

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
March 19, 2007**

The Board of Supervisors of Maricopa County Arizona convened in Informal Session at 10:00 a.m., March 19, 2007, in the Tom Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1, Andrew Kunasek, District 3, Vice Chairman, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5 (entered late). Absent: Don Stapley, District 2. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager, Chris Keller, Chief Counsel, Civil Division. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS

Item: The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

No staff update on regional schools operations and finances was given at this meeting. (ADM3814-005)

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) regarding action on the following vouchers:

Ratify Voucher No. 219	\$289,448.86
Ratify Voucher No. 6028	\$53,671.10

EXECUTIVE SESSION

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to recess and reconvene in Executive Session in the Tom Sullivan Conference Room to consider items listed on the Executive Agenda for March 19, 2007, pursuant to listed statutory authority, as follows.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

- 1. Compromise Cases** – Barbara Caldwell, Outside Counsel
Carothers, Valerie
Taylor, Milinda

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) AND (A)(4)

- 2. Safeway v. Maricopa County (TX2002-000132)**
Keith Russell, County Assessor
Tim Boncoskey, Chief Deputy Assessor, **did not attend**
Jean Rice, Deputy County Attorney
Jerry Fries, Outside Counsel

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
March 19, 2007**

3. **Arizona Bigelow Limited Liability Company IV, et al v. Maricopa County, TX 2004-000197; Notice of Claim Pursuant to A.R.S. §12-821.01 dated November 10, 2006 on behalf of Bigelow L.L.C. against Maricopa County Board of Supervisors, Maricopa County and Andrew Thomas, County Attorney**
Keith Russell, County Assessor
Mary Harriss, Outside Counsel
Jean Rice, Deputy County Attorney
Peter Crowley, Director, Risk Management
4. **Michael Walters v. Maricopa County; Court of Appeals No. 1-CA-CV060226**
Gerald Hickman, Outside Counsel
Peter Crowley, Risk Manager
Pat Spencer, Claims Adjuster, **did not attend**
Bruce White, Deputy County Attorney
Tom Manos, Chief Financial Officer

Chris Keller left the meeting, Dean Wolcott, Outside Counsel, entered the meeting as the Board's attorney.

5. **Philip Keen v. Maricopa County et al., CV2006-008666 (pending in Maricopa County Superior Court); Philip Keen vs. County Manager's Office, WB2006-01 (pending before the Maricopa County Merit Commission)**
Wade R. Swanson, Littler Mendelson
Mark Ogden, Littler Mendelson
David Smith, County Manager
Sandi Wilson, Deputy County Manager, **did not attend**
Elizabeth Yaquinto, Interim Deputy Director, Human Resources
Peter Crowley, Risk Manager
Trish Rough, Risk Management Department, **did not attend**

~ **Supervisor Wilcox entered the meeting** ~

Dean Wolcott, Outside Counsel, left the meeting and Chris Keller, Chief Counsel, Civil Division, entered the meeting as attorney to the Board.

6. **AFSCME v. Maricopa County Board of Supervisors, et al., CV06-2128-PHX-SMM**
Clarisse McCormick, Deputy County Attorney
Mark Ogden, Littler Mendelson
Cyrus Martinez, Littler Mendelson
Sandi Wilson, Deputy County Manager, **did not attend**
Elizabeth Yaquinto, Interim Deputy Director, Human Resources
David Hendershott, Chief Deputy, Sheriff's Office
Jack McIntyre, Sheriff's Office

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

7. **Johnny L. Smith v. Capt. Peterson**
Peter Crowley, Risk Manager
Jennifer Healey, Outside Counsel

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
March 19, 2007**

Michael Sullivan, Deputy County Attorney, **did not attend**
Kevin Barrett, Deputy County Attorney
David Hendershott, Chief Deputy, Sheriff's Office
Jack McIntyre, Sheriff's Office

LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION; PURCHASE, SALE OR LEASE OF REAL PROPERTY – ARS §38-431.03(A)(3), (A)(4) and (A)(7)

8. Gilbert Landfill

Bill Thornton, Director, Solid Waste Department
Dennis Lindsey, Real Estate Manager
Samir Hatab, Engineering Manager, Public Works
Rita Neill, Risk Management Department
Kevin Costello, Deputy County Attorney
G. Van Wolf, Outside Counsel

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) AND (A)(4)

**9. Chicanos Por La Causa, Inc. v. State, et al., CV2007-000664
Metro Downtown Corp. Park, Inc. v. Schweikert, et al., CV2007-000497**

Steve Partridge, Chief Deputy, Treasurer's Office, **did not attend**
Dave Davies, Treasurer's Office
Kevin Costello, Deputy County Attorney
John Paulsen, Deputy County Attorney

10. Maricopa County v. Tolleson Union High School District

Neil Yockey, Manager, Trip Reduction Program
Brad Hartsock, Plan Review & Monitoring Supervisor, Trip Reduction Program
Kevin Costello, Deputy County Attorney, **did not attend**

MEETING ADJOURNED

At the conclusion of discussion on the above items and there being no further business to come before the Board, the meeting was adjourned at 12:35 p.m.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board