARINGS**

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

### **Public Works**

#### **57. ROAD FILE DECLARATION – APPROVED**

Set a public hearing to declare the following roads into the county highway system for Wednesday, September 17, 2008.

**Road File No. 5802.** In the general vicinity of Area bounded on the North by Camelback Road, on the South by Indian School Road, on the West by Dysart Road and on the East by El Mirage Road. (Supervisory District 4)

(C-91-09-015-M-00)

## **CONSENT AGENDA**

### **Clerk of the Board**

#### **58. CHECK ENFORCEMENT FUND QUARTERLY REPORT – APPROVED**

In accordance with A.R.S. §13-1811(F) County Bad Check Trust Fund, accept the quarterly financial reports of all revenues and expenditures from the Check Enforcement Fund for the periods of April 2008 through June 2008. Report is on file in the Clerk of the Board's Office. (C-06-09-060-7-00)

#### **59. DONATIONS – APPROVED**

Accept the donation reports received from the Sheriff's department for July 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-062-D-00)

#### **60. DUPLICATE WARRANTS – APPROVED**

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. Duplicate Warrants are on file in the Clerk of the Board's Office. (C-06-09-065-7-00)

#### **61. MARKET RANGES – APPROVED**

Approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-063-7-00)

**62. MINUTES – APPROVED**

Approve the minutes of the Board of Supervisors' meetings held March 26, 2008; May 15, 2008; May 21, 2008; June 2, 2008; June 9, 2008; June 16, 2008; July 8, 2008; and July 25, 2008.  
(C-06-09-053-7-00)

**63. SECURED TAX ROLL CORRECTIONS – APPROVED**

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 are on file in the Clerk of the Board's Office. (C-06-09-064-7-00)

**64. 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-06-09-059-7-00)

**BOARD OF SUPERVISORS ADDENDUM**

**Clerk of the Board**

**A-65. ADMINISTRATIVE CORRECTION TO THE DONATIONS REPORT – APPROVED**

Accept the revised donations report received from the Sheriff's Department for June 2008. The original donations report for June 2008, was accepted by the Board on July 23, 2008, under agenda C-06-09-014-D-00. Donation reports are on file in the Clerk of the Board's Office.  
(C-06-09-061-D-00)

**A-66. LIQUOR LICENSE - ST KATHERINE GREEK ORTHODOX CHURCH – APPROVED**

Approve an application filed by Athena Vasilatos for a Special Event Liquor License at 2716 N. Dobson Road, Chandler, AZ, for August 22 and 23, 2008, from 4:00 pm to midnight; and August 24, 2008 from 11:00 am to 4:00 pm. SELL 847. (C-06-09-058-L-00)

**A-67. APPOINTMENT, ARIZONA HOUSE OF REPRESENTATIVES, LEGISLATIVE DISTRICT 11 – APPROVED**

Pursuant to ARS 41-1202, vote to appoint a person from the list of nominees to fill the vacancy in Legislative District 11 created by the resignation of Representative Mark DeSimone. The Precinct Committeemen in Legislative District 11 have met and forwarded three names to the Board of Supervisors as nominees for this vacancy. If an appointment is made, the Board directs the Clerk of the Board to send the documents regarding this action to the appropriate state offices for notification purposes. The appointee shall be sworn in by the appropriate state official. (C-03-09-001-9-00)

**A-68. TEMPORARY SUSPENSION OF ISSUANCE OF BUILDING PERMITS – APPROVED**

Approve a temporary suspension of the issuance of building permits in the "Clear Zone", "APZ 1", "APZ 2", and the "80 - 85 LDN Noise Contour" adjacent to Luke Air Force Base, Auxillary Field One, and Auxillary Field in Gila Bend.

This action is being taken to preserve the status quo while litigation is in process and will remain in effect throughout the duration of the litigation or until further action by the Board of Supervisors. (C-06-09-068-M-00)

### **Juvenile Probation**

**A-69. AMEND AGREEMENT WITH GOVERNOR'S OFFICE FOR CHILDREN, YOUTH AND FAMILIES FOR CONTINUED PROGRAM FUNDING – APPROVED**

Approve Amendment No. 1 to an agreement between Governor's Office for Children, Youth and Families, Division for Children (Amendment No. 4, Subgrantee Agreement #J1-CSG-07-7181-01Y2) and Maricopa County through the Juvenile Probation Department in the not-to-exceed amount of \$39,563. This amendment is funded by a grant from Governor's Office for Children, Youth and Families, Division for Children, Amendment No. 4, Subgrantee Agreement #J1-CSG-07-7181-01Y2. The purpose of this amendment is to extend date of grant and increase funding. This amendment is effective from July 1, 2008, to September 30, 2008. All other terms and conditions of this agreement remain in full force and effect. The 2008 Juvenile Probation indirect rate was 38.7% and the grantor capped the allowable indirect rate at 10% cap. The total indirect costs are \$13,918.98, of which \$3,596.64 are allowable and \$10,322.34 are unallowable.

The Justice Involved Youth With Children (JIYWC)/Helping Others with Parenting Education (HOPE) Program offers pregnant and parenting teens the opportunity to participate in parenting and life skills training within each detention facility – Durango and SEF, as well as at community centers. Parenting Case Managers at each location are responsible for recruitment, facilitation of programming (by community partners and/or by the Case Managers themselves) and case management/aftercare services. Baby Camps for young mothers and young fathers are held in the spring and fall, to allow pregnant and parenting teens an opportunity to spend a weekend attending workshops designed to increase parenting skills, self-esteem and life skills – while interacting with their children and peers. Transportation, food and program expenses are provided as part of the program. This grant extension will provide continued funding for three Youth Parenting Case Manager positions, training, and collaboration with partners to provide additional training/participation in Baby Camp for Young Fathers/Mothers. This extension offers three-months time extension and three months (3/12 of prior year funding) for program expenses. It is anticipated that the Governor's Parents Commission will offer the opportunity to apply for full-year renewal funding prior to September 30, 2008. (C-27-08-008-3-01)

### **County Attorney**

**A-70. APPEAL JUDGMENT ENTERED BY THE ARIZONA TAX COURT IN LIFE TIME FITNESS, INC. V. MARICOPA COUNTY – APPROVED**

Authorize the County Attorney's Office to appeal the Judgment entered by the Arizona Tax Court in Life Time Fitness, Inc. v. Maricopa County, TX 2005-050182 (consolidated). This item was discussed in Executive Session on August 18, 2008 under item E-19-09-028-3-00. (C-19-09-017-M-00)

**A-71. APPEAL JUDGMENT ENTERED BY ARIZONA TAX COURT IN PREMIERE RV V. MARICOPA COUNTY – APPROVED**

Authorize the County Attorney's Office to appeal the Judgment entered by the Arizona Tax Court in Premiere RV v. Maricopa County, TX 2007-000044. This item was discuss in

Executive Session on August 18, 2008 under item E-19-09-026-3-00. (C-19-09-018-M-00)

**A-72. SETTLEMENT OF CLAIM SUBMITTED BY PACIFIC PROVING LLC AGAINST MARICOPA COUNTY – APPROVED**

Authorize settlement of claim submitted by Pacific Proving LLC against Maricopa County, as discussed in Executive Session on August 18, 2008. (E-19-09-025-6-00) (C-19-09-019-M-00)

**A-73. SETTLEMENT OF PARADISE PALMS MULTI-HOUSING LIMITED PARTNERSHIP V. MARICOPA COUNTY – APPROVED**

Authorize settlement of Paradise Palms Multi-Housing Limited Partnership v. Maricopa County, TX 2004-000063 and TX 2004-000857, as discussed in Executive Session August 18, 2008 under item E-19-09-027-3-00. (C-19-09-020-M-00)

**Trial Courts**

**A-74. IGA WITH TOWN OF GILBERT FOR JUSTICE COURT FACILITY – APPROVED**

Approve a new facility use Intergovernmental Agreement (IGA) with the Town of Gilbert for an 11,186 square foot Justice Court facility at the Gilbert Public Safety complex located at 55 East Civic Center Drive in Gilbert to accommodate the facility requirements of the new Highland growth court. The term of the IGA commences on January 1, 2009, and expires on December 31, 2013. The Lease provides two one-year renewal options beyond the initial five-year term. The annual facility use fee for the first three years of the agreement is \$201,348 per year plus tax. The annual facility use fee for the fourth year of the agreement is \$211,416 plus tax. The annual facility use fee for the fifth year of the agreement is \$217,800 plus tax. Either party may terminate the IGA after the third year by giving 180-day written notice. As part of the IGA, Gilbert shall provide to the County three secured parking spaces for the County use. The County shall reimburse Gilbert \$2,500 monthly for the building's on-going security costs. Pursuant to A.R.S. § 42-17106, transfer expenditure authority in the amount of \$118,566 from Non-Departmental (470) General Contingency (4711) Operating (0000) to Justice Courts (240) General Fund (100) Operating (0000). Also pursuant to A.R.S. §42-17106, transfer expenditure appropriation in the amount of \$419,892 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to the Justice Courts (240) Justice Courts Enhancement Fund (245) Non-Recurring (0001). Also decrease the revenue appropriation in the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line by \$419,892. Approval of this action will fund the one-time costs for move-in expenses and to equip the space with necessary security equipment, phones, computers, audio/video equipment, furniture, signs and fixtures. Approve the addition to the fleet for one Constable Vehicle. This vehicle will be funded from the Vehicle Replacement line in Non-Departmental with the accounting string 100-470-4712-FPRR-0930-AUTO. Funding of supplies and equipment for the new Constable was included in the FY 2008-09 Adopted budget. Additional information about the vehicle is as follows: Vehicle type / cost: Ford Crown Victoria / \$24,000 Expected maintenance: \$1,000 annually (C-24-09-002-3-00)

**Setting of Hearings**

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

**Planning and Development**

**A-75. ZONING CASES – APPROVED**

Schedule Planning and Development public hearings on zoning cases and other matters for the September 3, 2008 meeting.

(C-44-09-024-7-00)

**Office of Enterprise Technology**

**A-76. SETTLEMENT BETWEEN MARICOPA COUNTY AND EMPIRE INTERNATIONAL TELECOMMUNICATIONS – APPROVED**

Approve settlement of the Notice of Claim filed by Empire International Telecommunications in the amount of \$14,510.00 for the repair work performed on a radio tower antenna atop the White Tank Mountain, and, if necessary, authorize the Chairman to execute all documents necessary to effectuate the settlement. This matter was discussed in Executive Session on August 18, 2008 under item E-19-09-021-6-00. (C-41-09-004-S-00)

**IMPROVEMENT DISTRICT AGENDA**

**I-1. MINUTES – APPROVED**

Approve the minutes of the Board of Directors' meetings held May 21, 2008. (C-06-09-057-7-00)

**I-2. HEARING ON ASSESSMENT FOR PLYMOUTH STREET IMPROVEMENT DISTRICT – APPROVED**

Convene the scheduled public hearing to adopt a resolution approving the assessment and warrant for the Plymouth Street Improvement District (K109), located in the vicinity of 78th Street and McDowell Road, pursuant to A.R.S. 48-928. Supervisorial District 2 (C-91-09-009-7-00)

**I-3. LIBERTY PARK IMPROVEMENT DISTRICT TYPE 2 WATER RIGHT SUBLEASE AGREEMENT – APPROVED**

Approve a Type 2 Water Right Sublease Agreement between Aspen Liberty, L.L.C. and the Liberty Park Improvement District, a county improvement district, through Maricopa County Superintendent of Streets Office, for the purpose of providing a temporary legal water right lease in the name of the Liberty Park Improvement District, in accordance with Arizona Department of Water Resources' (ADWR) requirements for issuance of water delivery service rights for new providers. This Agreement is non-financial and is effective from August 20, 2008 until December 31, 2010.

The district was established December 15, 2007 and is located in the vicinity of Jackrabbit Trail and MC85. As part of the ADWR's Assured Water Supply program, all new subdivisions within the Phoenix area must prove a 100-year legal water supply. For Liberty Park, the water provider is required to obtain a "service area right" from ADWR. Pursuant to ADWR policy, a new provider must obtain a temporary water right before ADWR will issue a new service area right. To comply with this requirement, Owner/Developer has

leased a water right to be subleased to the improvement district until water service is commenced at Liberty Park and ADWR issues a new service area right to the improvement district. The water right sublease does not obligate the improvement district to make any financial payments. All payment obligations under the water right lease remain with the developer. If for some reason, the improvement district does not ultimately serve water to the subdivision or the developer's prime lease terminates, the result will be that the sublease will automatically terminate and ADWR will not issue the improvement district any service area rights. There will be no on-going responsibility under the sublease for the improvement district. Supervisor District No. 4 (C-91-09-020-3-00)

## **FLOOD CONTROL DISTRICT AGENDA**

### **F-1. MINUTES – APPROVED**

Approve the minutes of the Board of Directors' meetings held March 26, 2008; May 21, 2008; and June 2, 2008. (C-06-09-054-7-00)

### **F-2. INTERGOVERNMENTAL AGREEMENT FOR AGUA FRIA BOULEVARD (HAPPY VALLEY ROAD) SCOUR PROTECTION PROJECT – APPROVED**

Approve Inter- Governmental Agreement FCD 2008A007 with the Maricopa County Department of Transportation (MCDOT) to cost share the preliminary engineering design (Project Design Concept) of the Agua Fria Boulevard (Happy Valley Road) Scour Protection Project.

Following construction of the Agua Fria Boulevard bridge, MCDOT discovered potential flaws in three bridge piers which could threaten the integrity of the bridge when subjected to flood scour. In response, MCDOT designed riprap pier scour protection (est. cost: \$500,000). The Agua Fria Watercourse Master Plan – Channelization Alternative identifies a drop/grade control structure at the Agua Fria Boulevard bridge (est. cost: \$2,000,000). Recognizing the drop/grade control structure would render their scour protection a “throw away,” MCDOT submitted the drop/grade control structure project to the Districts FY 2008 CIP Prioritization Procedure, and the project was recommended. MCDOT is also developing a Design Concept Report for the proposed Deer Valley Road bridge, about 2 miles downstream of Agua Fria Boulevard. The Board of Directors' adoption of the Channelization Alternative in July 2005 (Agenda Item: C-69-05-121-6-00) authorized and directed the Chief Engineer and General Manager to negotiate agreements to implement portions of the Channelization Alternative. The agreement allows MCDOT and FCD to cost share a design study for the drop/grade control structure and related channelization between Agua Fria Boulevard and Deer Valley Road. The study will refine the design concept and cost estimate of the drop/grade control structure to protect the Agua Fria Boulevard bridge, establish the northern end of a channel segment at a logical starting point and facilitate economical construction of the Deer Valley Road bridge. This Project is located in District 4.  
(C-69-09-005-3-00)

### **F-4. SELL EXCESS PARCELS – APPROVED**

Authorize the Flood Control District of Maricopa County (District) to sell excess parcels beginning in FY 2008-09. The District will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a

sale to a municipality, at market value without an auction. If an auction takes place, District staff will sell the parcel in compliance with A.R.S. §9-402, which mandates that an invitation for bid be published for the sale of all real property. Parcels APN 171-53-027 (FP032) and APN 503-36-013G (FP024)

These two properties were acquired through the Floodprone Properties Acquisition Program (FPAP) by the District in 2005. Portions of both vacant parcels are located in floodplains and floodways that will impact any improvements that are placed on them. Prospective buyers of the properties have been advised to seek input from the appropriate governmental agencies about the possibility of constructing improvements on the subject properties. Disposition of both properties will relieve the District of landscaping maintenance and dust control responsibilities. Property located in Supervisorial Districts 3 and 4. APN 171-53-027 (FP032) – Vacant land totaling 0.39 +/- acres APN 503-36-013G (FP024) – Vacant land totaling 4.3 +/- acres (C-69-09-004-8-00)

**F-3. RESOLUTION FOR THE DURANGO REGIONAL CONVEYANCE CHANNEL-75TH TO 107TH AVENUES – APPROVED**

Adopt Resolution FCD2008R007 for the Durango Regional Conveyance Channel, from 75th Avenue to 107th Avenue (the Project). 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 (IGAs) and Agreements for cost sharing, design, construction, construction management, rights-of-way acquisition, and operations and maintenance; to perform designs; to acquire rights-of-way; and to program Project funding in the District's Capital Improvement Program, subject to the approval of the Board.

The Durango Area Drainage Master Plan evaluated and developed solutions to mitigate flooding hazards in the Durango drainage area. This study recommended a regional channel and basin (the Durango Regional Conveyance Channel) near the Buckeye Feeder Tailwater Ditch, to intercept storm water flows and provide an outfall to the Agua Fria River. This portion of the Durango Regional Conveyance Channel is located between 75th Avenue and 107th Avenue, and between Lower Buckeye Road and Broadway Road. Upon full implementation of the Durango Regional Conveyance Channel, the proposed Project will reduce the flooding hazards and provide for 100-year outfall in the Durango drainage area. The Project was requested by the City of Avondale under the FY 2002/2003 Capital Improvement Program Prioritization Procedure, and was recommended by the Flood Control Advisory Board (FCAB) for inclusion in the District's Capital Improvement Program. On June 26, 2008 the Resolution was endorsed by the FCAB. This agenda item impacts Supervisorial District 5. (C-69-09-006-6-00)

**F-5. IGA WITH THE TOWN OF QUEEN CREEK FOR SONOQUI WASH CHANNELIZATION PHASE II – APPROVED**

Approve Intergovernmental Agreement (IGA) FCD 2008A008, between the Flood Control District of Maricopa County and the Town of Queen Creek for the cost-sharing of design and utility relocation for the Sonoqui Wash Channelization, Phase II [Project (#480)]. The design and utility relocation for the Project is estimated to cost \$1,200,000. The District and the Town will be sharing this cost equally (50/50).

The Board of Directors of the District approved Resolution FCD 2001R001 on March 21, 2001 (C-69-01-061-6-00), which authorized the District to enter into IGAs with the stakeholders for the Sonoqui Wash Channelization Project. The Phase I of the Sonoqui Wash Channelization from its confluence with Queen Creek Wash to Chandler Heights

Road was recently constructed by the District in cooperation with Towns of Gilbert and Queen Creek. The Phase II of the Sonoqui Wash Channelization includes a similar channel starting from Chandler Heights Road southeast to Riggs Road and from Hawes Road east to Crismon Road. The total length of the Project will be approximately 3.5 miles. The Project is anticipated to be designed as an earthen channel with meandering side slopes (4:1 to 8:1), 50' bottom width and depth ranging from 5' to 8' and multi-use features such as an equestrian trail and pedestrian trails. The existing wash corridor contains approximately 71 acres of land and 68 properties within a Federal Emergency Management Agency (FEMA) designated floodplain. Once the Project is constructed, all of the surrounding land will be out of the floodplain. It is anticipated that the Project will be operated and maintained by the Town once it is completed. This Agenda Item impacts Supervisorial District 1. (C-69-09-008-3-00)

**F-6. AMENDMENT TO AGREEMENT WITH U.S. DEPARTMENT OF INTERIOR BUREAU OF RECLAMATION - EL RIO EDUCATION RESEARCH AND DEVELOPMENT PROJECT – APPROVED**

Approve Amendment No. 1 to an Agreement between U.S. Department of Interior Bureau of Reclamation (#05FC320380) and Maricopa County through the Flood Control District in the not-to-exceed amount of \$35,000. The purpose of this amendment is to reflect an increase of Reclamation's direct project contribution from \$202,526 to \$237,526. This amendment is effective from September 1, 2008 to September 30, 2010. All other terms and conditions of the Agreement remain in full force and effect.

Salt cedar, also known as tamarisk, is an invasive exotic species growing throughout the Gila River in the El Rio Watercourse Master Plan (El Rio WCMP) study area. Removing salt cedar from the Gila River could improve the conveyance capacity for storm water and reduce the size of the current 100-year floodplain. Removal of salt cedar or other vegetation within Waters of the United States (WUS) is considered a regulated activity and requires a Clean Water Act (CWA) Section 404 permit. Although salt cedar can hinder flood flows, the salt cedar stands provide food and cover for insects, birds, mammals and reptiles. Therefore, removing salt cedar is an environmental impact that requires mitigation in accordance with the CWA Section 404 permit. Replacing the removed salt cedar community with vegetation that is more hydraulically efficient and ecologically diverse would be appropriate and beneficial mitigation. Thus, the purpose of the El Rio Educational Research and Development Project (Project) is to establish effective techniques to replace salt cedar with vegetation that improves flood conveyance and biological diversity within the Gila River. The Project's results will help the District with its federal and state permits for other flood control projects identified in the El Rio Study. The Project has ancillary benefits including passive recreation and educational opportunities pertaining to floodplain management, river mechanics, and plant, wildlife, and river ecology. Resolution FCD 2005R002 was adopted by the Board on April 20, 2005 (C-69-05-103-6-00) for entering into Cooperative Agreements with Reclamation. The Project is to be funded as a cost-share project between Reclamation and the District. Reclamation will fund a portion of the construction and the design. The District will fund the planning, design, monitoring, and a portion of the construction of the project. Nearly all of the District's planning and design tasks and costs coincided with the planning efforts and costs of the El Rio WCMP. The modification reflects an increase of Reclamations direct project contribution from \$202,526 to \$237,526, which will be transferred to the District for the project construction. The District's direct project cost for FY 2008-09 is estimated to be \$100,000. (C-69-05-132-3-03)

**F-7. AGREEMENT WITH MARICOPA COUNTY PARKS AND RECREATION DEPARTMENT FOR CONCESSION SITE – APPROVED**

Approve Agreement 2008G002, for Non-Disturbance and Attornment, Agreement between Maricopa County, acting through its Parks and Recreation Department, and the Flood Control District of Maricopa County.

The County and District entered into a Joint Use Agreement (#81001) dated September 8, 1981, as amended by Amendment No. 1 (CS 931287) dated June 29, 1993, Amendment No. 2 (C-69-99-091-1-00) dated May 19, 1999, and Amendment No. 3 (C-69-99-091-0-01) dated June 7, 2006. Pursuant to authority granted to the County in the Joint Use Agreement, the County desires to enter into a Use Management Agreement in favor of Concessionaire (the "Use Agreement"), with a primary term of 25 years (beginning October 1, 2008 through September 30, 2033) and a renewal option for an additional 25 years providing, among other matters, for the construction, development and operation of a multi-phase waterpark and recreational facility on a parcel of land covered by the Joint Use Agreement containing approximately 57 acres. To induce Concessionaire to enter into the Use Agreement and undertake the investments contemplated therein, the District has agreed not to disturb the rights of Concessionaire under the Use Agreement so long as Concessionaire is in compliance with its obligations thereunder, except as provided in Section 4 of this Agreement. A corresponding agenda item is found under Parks and Recreation under item C-30-09-005-3-00.  
(C-69-09-007-8-00)

**F-8. CHANGE ORDER FOR CONTRACT WITH AMES CONSTRUCTION, INC. - WHITE TANKS FLOOD RETARDING STRUCTURE REMEDIATION – APPROVED**

Approve Change Order No. 16, in the amount of \$658,921.25 to Flood Control District of Maricopa County (District) Contract FCD 2004C017 – White Tanks Flood Retarding Structure (FRS) No. 3 Remediation Phase 1 (Project [#4701]), with Ames Construction, Inc. (Contractor). Change Order No. 16 is the final close-out change for this contract and is required to address compensating the Contractor for the final agreed quantity of Soil Cement installed and the associated increase in imported aggregate; for an agreed split of the excessive quality control costs; for additional Time and Materials charges for silt fence installation and repair; for the balancing of the final bid quantity overrun and under-run; and for a thirty day extension of the contract time to September 20, 2008.

On November 17, 2004 (Agenda C-69-05-064-5-00), the Board authorized the District to issue an Invitation for Bids (IFB) and award a contract for the Project to the lowest responsible bidder, if the bid is not more than 10% greater than the engineer's estimate. The District issued the authorized IFB and received bids on September 20, 2005 from two bidders. Ames Construction, Inc. (Contractor) submitted the lowest responsible bid in the amount of \$9,498,370.00 and the consulting engineer's estimate was \$9,480,527.41. The Project contract was executed by the Chairman of the Board and Clerk of the Board on October 18, 2005. The Contractor was to complete the contract by August 29, 2006 (i.e. 315 calendar days). Since execution of the contract, a total of sixteen (16) change orders (including the proposed No. 16) have been initiated which have increased the total contract amount from \$9,498,370.00 to \$14,003,386.14, an increase of \$4,505,016.14 (+47.43%) and extending the contract completion by 753 days to September 20, 2008. (C-69-09-009-5-00)

**F-9. JOINT RESOLUTION AMENDING THE ONE STOP SHOP PROGRAM – APPROVED**

Authorize the Board of Directors of the Flood Control District (Board) to approve an amended joint resolution between the Maricopa County Board of Supervisors and the Flood Control District of Maricopa County regarding the Maricopa County One Stop Shop Program. The amended resolution updates authorities, includes additional departments and programs and restates the mission and responsibilities related to the One Stop Shop

Program. The original joint resolution was adopted by both Boards on April 21, 1999 under C#3299028.

The revised mission of the Maricopa County One Stop Shop Program shall be to coordinate and integrate the application and review process from previous enumerated clearances, permits or approvals from Maricopa County Planning and Development Department, Maricopa County Department of Transportation, Maricopa County Assessor's Office, Maricopa County Environmental Services Department, Maricopa County Air Quality Department and the Flood Control District of Maricopa County so as to minimize duplication of effort and cost on the part of applicants, and likewise promote the efficiency of the review process. The Maricopa County Board of Supervisors and the Board of Directors of the Flood Control District of Maricopa County may from time to time designate additional agencies, departments, and districts to participate in the One-Stop Shop Program. Specifically, information is to be shared to the extent practicable among the various agencies, departments, and districts. Planning and Development Department, as lead agency shall have overall authority to coordinate, facilitate and provide oversight to the Maricopa County One Stop Shop Program. Specifically, the Director of the Planning and Development Department, or his/her designee shall have the responsibility to grant final approval for issuance of a Final Permit Clearance. A corresponding agenda item is found under the Board of Supervisors Formal Agenda under item C-88-08-012-2-00. (Supervisorial Districts 1, 2, 3, 4, and 5)  
(C-69-09-003-6-00)

## **LIBRARY DISTRICT AGENDA**

### **L-1. MINUTES – APPROVED**

Approve the minutes of the Board of Directors' meetings held March 26, 2008 and May 21, 2008. (C-06-09-055-7-00)

### **L-2. APPOINTMENT TO THE LIBRARY DISTRICT CITIZENS' ADVISORY COMMITTEE – APPROVED**

Approve the appointment of Ed Van Winkle to the Library District Citizens' Advisory Committee representing Supervisorial District 5. The term of the appointment will be effective as of the date of Board approval through June 30, 2010. This item was continued from the August 6, 2008 meeting.  
(C-06-08-113-9-00)

## **STADIUM DISTRICT AGENDA**

### **S-1. MINUTES – APPROVED**

Approve the minutes of the Board of Directors' meetings held May 21, 2008. (C-06-09-056-7-00)

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

65. 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**

66. 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**

### **CONSENT AGENDA**

**1. FINAL PLAT S2008010 – APPROVED**

Case Number: S2008010  
Supervisorial District: 3  
Applicant: Stanley Consultants for NSHE Winnebago, LLC  
Location: Northeast corner of Anthem Way & Gavilan Peak Pkwy. (in Anthem)  
Request: Final Plat for a 3-lot, 1-parcel mixed-use subdivision in the C-2 CUPD PAD zoning district (approx.7.9 ac.) - Anthem East Side Mixed Use Replat  
Commission Action: NA  
(C-44-09-015-7-00)

### **REGULAR AGENDA**

**2. CAREFREE HIGHWAY SCENIC CORRIDOR STUDY – DELETED AS A DUPLICATE ITEM (SEE ITEM 5 BELOW)**

Case Number: CPA200804  
Supervisorial District: 3  
Applicant: Commission Initiative  
Location: Carefree Highway Scenic Corridor  
Request: Approval of proposed modifications  
Commission Action: Action based on 7/24 P&Z Hearing  
(C-44-09-008-7-00)

**3. ARROYO NORTE UNIT 4 - FINAL PLAT – DELETED AS A DUPLICATE ITEM (SEE ITEM 13 BELOW)**

Case Number: S2006015  
Supervisorial District: 3  
Applicant: Hoskin Ryan Engineering, on behalf of Pulte Homes  
Location: East of I-17 and south of Circle Mountain Road (in the Anthem / New River area) Request  
Request: Final Plat for a 100-lot, 4-tract, single-family residential subdivision in the R1-7 RUPD zoning district (approx. 39.0 ac.)

Commission Action: N/A

Staff Recommendation is to continue indefinitely.  
(C-44-09-010-M-00)

**4. TEXT AMENDMENT: TA2007016 – APPROVED**

Case Number: TA2007016  
Supervisorial District: All Districts  
Applicant: Commission Initiative  
Location: County-wide  
Request: Text Amendment (TA) to the Maricopa County Zoning Ordinance (MCZO) regarding the Plan of Development process  
Commission Action: Motion to approve as written 7-0.  
(C-44-09-016-7-00)

**5. COMPREHENSIVE PLAN AMENDMENT: CPA200804 – APPROVED**

Case Number: CPA200804  
Supervisorial District: 3  
Applicant: Commission-Initiated  
Location: ¼ mi. north and south of Carefree Hwy. between 7th Ave. and 28th St. alignment (in north Phoenix / Desert Hills area)  
Request: Comprehensive Plan Amendment (CPA) to adopt the Carefree Highway Scenic Corridor Study. [Note: CPA case approval is by Resolution.]  
Commission Action: Motion to approve as written 7-0.  
(C-44-09-017-7-00)

**6. DEVELOPMENT MASTER PLAN: DMP2008003 – APPROVED AS AMENDED**

Case Number: DMP2008003  
Supervisorial District: 4  
Applicant: Coe & Van Loo Consultants, LLC for Danville Land Investments, LLC  
Location: Approx. between Peak View Rd., Lone Mountain Rd., 211th Ave. & Crozier Rd. (in the Wittmann/Surprise area)  
Request: Major Amendment to a Development Master Plan (DMP) (approx. 521 ac.) – Walden Ranch  
Commission Action: Motion to approve 7-0 subject to staff recommended stipulations 'a' through 'hh'  
(C-44-09-018-7-00)

**7. SPECIAL USE PERMIT: Z 93-61 – APPROVED**

Case Number: Z 93-61  
Supervisorial District: 3  
Applicant: Martin Lantry and MCNJ Family Investments, LLC

Location: Approx. 295' south of New River Rd. and approx. 240' east of 27th Ave. (in the New River area)  
Request: Removal of a Manufactured Housing Residential (MHR) Overlay Zoning District in the Rural-43 zoning district (approx. 1.0 ac.)  
Commission Action: Motion to remove the MHR overlay 7-0.  
(C-44-09-013-7-00)

**8. SPECIAL USE PERMIT: Z2004015 – APPROVED**

Z2004015  
Case Number:  
Supervisorial District: 1  
Applicant: Power QC4, LLC  
Location: Approx. 1,400 ft. south of Riggs Rd. and east of Power Rd. (in the Queen Creek area)  
Request: Removal of a Special Use Permit (SUP) for a kennel in the C-3 and R1-35 zoning districts (approx. 1.5 ac.) – Happy Tails Pet Resort  
Commission Action: Motion to remove the SUP overlay 7-0.  
(C-44-09-014-7-00)

**9. SPECIAL USE PERMIT: Z2007007 – APPROVED AS AMENDED**

Z2007007  
Case Number:  
Supervisorial District: 5  
Applicant: Superstition Builders, LLC for Felix Corona  
Location: Southeast corner of 29th Ave. & Baseline Rd. (in the south Phoenix/Laveen area)  
Request: Renewal of a Special Use Permit (SUP) for a rodeo arena and convention facility in the Rural-43 zoning district (approx. 11.4 ac.) – Corona Ranch  
Commission Action: Motion to approve 7-0 subject to staff recommended stipulations 'a' through 'w'.  
(C-44-09-019-7-00)

**10. SPECIAL USE PERMIT: Z2008006 – CONTINUED TO 9/3**

Z2008006  
Case Number:  
Supervisorial District: 1  
Applicant: Deborah Mullen  
Location: North of Hunt Hwy. and west of Valencia Ave. (in the Chandler Heights area)  
Request: Special Use Permit (SUP) for an animal boarding/grooming facility in the Rural-43 RUPD zoning district (approx. 1.2 ac.) – Holiday Hound House [Note: Super-majority vote of the BOS is required for approval.]  
Commission Action: Motion to approve 5-2 subject to stipulations "a" through "bb"

Commission Action: Motion to approve 5-2 (Aster and Brooks dissenting) subject to alternative stipulations 'a' through 'bb' (C-44-09-020-7-00)

**11. MODIFICATION OF STIPULATION: Z2008050 – APPROVED AS AMENDED**

Z2008050  
Case Number:  
Supervisory District: 4  
Applicant: Gallagher & Kennedy, PA for MEHROB, LLC  
Location: Southeast of El Mirage Road and the Pinnacle Peak Road alignment (in the northeast Surprise/northwest Peoria area)  
Request: Modification of Stipulation “d” from Z2002140, a Concept Plan of Development for a shopping center in the C-S PD zoning district (approx. 20.0 ac.) – Sundero Plaza  
Commission Action: Motion to approve 7-0 subject to modified stipulations 'a' through 'w'.  
(C-44-09-021-7-00)

**12. PLAN OF DEVELOPMENT: Z2007125 – APPROVED AS AMENDED**

Z2007125  
Case Number:  
Supervisory District:  
Applicant: Withey Morris, PLC for Armstrong Olive Citrus, LLC  
Location: Northwest corner of Citrus Rd. and Olive Ave. (in the west Glendale area)  
Request: Precise Plan of Development for a retail shopping center in the C-2 PD PAD zoning district (approx. 16.0 ac.) – Shoppes at Cortessa  
Commission Action: Motion to approve 7-0 subject to modified stipulations 'a' through 'x'.  
(C-44-09-022-7-00)

**13. FINAL PLAT: S2006015 – CONTINUED TO 9/3**

S2006015  
Case Number:  
Supervisory District: 3  
Applicant: Hoskin Ryan Engineering, on behalf of Pulte Homes  
Location: East of I-17 and south of Circle Mountain Rd. (in the Anthem / New River area)  
Request: Final Plat for a 100-lot, 4-tract, single-family residential subdivision in the R1-7 RUPD zoning district (approx. 39.0 ac.) – Arroyo Norte Unit 4  
Commission Action: N/A  
(C-44-09-023-7-00)