

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 a.m., June 6, 2007, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1, Andrew Kunasek, Vice Chairman, District 3; Don Stapley, District 2; Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

INVOCATION

Ross Tate, Internal Audit, delivered the invocation.

PLEDGE OF ALLEGIANCE

Nicholas Harrison, Internal Audit, led the assemblage in the Pledge of Allegiance.

CHAIRMAN PERSONAL PRIVILEGE

Chairman Brock recognized Representative Andrew Biggs who expressed his support of Supplemental item S-1, a resolution regarding fire and emergency services in County islands. He lauded the Board of Supervisors for its leadership in resolving "this very vexing and troublesome issue that has been going on for a number of years." He said that his sponsored bill on the issue, HB 2780, became law a few days ago. He reported that the Board had been very proactive on this issue and he knew they would continue to be ongoing leaders in protecting the health and safety of citizens in Maricopa County.

Supervisor Wilson thanked Representative Biggs for initiating the bill and helping to push it past the vigorous opposition who set-up several roadblocks to obstruct passage.

Chairman Brock thanked Representative Biggs for his remarks and said that his leadership in the four-or-five-year fight to get fire protection for residents living in unincorporated sections of Maricopa County was very much appreciated by the Board. Carrying through on a suggestion from Supervisor Wilcox to take this item out of order so it could be voted on while Representative Biggs was present, the Chairman called for consideration and action on the following item from the Supplemental Agenda.

RESOLUTION REGARDING FIRE AND EMERGENCY SERVICES IN COUNTY ISLANDS

Item: Adopt a resolution titled Resolution of the Maricopa County Board of Supervisors Regarding the Lack of Proper Fire and Emergency Services in County Islands carried unanimously (5-0). The Board of Supervisors may have to allocate Contingency Funds in the future to cover any costs associated with this Resolution. (C2007098M00) (ADM3416)

Motion was made by Supervisor Stapley, who stated that Representative Biggs, and other key people in the legislature, had taken leadership roles in solving this problem despite the honest disagreements that had become attached to it. He said he regarded this as a good solution to the problem at this time and said the County was pleased to be able to step-up with safety measures to fill the void between passage and when the objectives of the Bill are achieved. He added that the County had always been willing but statutorily unable to address the problem. He appreciated the fact that this bill will enable the County to do everything possible to provide services and protection for residents living in unincorporated County islands so they won't be "forced" to accept annexation to gain municipal protective services if they don't want to be annexed.

FORMAL SESSION
June 6, 2007

Motion was seconded by Supervisor Kunasek who said he regretted that a possible lack of understanding of the issue by the Governor (who allowed the bill to pass into law without her signature) and several others for some emotionally charged remarks made before and after passage. He added his thanks to Representative Biggs and all others who had persevered to passage.

Motion to adopt the following resolution regarding the lack of proper fire and emergency services in County islands carried unanimously (5-0). The Board of Supervisors may have to allocate Contingency Funds in the future to cover any costs associated with this Resolution. (C2007098M00) (ADM3416)

Supervisor Wilson asked David Smith to review the Bill to see if there were possible liabilities to the County that would prompt acquiring additional insurance during the interim period of time designated.

RESOLUTION

Regarding the Lack of Proper Fire and
Emergency Services in County Islands

Whereas, The Maricopa County Board of Supervisors awaits the implementation of House Bill 2780, 48th Legislature, First Regular Session; and

Whereas, Maricopa County recognizes that prior to the implementation of House Bill 2780, a lack of fire and emergency services will exist and could expose county island residents to potential danger due to this lack of fire and emergency services; and

Whereas, Maricopa County island residents surrounded by the Town of Gilbert are being refused such services by the Town of Gilbert as a temporary resolution to the lack of service while awaiting implementation of House Bill 2780; and

Whereas, Maricopa County recognizes that other municipalities and fire districts within the County may provide services to county island residents while awaiting the implementation of House Bill 2780; and

Whereas, private fire and emergency service providers have pledged to assist in assuring the protection of life and property of the residents of county islands;

NOW, Therefore, be it resolved that during the period of time from the approval of this resolution and up until a Noncontiguous County Island Fire district is formed and has procured services under the provisions of House Bill 2780, or for a period of 180 days, whichever is less, Maricopa County pledges to cooperate with private and municipal fire and emergency service providers to coordinate their provision of fire and emergency coverage for the county island residents.

FURTHER, the Board of Supervisors does hereby adopt the "Temporary Fire Service Plan" and directs the staff of the County to undertake such actions as may be reasonable and necessary to implement this Plan as expeditiously as possible.

Temporary Fire Service Plan

The protection of the health, safety and welfare of the residents of Maricopa County is a matter of paramount importance to the Board of Supervisors. In order to facilitate the opportunity for the residents of certain county islands to procure fire and emergency medical services, the County intends to work closely with municipalities, fire districts, Native American tribal agencies and private providers to identify,

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

from these existing resources, the most capable provider at the most reasonable price. More specifically, the County will:

1. Immediately seek to identify property owners in county islands that have no reasonable opportunity to obtain fire service from any provider.
2. Coordinate with existing providers to identify those willing to assume first responder responsibility for county island areas with no current fire service provider.
3. Facilitate the payment of reimbursement and indemnification of appropriate costs to county island first and secondary responder fire departments. At such time as it is appropriate, the County will enter into a reimbursement agreement with such a fire district, under which the County will recoup any financial commitments and organizational charges incurred by the County pursuant to this Plan.
4. Direct its staff to facilitate the creation of a fire district pursuant to House Bill 2780 using such technical and administrative resources of the County as may be legal and reasonably necessary.

DATED this 6th day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

PET OF THE MONTH

Dr. Silva introduced Missy, a six-year old shorthaired cat as the "Pet of the Month" from Maricopa County Animal Care & Control. Missy (and her two sisters) had been living in a household that was recently found to be "cat allergic" so she and her sisters were declawed, neutered and 'shot' and are ready to go to some new families. He said the summer cat adoption campaign is being launched to help AC&C find homes for some "desperate housecats" who are guaranteed to bring love into your life.

CHAIRMAN'S PREROGATIVE

Chairman Brock took this opportunity to call the Internal Audit staff to the podium to receive a special award, the Trailblazer Award, from The National Center for Civic Innovation that recognized the excellent service to citizens of Maricopa County that the audit department continuously provides.

PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, Chairman Brock called for a public hearing on the following liquor license applications. This hearing will determine the recommendation the Board of Supervisors will make to the State Liquor Board to grant or deny the license.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek, to recommend approval of the following liquor license applications:

- a. Application filed by Kim Kenneth Kwiatkowski for a Transfer-of-Location of a Series 9 Liquor License: (LL6228)

Business Name: Circle K Store #6671

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

Location: 39414 N. Daisy Mountain Drive Anthem, 85086
Former Location: 1342 W. Thomas Road Phoenix, 85013

- b. Application filed by Craighton T. Boates for a Special Event Liquor License: (F23221) (SELL787)

Business Name: Rotary Club of Anthem
Location: 41703 N. Gavilan Peak Parkway, Anthem, 85086
Date/Time: July 3, 2007 4:00 p.m. – 10:00 p.m.

- c. Application filed by Gary Villa for a Person-to-Person Transfer and a Transfer-of-Location of a Series 7 Liquor License from Craig Thomas Cicinelli: (LL6227)

Business Name: Alibi Club
Location: 24202 W. Hwy 85, Buckeye 85326
Former Location: 7065 College Avenue Tempe, 85281

- d. Application filed by Ruben Jesse Lemus for a Person-to-Person Transfer and a Transfer-of-Location of a Series 7 Liquor License from Michael Agra: (LL6223)

Business Name: The Rock R&R Sports Bar
Location: 8306 E. Main Street, Mesa, 85207
Former Location: 2120 W. Camelback Road Phoenix, 85015

Planning and Development Recommends Denial.

The Clerk announced prior to the vote that the recommendation for denial has been lifted. Planning and Development does require a Certificate of Occupancy prior to opening this business.

- e. Application filed by Kia Boi Quach for a new Series 10 Liquor License: (LL6226)

Business Name: Aguila Food Market
Location: 50903 W. US Highway 60, Aguila, 85320

The Clerk announced that Planning and Development does require a Certificate of Occupancy prior to opening this business.

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting “aye” and Supervisor Brock voting “nay.”

PUBLIC HEARING – FIREWORKS PERMIT APPLICATION

Pursuant to A.R.S. 36-1603, Chairman Brock called for a public hearing on this matter. No protests having been received and no speakers coming forth at the Chairman’s call, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following application filed by John Teixeira for an original Fireworks Display. (ADM665-63)

Organization: Tonopah Valley Community Council
Location: 38201 W. Indian School Road, Tonopah, 85354
Date/Time: July 4, 2007 9:00 p.m.

FORMAL SESSION
June 6, 2007

ROAD DECLARED (ROAD FILE NO. A328)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted:

WHEREAS, pursuant to A.R.S. §28-6701, on the 2nd day of May, 2007, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

That certain roadway, together with all appurtenances and easements of record, lying in the Southwest quarter of Section 20 and Northwest quarter of Section 29, Township Two (2) South, Range Seven (7) East, of the Gila and Salt River Base, Maricopa County, Arizona being more particularly described:

COMMENCING at the Southwest corner of said Section 20; Thence North 89°41'24" East, a distance of 700 feet, to the POINT OF BEGINNING; Thence South 00°18'36" East, a distance of 75 feet, Thence North 89°41'24" East, a distance of 520 feet; Thence South 82°36'50" East, a distance of 186.68 feet; Thence North 89°41'24" East, a distance of 510.24 feet; Thence North 71°41'37" East, a distance of 194.20 feet; Thence North 00°18'36" West, a distance of 95 feet; Thence South 89°41'24" West, a distance of 362.09 feet; Thence North 49°08'05" West, a distance of 30.30 feet; Thence South 89°41' 24" West, a distance of 1,000 feet; Thence South 00°18'36" East , a distance of 86.25 feet, to the POINT OF BEGINNING.

(Said alignment is also known as Chandler Heights Road Bridge at Sonoqui Wash.)

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in The Arizona Business Gazette; and

WHEREAS, no objections to the establishment, opening and declaration of said highway have been filed; and

WHEREAS, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

NOW, THEREFORE, BE IT RESOLVED that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

BE IT FURTHER RESOLVED that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

BE IT FURTHER RESOLVED that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

BE IT FURTHER RESOLVED that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

DATED this 6th day of June 2007. (C6407205000)

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

ROAD DECLARED (ROAD FILE NO. 5057)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted:

WHEREAS, pursuant to A.R.S. §28-6701, on the 2nd day of May, 2007, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A portion of the Northwest quarter of Section Eleven (11), the Southeast quarter of Section Three (3), and the Southwest quarter of Section Two (2), Township Two (2) North, Range Nine (9) West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; being a 110 foot right-of-way, 55.00 feet on either side of the following described centerline:

Commencing at the West quarter corner of said Section 11; Thence North 00°21'07"East along the west line of said Section 11 a distance of 2639.06 feet to the Northwest corner of Section 11 and the POINT OF BEGINNING; Thence N 02°37'53"E a distance of 138.83 feet to a point of curvature of a tangent curve to the right, having a radius of 94.15 feet; Thence 193.06 feet along said curve through a central angle of 117°29'10" to a point of tangency; Thence South 59°52'57" East a distance of 430.73 feet to the intersection of said centerline and the North line of Section 11, which point bears North 89°57'49"West a distance of 2121.23 feet from the North quarter corner of said Section 11; Thence continuing South 59°52'57" East a distance of 1394.42 feet to a point on the South line of Arizona Department of Transportation Right of Way for Interstate 10 Highway and the POINT OF TERMINUS.

(Said alignment is also known as Harquahala Valley Road (515th Avenue) and Salome Highway from Glendale Avenue to the South line of Arizona Department of Transportation Right-of-Way for Interstate Highway.)

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in The Arizona Business Gazette; and

WHEREAS, no objections to the establishment, opening and declaration of said highway have been filed; and

WHEREAS, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

NOW, THEREFORE, BE IT RESOLVED that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

BE IT FURTHER RESOLVED that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

BE IT FURTHER RESOLVED that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

BE IT FURTHER RESOLVED that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

DATED this 6th day of June 2007. (C6407208000)

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

PUBLIC HEARING – HAZARDOUS AIR POLLUTANTS PROGRAM AND AMENDMENTS TO EXISTING RULES

Chairman Brock called for a public hearing, as required by A.R.S. §49-479(b), to solicit comments on the proposed Maricopa County Hazardous Air Pollutants (HAPs) Program and proposed amendments to existing rules - Rule 100, Rule 200, Rule 210, Rule 220, Rule 230, Rule 240, and Appendix B - to reflect the requirements of the new program and to improve the rules' clarity and regulatory uniformity among related rules in the Maricopa County Air Pollution Control Rules and Regulations.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to adopt the proposed Maricopa County Hazardous Air Pollutants (HAPs) Program and the proposed amendments to Maricopa County Air Pollution Control Rules and Regulations Rules 100, 200, 210, 220, 230, 240, and Appendix B. (C8507019700) (ADM2354)

EXECUTIVE SUMMARY

Arizona Revised Statutes (ARS) §49-480.04(A) requires that within six months after the adoption of rules pursuant to ARS §49-426.06(A)-State Program For Control Of Hazardous Air Pollutants, the Board Of Supervisors shall by rule establish a county program for the control of hazardous air pollutants that meets the requirements of ARS §49-480.04-County Program For Control Of Hazardous Air Pollutants. Since the Arizona Administrative Procedure Act does not define "adoption" and since the Arizona Department Of Environmental (ADEQ) delayed the effective date of the State hazardous air pollutants (HAPs) program until January 2007, counties have until June 2007 to comply with ARS §49-480.04(A) - to establish, by rule, a county program for the control of hazardous air pollutants.

**FORMAL SESSION
June 6, 2007**

The rulemaking to be adopted on June 6, 2007 creates new Rule 372-Maricopa County Hazardous Air Pollutants (HAPs) Program, a Maricopa County program for the regulation of hazardous air pollutants (HAPs) as required by Arizona Revised Statutes (ARS) §49-480.04, and creates new Appendix H-Procedures For Determining Ambient Air Concentrations For Hazardous Air Pollutants.

In addition, the rulemaking amends existing rules - Rule 100, Rule 200, Rule 210, Rule 220, Rule 230, Rule 240, and Appendix B - to reflect the requirements of the new program and to improve the rules' clarity and regulatory uniformity among related rules in the Maricopa County Air Pollution Control Regulations.

The proposed Maricopa County Hazardous Air Pollutants (HAPs) Program meets the requirements of ARS §49-480.04-County Program For Control Of Hazardous Air Pollutants and is similar to and no more stringent than ADEQ's Arizona program for the regulation of HAPs. ADEQ's Arizona program for the regulation of HAPs is intended to replace the Arizona Ambient Air Quality Guidelines (AAAQG), which are health-based guidelines/acceptable concentration levels for hazardous air pollutants that are regulated by the State Of Arizona. The AAAQGs are not standards but residential screening values that help agencies make sound environmental risk management decisions to protect human health.

The proposed Maricopa County Hazardous Air Pollutants (HAPs) Program applies to new sources of HAPs or modified sources of HAPs. The proposed Maricopa County Hazardous Air Pollutants (HAPs) Program also applies to existing sources of HAPs, when such existing sources increase the emissions of a hazardous air pollutant by more than a de minimis amount. Hazardous air pollutants (HAPs) proposed to be regulated by this program are the hazardous air pollutants on the federal list of hazardous air pollutants - Section 112(b) of the Clean Air Act.

The proposed Maricopa County Hazardous Air Pollutants (HAPs) Program is similar to and no more stringent than the Arizona Department Of Environmental Quality's (ADEQ's) Arizona program for the regulation of HAPs. The proposed Maricopa County Hazardous Air Pollutants (HAPs) Program applies to new sources of HAPs or modified sources of HAPs. The proposed Maricopa County Hazardous Air Pollutants (HAPs) Program also applies to existing sources of HAPs, when such existing sources increase the emissions of a hazardous air pollutant by more than a de minimis amount. Hazardous air pollutants (HAPs) proposed to be regulated by this program are the hazardous air pollutants on the federal list of hazardous air pollutants - Section 112(b) of the Clean Air Act.

The proposed Maricopa County Hazardous Air Pollutants (HAPs) Program will protect human health and the environment through the application of control technology to reduce emissions of HAPs. The statute authorizes a risk reduction approach similar to the federal New Source Review Program that requires source-specific control technology (ARS §49-426.06). New and modified sources under this proposed program could be impacted.

Proposed new Rule 372-Maricopa County Hazardous Air Pollutants (HAPs) Program will require the determination of control technology on a case-by-case basis through permits for new sources and permit modifications for existing sources. The level of control technology will vary by the size of the source (i.e., major sources will be subject to AZMACT, while minor sources will be subject to HAPRACT). Although this is not a risk management program, a source subject to this program may conduct a risk management analysis (RMA) to avoid the application of a control technology. The rule provides for risk management analyses using a tiered approach. The tiers range in complexity: Tier 1 is a relatively simple, arithmetic calculation while Tier 4 could involve emission modeling and the development of a site specific risk assessment. Tiers 1-3 are expected to generate minimal compliance costs, while Tier 4 could result in

**FORMAL SESSION
June 6, 2007**

relatively moderate compliance costs. However, the overall compliance costs to a source could be significantly reduced by conducting an RMA.

Proposed new Rule 372-Maricopa County Hazardous Air Pollutants (HAPs) Program regulates emissions of 187 HAPs that are the basis of the federal HAPs control program. All major sources of HAPs with the potential to emit (PTE) 10 tons per year (tpy) of a single HAP or 25 tpy of any combination of HAPs will be subject to this program. Minor sources, those with a PTE of one tpy of a single HAP or 2.5 tpy of any combination of HAPs, which belong to the 24 categories listed in proposed new Rule 372-Maricopa County Hazardous Air Pollutants (HAPs) Program will also be subject to this program.

Proposed new Rule 372-Maricopa County Hazardous Air Pollutants (HAPs) Program also establishes de minimis amounts for listed HAPs for new sources or existing sources making modifications. If a modification results in an increase of actual emissions of any regulated HAP by more than any de minimis amount or results in the emission for any HAP not previously emitted by more than the relevant de minimis amount, the source would be subject to the program (ARS §49-401.01).

PUBLIC HEARING – ENVIRONMENTAL HEALTH CODE ORDINANCE P-14

Chairman Brock called for a public hearing to solicit comments and approve proposed revisions to Chapters I, II, V, VIII, XI and XII of the Maricopa County Environmental Health Code Ordinance P-14 (MCEHC).

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to adopt the proposed code amendments to align code definitions with the MCEHC fee schedule, incorporate Arizona Administrative Code drinking water and wastewater standards by reference, expound on wastewater treatment plant operator certification, adjust sewage/waste treatment works construction time frames, add permit fee waiver expirations, modify chemical toilet permit fees and update permitted facility revocation/suspension postings. This item was continued from the May 16, 2007 meeting. (C8807006700) (ADM2102)

AMENDED/RESTATED SUBLEASE & PURCHASE AGREEMENTS FOR DESERT VISTA & AVONDALE FHC

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Amended and Restated Desert Vista Sublease and Purchase Agreement with the Special Health Care District with a Recording #2004-1292924. On November 1, 2004, Maricopa County entered into an Amended and Restated Intergovernmental Agreement with the Maricopa County Special Health Care District (C3905016201). The purpose of the Agreement was to provide for the transfer of certain assets and liabilities to the Maricopa County Special Health Care District. The Amended and Restated Desert Vista Sublease and Purchase Agreement recalculates the amount of space subleased by Maricopa County at Desert Vista and establishes an agreed upon rental rate for that space as it relates to a dispro share triggered event and also acknowledges that the District consents that it has received and accepted the environmental reports for the Desert Vista facility.

Also approve the Amended and Restated Avondale FHC Sublease and Purchase Agreement with the Special Health Care District with a Recording #2004-1292925, as discussed in Executive Session on April 30, 2007. This agreement acknowledges that the District consents that it has received and accepted the environmental reports for the Avondale FHC. (C0607085200) (C3905016201)

**FORMAL SESSION
June 6, 2007**

MAIL BALLOT ELECTION

Pursuant to A.R.S. §16-225 and 16-558, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a mail ballot election for the Rancho Grande Landerwood Irrigation Water Delivery District No. 24 to be conducted by the Rancho Grande Landerwood Irrigation Water Delivery District on November 21, 2007. A special taxing district may conduct a mail ballot election if the governing board of the special district obtains approval from the Board of Supervisors before publishing the call of election. The cost incurred for the election is paid by the District therefore there is no financial impact to the County. (C0607086700) (ADM4360-002)

PROPOSED NAMING OF SHADOW MOUNTAIN

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to direct the Clerk of the Board to notify the Arizona State Board on Geographic and Historic Names regarding the Board of Supervisors' support for the proposed naming of the commonly recognized feature within the Phoenix Mountain Preserve known as Shadow Mountain. Shadow Mountain is a mountain range near Cave Creek and Thunderbird Road between, 28th to 32nd Streets and within the Phoenix Mountain Preserve. The name Shadow Mountain has been used locally since the 1940s and appears on commercial and City of Phoenix publications. (C0607089700) (ADM4914)

CONTRACT WITH CATHOLIC HEALTHCARE WEST CHILD ABUSE ASSESSMENT CENTER

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a contract with Catholic Healthcare West Child Abuse Assessment Center d.b.a. St. Joseph's Hospital and Medical Center to gather evidence and provide courtroom testimony in the prosecution of sexual assaults or sexual abuse matters involving minors. The contract term is from July 1, 2007, to June 30, 2008. Catholic Healthcare West will be reimbursed \$500 per case, \$350 per interview and/or lab fees of \$300 per case. (C1905015101)

TRANSFER AND EXPENDITURE INCREASE FOR ELECTION COSTS

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the transfer of expenditure authority between the General Government General Fund (Department 470, Fund 100) and the Elections Department Fund (Department 210, Fund 100) in an amount not-to-exceed \$600,000. This action will require an expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) General Fund (100) General Government Contingency (4711) by not-to-exceed \$600,000 and increasing the FY 2006-07 Elections (210) General Fund (100) by not-to-exceed \$600,000. (C2107010800) (ADM1700-003)

AGREEMENT WITH KIDS VOTING INC

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a renewal of the agreement for services for a two-year period with Kids Voting, Inc. at a cost not-to-exceed \$30,000 per year. On July 1, 1998, the Board of Supervisors authorized this sole source procurement with Kids Voting, Inc. for a three-year term July 1, 2007 to June 30, 2009, with an option to renew for additional two-year terms. This is the fourth two-year renewal. (C2198003704)

**FORMAL SESSION
June 6, 2007**

AMENDMENT TO SUB-LEASE AGREEMENT WITH DEL WEBB CORPORATION

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 3 to extend the Sub-Lease Agreement L7361 between Del Webb Corporation and Maricopa County Sheriff's Office for 630 square feet of office space in the Anthem Administration Building, 3701 W. Anthem Way, Anthem, Arizona through June 30, 2008. This agreement is subject to termination pursuant to the provisions of A.R.S. §38-511. The total cost for this space is \$1.00 for the term of the sub-lease. (C5005029M03)

AMENDMENT TO IGA WITH PIMA COUNTY SHERIFF'S DEPARTMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 2 to the intergovernmental agreement (IGA) between Pima County Sheriff's Department and Maricopa County Sheriff's Office for the High Intensity Drug Trafficking Area (HIDTA), Maricopa County Methamphetamine Task Force to extend the term from June 30, 2007 to June 30, 2008. (C5005551303)

AMENDMENT TO CORRECT VEHICLE INFORMATION

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to amend agenda item C5007052M00, approved on February 7, 2007, which authorized a one-time addition to fleet of a RICO-funded Ford F-350 pick up, so that the vehicle information can be re-stated. The year of this vehicle should be 2000 and the VIN should be #1FTSWE1F7YEA83789. (C5007052M01) (ADM3104)

ONE-TIME ADDITION TO FLEET

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve a one-time, temporary addition to fleet of redlined vehicle #31123 for Lake Patrol. This vehicle will be modified with the installation of a prisoner cage and will be used as a Posse jail wagon during the summer weekends. Operations and maintenance are anticipated to be \$5,000 and will be covered using Sheriff's budgeted funds. This vehicle will be removed from service at the end of its useful life with no funding from the general fund for its replacement. (C5007075M00) (ADM3104)

LUMP SUM PAYMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve a lump sum payment of \$931.14 to compensate Sheriff Detention Officer Mark Allan for time worked as a Field Training Officer for the period of December 19, 2005 through July 2, 2006. The chain of command for D.O. Allan has validated this claim. The compensation will come from budgeted funds. (C5007076M00) (ADM3900-001)

DONATION

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the acceptance of a donation and the one-time addition to fleet of a 2006 Jones 6-stall, stainless steel dog trailer, serial number 1J9DB131X71092815. This donation to the Sheriff's Office MASH Unit from Maricopa Prevention of Cruelty to Animals Posse is valued at \$15,190. This is a temporary addition to fleet and will be retired at the end of its useful life with no funding from the General Fund for replacement and the County's fleet will automatically be reduced. Operating costs, estimated to

FORMAL SESSION
June 6, 2007

be \$400 per year, will be funded from MASH designated donations in the Sheriff Donations Fund. (C5007077M00) (ADM3900) (ADM3104)

RESOLUTION TO APPLY AND ACCEPT GRANT FOR HIGHWAY SAFETY

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to adopt a Resolution approving application and acceptance of up to \$430,000 in reimbursable grant funding from the Governor's Office of Highway Safety (GOHS). This funding will be used for projects relating to all aspects of highway safety. The anticipated term of the funding is October 1, 2007 through September 30, 2008. The Sheriff's Office indirect cost rate is 11.7% for FY 2007-08. Unrecoverable indirect costs associated with this grant are estimated to be \$31,005.

A portion of this amount was included in the Sheriff's FY 2007-08 grant fund request. The Sheriff's Office will return to the Board at mid-year to address any necessary grant fund appropriation adjustments resulting from actual awards. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C5007560300)

RESOLUTION

**SUBMISSION OF PROJECTS FOR CONSIDERATION
IN ARIZONA'S 2008 HIGHWAY SAFETY PLAN**

WHEREAS, the Governor's Office of Highway Safety is seeking proposals from state and local jurisdictions for projects relating to all aspects of highway safety and;

WHEREAS, the Maricopa County Board of Supervisors, through the Maricopa County Sheriffs Office is interested in submitting projects to be considered for funding in the form of reimbursable grants from the National Highway Traffic Safety Administration;

NOW, THEREFORE, BE IT RESOLVED that the Maricopa County Board of Supervisors hereby:

- Approves the filing and acceptance of grant funding from the priority program areas of Speed, Impaired Drivers, Occupant Protection, Emergency Medical Services, Traffic Records and Training in an amount not to exceed \$430,000, and
- Authorizes the Sheriff, or his designee, to submit all financial and other reporting documents required in connection with such grants.

DATED this 6th day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

TAX DEEDED LAND SALES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to direct the Clerk of the Board to prepare a list of the real property in the County that is held by the State by tax deed on or before the first Monday in November of each year, based on information to be supplied

**FORMAL SESSION
June 6, 2007**

by the Maricopa County Treasurer, and to amend said list from time to time as information is received from the Treasurer.

Also authorize the Treasurer to conduct Tax Deeded Land Sales pursuant to A.R.S. §42-18301 and in compliance with the Tax Deeded Land Sale Procedures, at such times and in any manner the Treasurer deems appropriate, until such authority is rescinded by this Board. (C4307003700) (ADM656-2007)

TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY REPORT

Pursuant to A.R.S. §11-501, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to receive the Treasurer's Statement of Collections and Investment summary reports for December 2006, January 2007, February 2007, March 2007 and April 2007, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (C4307004700) (ADM4006)

VEHICLE EXEMPTION FROM MARKINGS

Pursuant to A.R.S. §38-538.03 and 28-2511(A), motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the exemption from markings and the use of non-governmental license plates for three vehicles currently part of the fleet, with insufficient mileage to warrant replacement at this time. Exemptions granted pursuant to A.R.S. §38-538.03 are in effect for one year. The list of VIN numbers is on file in the Clerk of the Board's Office. (C2707020M00) (ADM3101V)

Vehicle ID: 21610, 2006 Ford Focus
Vehicle ID: 51344, 2003 Ford Taurus
Vehicle ID: 82357, 2003 Chevrolet Cavalier

APPOINTMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the following:

- a. In accordance with A.R.S. §12-141, approve the appointment of retired Superior Court Judges Kenneth Fields and Jonathan Schwartz as Superior Court Judges Pro Tempore for the period from July 1, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts to reduce trial delay. (C3807028000) (ADM1001)
- b. In accordance with A.R.S. §12-141, approve the appointment of retired Superior Court Judge Sarah Grant as Superior Court Judge Pro Tempore for the period from June 6, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts to reduce trial delay. (C3807029000) (ADM1001)
- c. In accordance with A.R.S. §12-141, approve the appointment of retired Superior Court Judges Dennis Dairman and Jeffrey Hotham as Superior Court Judges Pro Tempore for the period from July 1, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts to reduce trial delay. (C3807031700) (ADM1001)
- d. In accordance with A.R.S. §12-141 and A.R.S. §22-121, approve the appointment of Court Commissioner Margaret E. Benny as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace for the period from June 6, 2007 through July 31, 2008, to

FORMAL SESSION
June 6, 2007

serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. (C3807032700) (ADM1001)

ARIZONA ARRESTEE REPORTING INFORMATION NETWORK PROJECT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Renewal No. 1 of Intergovernmental Agreement (IGA) C200701500 between Maricopa County and the Arizona Board of Regents for and on behalf of Arizona State University for the AARIN (Arizona Arrestee Reporting Information Network) Project. The purpose of this renewal is to provide funding in the amount of not-to-exceed \$276,000 for the period of July 1, 2007 through June 30, 2008, subject to the availability of funds. The approval of this IGA will allow the Arizona State University Center for Violence Prevention and Community Safety to continue gathering data from inmates during booking, providing the Maricopa County Criminal Justice System with crucial information for decision making. The term of this IGA shall commence July 1, 2007 and shall terminate on June 30, 2008. The initial IGA was approved by the Board on October 18, 2006. (C2007015000) (C2007015001)

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the application for and acceptance of grant funding from the Edward Byrne Memorial Justice Assistance Grant (JAG) dollars in the total amount of \$1,592,228 from the Bureau of Justice Assistance (BJA). (C2007095A00)

MEMORANDUM OF UNDERSTANDING WITH THE CITIES OF GLENDALE, PHOENIX, MESA, AND TEMPE AND RELATED BUDGET INCREASE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a Memorandum of Understanding (MOU) between Maricopa County and the Cities of Glendale, Phoenix, Mesa, and Tempe. This MOU is required pursuant to the grant application requirements. This MOU also includes a negotiated reallocation to Maricopa County of \$772,690 and \$819,538 in funds to be reallocated to the Cities of Phoenix - \$560,736, Mesa - \$129,401, Glendale - \$64,700, and Tempe - \$64,700. Funds received by Maricopa County will be used to support projects in Adult Probation, County Attorney's Office, Juvenile Probation, and the Sheriff's Office. Further, grant awards are to be expended within a four year period of time, starting October 1, 2006, and ending not more than 48 months later. The JAG grant does allow up to 10% of the award for costs associated with administering JAG funds, and Maricopa County Juvenile Probation Department has been designated as the fiscal agent for this consortium of municipalities. (C2007095B00)

Also approve an increase to the revenue and expenditure budgets of the following departments: Adult Probation's Grant Fund (211) by \$45,721; County Attorney's Grant Fund (219) by \$251,037; Juvenile Probation's Grant Fund (227) by \$204,454; Sheriff's Office Grant Fund (251) by \$271,478. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and, therefore, the budget law does not prohibit expenditure of these revenues. These budget adjustments do not alter the budget constraining the expenditures of local revenues duly adopted by the Board of Supervisors pursuant to A.R.S. §42-17105.

Also approve the waiver of indirect costs. Adult Probation will receive a total of \$45,721; at their indirect rate of 10.3%, their indirect costs are \$4,709 of which \$137 is unallowable and \$4,572 is waived. The County Attorney's Office will receive a total of \$251,037; at their indirect rate of 13.8%, their indirect costs are \$34,643 of which \$9,539 is unallowable and \$25,104 is waived. Juvenile Probation will receive a total

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

of \$204,454; at their indirect rate of 29.0%, their indirect costs are \$59,292 of which \$38,846 is unallowable and \$20,446 is waived. The Sheriff's Office will receive a total of \$271,478; at their indirect rate of 17.8%, their indirect costs are \$48,323 of which \$21,175 is unallowable and \$27,148 is waived. Total indirect costs are \$146,967 of which \$69,698 is unallowable and \$77,269 is waived. These indirect costs are not being sought so that all money can be used to maintain existing programs. (C2007095A00) (C2007095B00)

LEASE FOR OFFICE SPACE – CONTINUED

Item: Approve and execute Lease No. L7397 with Coury Avenue, Mesa, LLC, as Lessor, for approximately 15,382 square feet of office space located at 308 West Coury Avenue, Mesa, AZ. The 120 month lease shall commence on or about February 1, 2008, and terminate on or about January 31, 2018. Lessor shall provide the County with 26 uncovered unreserved parking spaces at no cost and an additional 20 covered reserved parking spaces at a cost of \$35.00 per month per space. Lessor shall provide turnkey tenant improvements.

Authorize the Office of Management and Budget to adjust the FY 2008-09 General Fund Budget Target to annualize lease costs.

With 270-day prior written notice, the County may terminate the lease after the end of the fifth lease-year provided the County pays a termination penalty equal to six-months rent.

The rent is payable semi-annually and the base rental rate is:

Months	Base Rent	Annual plus parking and rental tax
01-12	\$27.75/sf	\$426,850.50
13-24	\$28.25/sf	\$434,541.50
25-36	\$28.75/sf	\$442,232.50
37-48	\$29.25/sf	\$449,923.50
49-60	\$29.75/sf	\$457,614.50
61-72	\$30.25/sf	\$465,305.50
73-84	\$30.75/sf	\$472,996.50
85-96	\$31.25/sf	\$480,687.50
97-108	\$31.75/sf	\$488,378.50
109-120	\$32.25/sf	\$496,069.50

In addition to the base rent, the County will reimburse the landlord for operating and maintenance expenses above an expense stop of \$7.00 per rentable square foot. (C5207003400)

The Clerk announced that this item will be continued to the July 25, 2007, meeting at the request of the department.

[Clerk's Note: This is not an official part of the minutes. This item was withdrawn by the department and was not heard by the Board on July 25.]

LODESTAR DAY RESOURCE CENTER

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve inclusion of Lodestar Day Resource Center as an affiliated employer and their employees as eligible employees under the Maricopa County's health insurance program, which will include medical,

FORMAL SESSION
June 6, 2007

pharmacy, mental health, vision and dental coverage effective July 1, 2007. (C3507023100) (ADM3350-001)

APPROPRIATION ADJUSTMENT FOR ELIMINATION OF DISPROPORTIONATE SHARE REVENUE AND EXPENDITURE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a decrease in the FY 2006-07 Health Care Mandates (390) General Fund (100) revenue and expenditures budgets of \$63,366,600 to eliminate the Disproportionate Share Revenue and Expenditure. Maricopa County will still be obligated to report this pass-through transaction in the Comprehensive Annual Financial Report, but does not need to include it within the County budget. Approval of this action will require an appropriation adjustment decreasing the Health Care Mandates (390) General Fund (100) revenue and expenditures budgets by \$63,366,600. Per A.R.S. §42-17105, this appropriation adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board. (C3907010800) (ADM2104)

REALLOCATION OF COSTS RELATED TO SEPARATION OF AIR QUALITY DEPARTMENT FROM ENVIRONMENTAL SERVICES DEPARTMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an amendment to agenda item C4905018800 approved by the Maricopa County Board of Supervisors on November 17, 2004, to complete the remaining revenue and expenditure appropriation adjustments in FY 2006-07 for the separation of the Air Quality Department from the Environmental Services Department.

In accordance with A.R.S. §42-17106(B), approve the transfer of revenue and expenditure authority between the General Government Grants Fund (Department 470, Fund 249) and the Environmental Services Department Grant Fund (Department 880, Fund 505). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) General Government Grant Fund (249) by an amount not-to-exceed \$200,000 and increasing the FY 2006-07 Environmental Services (880) Grant Fund (505) by an amount not to exceed \$200,000.

Also, approve a fund transfer not-to-exceed \$200,000 from the Environmental Services Grant Fund to the Air Quality Grant Fund to complete the redistribution of funds because there is grant funding remaining in the Environmental Services Grant Fund that belongs to Air Quality.

Approval of these actions will finalize the reallocation of costs from the Air Quality Program in the Department of Environmental Services (880) to other Programs within the Department. The net impact to the County is zero. (C4905018801) (ADM2350) (ADM2375)

ADDITION AND/OR REPLACEMENT OF MARKET RANGES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the addition and/or replacement of the Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors on April 18, 2007, and amended on May 16, 2007. (C4907038602) (ADM3300-006)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

Market Range Title	Mini- mum	Mini- mum	Midpoint /Hiring Max.	Midpoint /Hiring Max.	Maximum	Maximum
Director - Trial Courts	\$18.76	\$116,442	\$23.00	\$146,743	\$27.24	\$177,063
Director - Probation	\$46.57	\$96,866	\$59.11	\$122,959	\$71.68	\$149,092
Emergency Operator	\$15.41	\$32,053	\$18.45	\$38,376	\$21.49	\$44,699
Emergency Dispatcher	\$16.95	\$35,256	\$20.29	\$42,214	\$23.64	\$49,171
Emergency Dispatch Sprv	\$21.22	\$44,138	\$25.77	\$53,602	\$30.32	\$63,066
Director - Parks & Recreation	\$50.91	\$105,892	\$63.50	\$132,090	\$76.10	\$158,287
GIS Programmer/Analyst	\$22.14	\$46,051	\$29.19	\$60,715	\$36.23	\$75,358
GIS Prog/Analyst - Sr/Ld	\$28.85	\$60,008	\$37.83	\$78,686	\$46.81	\$97,365

PERFORMANCE-BASED SALARY ADVANCEMENT PLAN

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the document, FY 2007-08 Performance-Based Salary Advancement Plan for Maricopa County departments on file with the Clerk of the Board's Office. The provisions of this document supersede Section VI, Paragraph A of the Maricopa County Compensation Plan, entitled Salary Advancements. The FY 2007-08 Performance-Based Salary Advancement Plan is consistent with the FY 2006-07 Performance-Based Salary Advancement Plan approved by the Board on June 7, 2006, including the average salary advancement will not be more than 3.5% on average. The sole substantive modification is to allow departments to give one-time lump sum increases to employees whose base rate exceeds the maximum of their approved market range at a percentage that is consistent increases given to other employees the department with the same performance evaluation score. (C4907049600) (ADM3308)

FY 2007-08 PERFORMANCE-BASED SALARY ADVANCEMENT PLAN

Purpose:

The purpose of this plan is to recognize employees' performance in an equitable manner so that they will be motivated to continue to perform at a high level. The plan is also designed to work in concert with the placement in range methodology adopted by Maricopa County to address equity issues between positions in the same market range, while continuing to reward superior employee performance. Performance-based salary advancements are intended to provide employees with compensation growth through their respective market ranges over time. The average amount of funded performance-based salary advancements is based on the Bureau of Labor Statistics' Employee Cost Index for State and Local Government wages and salaries, as well as other state and regional labor cost data.

Background:

The compensation strategy described in this document is a continuation of the pay for performance compensation strategy began in FY 2004-05, which facilitated the County moving to a more regular compensation funding and distribution system.

There are two compensation options identified. The first provides permanent salary adjustments to eligible employees who are below the maximum of their salary range. The second provides a one-time lump sum payment to eligible employees who are at the maximum of their salary range (i.e., "redlined" employees).

Applicability:

The guidelines and process outlined in this plan will apply to all performance-based salary advancements awarded in FY 2007-08. No performance-based salary advancements will be awarded outside of this process. (The only other form of base salary increases permitted are market increases and internal equity corrections as authorized by the Employee Compensation Division.) Participation in this process is a condition for Board appropriation of funds. For elected and judicial branch agencies, the Office of Management and Budget may approve minor variances from specific guidelines in this plan if they are consistent with the overall direction, and there is no increased annualized budgetary impact.

The references herein to County departments shall be deemed to refer to the special district as appropriate.

Employee Eligibility:

Employees will be eligible for performance-based salary advancements if they meet the following criteria:

- a) Employed on a full or part-time basis in classified, unclassified or contract status. Temporary employees are not eligible.
- b) Employed continuously in their current position/job title for at least one year as of the effective date of their salary advancement. Salary advancements for employees eligible mid-year will be pro-rated based on the remaining time in the fiscal year.
- c) Employed by any County department, Judicial Branch Department of Special District.
- d) Have a current performance appraisal (completed within the last 12 months) in the PeopleSoft system or on file in with General Government Department, Employee Records Division as of the effective date of the salary advancement, with a performance rating of 3 (Meets or Base Performance) or higher.
- e) May not be on initial or performance probation as of the effective date of their salary advancement.
- f) Departments that wish to grant a performance based increase to an employee who becomes eligible during FY08 but following a market increase implemented in FY08 must consult with the Employee Compensation Division before doing so, as the rate of increase must be adjusted to reflect the impact of the market increase on internal equity.

Employees will be eligible for a performance-based, one-time lump sum payment if they meet the following criteria:

- a) Must be "redlined" – that is, earning at or above the maximum salary allowable for their position based on a market analysis completed and implemented by the Employee Compensation Division.
- b) Employed on a full or part-time basis in classified, unclassified or contract status; temporary employees are not eligible.
- c) Employed continuously in their current position/job title for at least one year as of the effective date of their salary advancement.
- d) Employed by any County department, Judicial Branch Department of Special District.
- e) Have a current performance appraisal (completed within the last 12 months) in the PeopleSoft system or on file in with General Government Department, Employee Records Division as of the effective date of the salary advancement, with a performance rating of 3 (Meets or Base Performance) or higher.
- f) May not be on initial or performance probation as of the effective date of their salary advancement.
- g) Departments that wish to grant a performance based one-time lump sum increase to an employee who becomes eligible during FY08 but following a market increase implemented in FY08 must consult with the Employee Compensation Division before

doing so, as the rate of increase must be adjusted to reflect the impact of the market increase on internal equity.

Department Expenditure Caps:

The annualized cost of each department's implementation plan for performance-based salary advancements may not exceed not more than 3.5% of its budgeted regular salaries and associated variable benefits by fund (excluding amounts budgeted for positions with salaries defined by statute, such as elected officials, and executive-level positions, which will be funded centrally).

Employee Award Guidelines:

Eligible employees will receive performance-based salary adjustments based on their current performance evaluation. Increases will be applied to the employee's current base salary (unless the employee is over the maximum pay rate for their position). Within a department, the highest percentage increase awarded to any employee with a specific performance rating must be less than the lowest percentage increase awarded to any employee with the next highest performance rating. (This standard is called "The Consistency Test".) For example, an employee with a rating of "3" may not receive a 5% increase if any other employee in the same department with a rating of "4" is to receive an increase of less than 5%.

Although performance increases must average not more than 3.5% in order for departments to stay within their funding allocation, individual increases may and should vary from this amount based on individual performance ratings. Please note that performance increases exceeding 10% will require approval by the Compensation Review Committee prior to implementation, which may delay implementation of these increases.

Employees eligible for performance-based, one-time lump sum payments will receive them based on their current performance evaluation. Individual increases must also comply with the Consistency Test as outlined above. For example, an employee with a rating of "3" may not receive a larger incentive payment than any other employee in the same department with a rating of "4" or higher.

Allocation Guidelines:

Given that pay increases will be based solely on performance, department directors are strongly encouraged to meet with their managers and supervisors regarding standards and expectations for performance plans and appraisals. Supervisors and managers are encouraged to attend County-sponsored training on this topic. Managers and supervisors should evaluate employees based on established performance plans, which tie directly to the department's strategic plan and goals. Employees should be evaluated on criteria that are objective and measurable. All employees must be rated on the County's standard five-point scale, unless an exception is requested and granted by the General Government Department.

It should be noted that funds have been earmarked in FY 2007-08 to cover market adjustments for a very limited number of staff. Departmental management is encouraged to communicate with the Employee Compensation Division within OMB on market-based salary concerns. All requests will be prioritized based on demonstrated recruitment and retention difficulties, as well as impact on service delivery and ability to meet departmental goals. Please do not attempt to address market-based salary issues through the performance pay process.

Funding Allocation:

Departments' expenditure appropriated budget targets will be adjusted as necessary to fund implementation of this approved performance-based salary adjustment plan, not to exceed 3.5% of

budgeted regular salaries and associated variable benefits by fund (excluding amounts budgeted for positions with salaries defined by statute and executive-level positions).

Effective Dates:

For initially eligible employees, salary advancements will be effective July 2, 2007. For employees who become eligible later in the fiscal year, effective dates may be at the beginning of the next pay period after their eligibility date up to June 30, 2008.

Approval and Implementation:

1. Departments will be provided a standardized spreadsheet which lists all employees. Departments are expected to verify that all employees are included, and that employee-level information (such as position, position entry date, etc.) is correct, and indicate each employee's performance rating. Spreadsheets will be submitted to OMB, Employee Compensation Division for review. Copies of employee evaluations should be sent to Employee Records prior to submission of the pay for performance spreadsheet in order to document the ratings listed in the spreadsheet.
2. OMB will review each department's implementation plan for completeness and adherence to the approved guidelines. Funding will be reserved for employees with less than one year in their position.
3. Once a department plan is approved, the Office of Management and Budget will work with departments to implement the salary advancements as soon as possible. Retroactive pay will be provided if adjustments cannot be implemented by the targeted effective date.

TRANSFER EXPENDITURE AUTHORITY FOR RELOCATION OF THE ASSESSOR'S WEST TEMPE OFFICE

Pursuant to A.R.S. §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the transfer of expenditure authority in the amount of \$300,000 from FY 2006-07 Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to an existing line item in Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) entitled Relocations/New Facility Start up. These are one-time funds to support the relocation of the Assessor's West Tempe Office. The countywide net impact of this adjustment is zero. (C4907050800) (ADM300-003)

AMENDMENT FOR PUBLIC HEALTH PHYSICAL ACTIVITY PLAN PROGRAM

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 5 to the intergovernmental agreement (IGA) with the Arizona Department of Health Services (HG354175) to the Department of Public Health to provide the Public Health Physical Activity Plan. The amendment extends the contract end date to March 31, 2008, and provides for funding of \$130,000 for the budget term April 1, 2007 to March 31, 2008.

The Department of Public Health's current indirect rate is 18.1%. Grant indirect costs are reimbursable at a rate of 10%. Full indirect costs are estimated at \$21,235 of which \$11,732 is recoverable and \$9,503 is unrecoverable.

Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$97,500. The

**FORMAL SESSION
June 6, 2007**

appropriations adjustment is necessary because these funds were not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8603096205)

AMENDMENT TO IGA FOR TOBACCO EDUCATION/PREVENTION PROGRAMS

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 7 to the intergovernmental agreement (IGA) for Tobacco Education Prevention Programs from the Arizona Department of Health Services (HG354361) to Maricopa County Department of Public Health's Tobacco Use Prevention Program for FY 2008. This amendment is for a total amount of \$4,327,763. The term for the additional funds is July 1, 2007 to June 30, 2008. The Department of Public Health's indirect rate for FY 2007-08 is 18.0%. This grant allows for 15% of Personnel Services and Employee Related Expenses. The full indirect costs are estimated at \$546,247, of which \$394,593 is recoverable and \$151,654 is unrecoverable. Sub-recipient expenses in the amount of \$843,963 are not eligible for indirect charges.

Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$4,327,763 for FY 2007-08. The appropriation adjustment is necessary because these funds are not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8603159207)

AMENDMENTS TO CONTRACTS

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the amendments to the following contracts:

- a. Amendment No. 4 to the Arizona Department of Economic Security (DES) Contract (E6305001) to the Department of Public Health for the Refugee Screening Medical Assistance Program. This amendment extends the term of this contract to June 30, 2008. The amendment provides for an itemized service budget in the amount of \$138,563 for the July 1, 2007 to June 30, 2008 budget term for the Refugee Coordination and Screening Grant for Refugee Preventative Health services. This amendment also provides for Health Assessment services and states that payments rates shall remain the same as indicated on the Contract Information page of the first year of the contract. Based on previous program years, this fee-based reimbursement is estimated to be \$487,982 bringing the total budget amount for this term to \$626,545. Maricopa County Department of Public Health's indirect rate for FY 2007-08 is 18.0%. This grant allows for full indirect; therefore, \$95,575 is recoverable. Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$626,545 for FY 2007-08. The appropriations adjustment is necessary because these funds were not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8604064205)

- b. Amendment No. 2 to the contract for services with Banner Health System d.b.a. Banner Good Samaritan Medical Center through Maricopa County Department of Public Health to provide a Public Health Public Information Line. The contract term is from July 1, 2007 to June 30, 2008, for an amount not-to-exceed \$99,000. (C8604078102)
- c. Amendment No. 3 to the contractor agreement with Value Options of Arizona, Inc. and Maricopa County Department of Public Health's Health Care for the Homeless Clinic (HCH). The amendment provides for administrative changes in the Special Terms and Conditions section and does not change the total contract dollar amount of \$66,799. This amendment will not have an impact on HCH operations. The initial term of this agreement is from July 1, 2006 through June 30, 2007. (C8606025104)
- d. Approve Amendment No. 6 to the contract with Mountain Park Health Center Inc., to provide Well Woman Healthcheck services to uninsured or underinsured women. This amendment increases the contract dollar amount by \$6,000. Total funding for the contract term ending June 30, 2007, will increase from an amount not-to-exceed \$73,571 to an amount not-to-exceed \$79,571. All other terms and conditions of the original Contract shall remain in full force and effect. Mountain Park Health Center was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on June 10, 2005 (PH ROQ 05-008). (C8607004102)

CONTRACT FOR SERVICES WITH THE ARIZONA PARTNERSHIP FOR IMMUNIZATION

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the Contract for Services between The Arizona Partnership for Immunization (TAPI) and Maricopa County by and through its Department of Public Health. This contract will provide TAPI with funds that will be used to train paramedics and public/private sector volunteers to administer vaccinations in the event of an outbreak of a vaccine preventable illness. The amount of this contract is not to exceed \$250,000. The term of this contract is valid upon execution through August 30, 2007. (C8607053100)

IGA WITH PUBLIC HEALTH'S RYAN WHITE PLANNING COUNCIL AND ADHS

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the intergovernmental agreement (IGA) between Maricopa County through its Department of Public Health's Ryan White Planning Council and the Arizona Department of Health Services (ADHS) Contract No. HG754273. ADHS will provide \$41,419 to the Planning Council to produce resource guides for people living with HIV/AIDS. The agreement term begins March 30, 2007 through July 31, 2007. The Department of Public Health's indirect rate is 18.0% for FY 2007-08. These funds do not allow for indirect cost recovery. The full indirect cost is \$7,455, of which \$0 is recoverable and \$7,455 is unrecoverable.

Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$41,419 for FY 2007-08. The appropriation adjustments are necessary because these funds were not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The

FORMAL SESSION
June 6, 2007

approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8607056300)

DONATION OF VACCINES FOR IMMUNIZATION OF CHILDREN

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the additional donation of various vaccines, at no cost to Maricopa County, from the Arizona Department of Health Services (ADHS) for use in the Maricopa County Department of Public Health's (MCDPH) Immunization Program in the amount of \$1,300,000. The total value of the vaccines in FY 2006-07 is estimated at \$7,300,000. This grant-like item is awarded in-kind and the value of which will be booked as a revenue and expenditure in the Finance System.

MCDPH's indirect rate for FY 2006-07 is 18.1%. This in-kind grant does not allow for indirect; therefore, \$1,118,798 is unrecoverable. Approve revenue and expenditure adjustments to the Public Health Department's Grant Fund (Department 861, Fund 532) associated with the aforementioned donation in an amount not-to-exceed \$1,300,000. The appropriation adjustment is necessary because these funds were not included in the FY 2006-07 budget. 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. (C8607060M00)

AGREEMENT WITH THE GEORGE WASHINGTON UNIVERSITY

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the affiliation agreement between Maricopa County, through its Department of Public Health, and The George Washington University on behalf of The George Washington University Medical Center through its School of Public Health and Health Services to allow students to participate in learning experiences at the Maricopa County Department of Public Health. The agreement is non-financial. The term is from January 1, 2007 and expires December 31, 2009. (C8607061000)

LINKAGE AGREEMENT BETWEEN PROJECT AYUDA AND PARTICIPATING AGENCIES

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the Memorandum of Agreement entitled "Memorandum of Agreement: Linkage Agreement Between Project Ayuda and Participating Agencies" between Maricopa County, through its Department of Public Health, and Paradise Valley Community College, through its Office of Service Learning/Project Ayuda to allow Department of Public Health dietetic interns to receive volunteer credit through Project Ayuda. The agreement is non-financial, and the term is from January 1, 2007 through December 31, 2007. (C8607062000)

AMENDMENT TO CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES, INC

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the amendment to increase the value of the cost reimbursement contract between Catholic Charities Community Services, Inc., an approved Delegate Agency, and Maricopa County's Human Services Department for the provision of Head Start and Early Head Start services in the western part of the County. This amendment will increase the contract amount by \$223,945 (from \$7,020,196 to \$7,244,141) to provide one-time funds to support the purchase of two vehicles, program materials and supplies, including computers and other technology supplies, playground improvements and storage sheds, building improvements, and building appraisals. Catholic Charities is required to provide a 25%

FORMAL SESSION
June 6, 2007

local match for these funds. The target population includes low-income children ages 0-5 years and their families. Funding for this contract is provided by the U.S. Department of Health and Human Services. This contract term remains unchanged from July 1, 2006, to June 30, 2007. This contract does not include any county general funds. (C2207067002)

HEAD START AND EARLY HEAD START SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a cost reimbursement contract between Catholic Charities Community Services, an approved Delegate Agency, and Maricopa County's Human Services Department for the provision of Head Start and Early Head Start services in the western part of the county. The target population includes low-income children ages 0-5 years and their families. The contract amount is \$7,016,647. Funding under this agreement is based on Financial Assistance Award by the funding source, U.S. Department of Health and Human Services, not-to-exceed \$7,500,000. This contract is effective on July 1, 2007, and shall terminate June 30, 2008. This contract does not include any County general funds. (C2208064100)

OPERATION OF THE COMMUNITY ACTION PROGRAM

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the agreements with the following cities and private agencies for the operation of the Community Action Programs to provide community services and case management and emergency services for low-income residents in each town/city and surrounding identified geographic areas. The terms of these agreements are for the period of July 1, 2007 to June 30, 2008, and may be renewed for two additional one year terms based on successful financial and program performance. These agreements are contingent upon final approval of the County's FY 2007-08 budget, and the receipt of fully executed agreements between Maricopa County and the Arizona Department of Economic Security. There is no long-term commitment on the part of Maricopa County to continue this program beyond the terms of the agreements. These agreements require that the cities develop and implement programs and services that address the following federal goals for Community Action Programs: securing and maintaining employment; securing adequate education; better Income management; securing adequate housing; providing emergency services; improving nutrition; creating linkages among anti-poverty programs; and, achieving self-sufficiency.

- a. **City of Avondale** – Intergovernmental Agreement with the City of Avondale will provide the funding in a not-to-exceed amount of \$153,324. Funding for this intergovernmental agreement is being provided by the Arizona Department of Economic Security (\$117,193) and Maricopa County (\$36,131). (C2208066200)
- b. **City of Glendale** – Intergovernmental Agreement with the City of Glendale will provide funding in a not-to-exceed amount of \$287,329 for the period of July 1, 2007, to June 30, 2008. Funding for this Intergovernmental Agreement is being provided by the Arizona Department of Economic Security (\$234,223) and Maricopa County (\$53,106). (C2208070200)
- c. **FSL Program for the City of Peoria and Town of Wickenburg** – Contract with FSL Programs, an affiliate corporation of the Foundation for Senior Living, a not-for-profit organization will provide the funding in a not-to-exceed amount of \$200,087. (C2208075100)

**FORMAL SESSION
June 6, 2007**

IGA FOR SERVICES AND EDUCATIONAL PROGRAMS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the non-financial intergovernmental agreement (IGA) between Higley Unified School District and Maricopa County Human Services Department to collaboratively provide the Maricopa County Head Start program with services to preschool children with disabilities, as defined in A.R.S. §15-761, who are enrolled in the Head Start program. Higley Unified School District will provide services for preschool children with disabilities, who are enrolled in the Head Start program. This agreement is effective from July 1, 2007 to June 30, 2010. (C2208084200)

CONTRACTS FOR SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following contracts for services for the period from July 1, 2007 to June 30, 2008:

- a. FSL Home Improvements (an affiliate corporation of the Foundation for Senior Living, a not-for-profit organization) for the provision of LIHEAP Services. The contract value will not exceed \$954,386. There is no long-term commitment on the part of Maricopa County to continue this program beyond the term of this agreement. (C2208089100)
- b. Central Arizona Shelter Services (CASS) in the amount of \$653,000 to provide emergency shelter, comprehensive supportive services for homeless individuals and families and low demand shelter during the FY 2007-08. The funding for this contract is pending approval of the FY 2007-08 Maricopa County Budget by the Board of Supervisors. (C2208090100)
- c. Sun Health/Olive Branch Senior Center in the amount of \$20,000 to support the provision of a comprehensive array of supportive services to elderly individuals during FY 2007-08. (C2208091100)
- d. Central Arizona Shelter Services (CASS) in the amount of \$72,000 to provide day resource services for homeless individuals during the FY 2007-08. The funding for this contract is pending approval of the FY 2007-08 Maricopa County Budget by the Board of Supervisors. (C2208093100)

NEW HOPE ANIMAL RESCUES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following agreements with Maricopa County under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the contractor. The cost for these services is thirty-nine dollars (\$39) for each animal rescued:

- a. Helping Animals Live On Rescue (H.A.L.O.), a 501(c)3 non-profit corporation, P O Box 30656, Phoenix, AZ 85046. Animal Care & Control estimates 3,000 new hope rescues over the term of the agreement, for a total of \$117,000. The term of this agreement is from May 16, 2007 through April 17, 2010. (C7907085100)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

- b. Desert Labrador Retriever Rescue, a 501(c)3 non-profit corporation, P O Box 1347, Litchfield Park, AZ 85340. Animal Care & Control estimates 200 new hope rescues over the term of the agreement, for a total of \$7,800. The term of this agreement is from May 16, 2007 through April 17, 2010. (C7907086100)
- c. Arizona St. Bernard Rescue, a 501(c)3 not-for-profit corporation, 4836 E. Berneil Drive, Scottsdale, AZ 85253, in the amount of \$390. This contract is effective from July 1, 2007 through June 30, 2008. (C7908002100)
- d. Arizona Cocker Rescue, a 501(c)3 not-for-profit corporation, 6501 E. Greenway Parkway #103, PNB 272, Scottsdale, AZ 85284, in the amount of \$585. This contract is effective from July 1, 2007 through June 30, 2010. (C7908003100)

IGA FOR ANIMAL CONTROL FIELD SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an intergovernmental agreement (IGA) between Maricopa County through Maricopa County Animal Care & Control and the Town of Gilbert, for Animal Control Field Services as determined in this agreement in the amount of \$120,734. This IGA is effective from July 1, 2007 through June 30, 2010. (C7908001200)

KENNEL PERMITS RENEWALS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following kennel permit renewals for the term of May 16, 2007 through May 15, 2008. The cost of each kennel permit is \$328.

- a. Bonnie Yarnell d.b.a. Bimini Kennels, 21039 S. 158th Street, Gilbert, AZ 85296, Permit #081 (Supervisorial District 1) (C7907118C00) (ADM2304)
- b. Marilyn Pauly, d.b.a. Evanz Kennels, 16853 N. 39th Drive Phoenix, AZ 85053, Permit #352. (Supervisorial District 4) (C7907121C00) (ADM2304)

DONATIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following donations:

- a. Kimberly Eilert of Mesa, AZ to Maricopa County Animal Care & Control (MCACC) in the amount of \$500 for the care and well being of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7907119000) (ADM2300-006)
- b. Bonnie's Barkery of Cave Creek, AZ to Maricopa County Animal Care & Control (MCACC) in the amount of \$422 for the care and well being of the animals. Donation revenue funds are deposited into Fund 573 as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore

FORMAL SESSION
June 6, 2007

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. (C7907120700) (ADM2300-006)

FUND TRANSFERS; WARRANTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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.

CONVEYANCE OF REAL PROPERTY

Pursuant to A.R.S. §11-251 (9), motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) on a roll call vote with Supervisors Stapley, Kunasek, Wilson, Wilcox, Brock voting "aye" to authorize the conveyance of real property that is restricted for the single purpose of the installation, maintenance and repair of domestic water tank and appurtenant items thereto, identified as APN 216-25-0093B, to the Town of Carefree, at no cost, and authorize the Chairman of the Board to execute all necessary documents approved by the Civil Division to complete the conveyance of the property. (C1807040000)

SOLICITATION SERIALS

Pursuant to A.R.S. §11-251 (9), motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to 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. (ADM3005)

Award

06143-RFP **GPS/AVL Mobile Data Computer System** (\$700,000 estimate/five years)
Contract for purchase of mobile data computer terminals and applicable implementation, software application hosting, and support and maintenance for Maricopa County Human Services Special Transportation Services.

- Mentor Engineering, Inc.

07019-ROQ **Adult Special Advocacy Attorney Services–OCC** (\$1,800,000 estimate/three years)
Contract to provide adult special advocacy attorney services to qualified indigent persons as requested by the Office of Contract Counsel.

- Sabrina Ayers Fisher
- Nicole M. Brickner
- Carol Coghlan Carter
- Stephen Cary Forrester
- Kelly Hammer
- Bernard P. Lopez
- Julia A. Lopez

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

- Habib Prierce-Byrd
- Robert D. Rosanelli
- Larry J. Ruhl
- Jennifer Ryan-Touhill
- Stephanie Stromfors
- Brian Theut
- Christopher P. Theut
- Paul J. Theut
- Law Office of John Vigileos
- John R. Worth

Renewals/Extensions:

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).

Until July 31, 2008

- 03024-C Miscellaneous Foods and Staple Grocery Items** (\$900,000 estimate/ one year)
Price agreement renewal to provide miscellaneous food and staple grocery items for MCSO Food Service.
- Custom Food Service Inc
 - Epicurean Foods
 - Kellogg Supply, Inc.
 - Shamrock Foods

Correction to Contract approved on May 16, 2007 Agenda

Serial 06158-S (Insurance Broker Contract Services – RM) - Correct contract expiration date from May 31, 2010 to June 30, 2010.

Sale of County Property

The sale of 94 Dolphin Model #7200 hand-held barcode scanners and accessories for the Facilities Management Department. These scanners are MS DOS based technology and are now obsolete. Quotations were solicited from companies interested in purchasing the units. No interest responses were received from Peak Technology and Hand Held. RYZEK quoted \$11,470 for the entire lot consisting of the following:

OEM Part #	Description	Quantity	Price
90009330	Docking Station w/ battery slot for #7200	19	\$190.00
90011080	Hand Held Batch Terminal (Dolphin)	94	<u>\$11,280.00</u>
Total			\$11,470.00

CAPA

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

Finance

Beth Brown
Heather Kowalski
Joyce Maurmann
Jacinta Rollins

Sheriff

Sue Malinowsky

OET

Julie Belter

Parks and Recreation

Raymond Kaniut

MARICOPA COUNTY CITIZEN CORP PROGRAM AND PLANNER

Pursuant to A.R.S. §11-251 (9), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and accept \$127,580.00 in 2006 Federal Homeland Security Grant Program 2006-GE-T6-0007 from the Arizona Department of Homeland Security. The grant period is July 1, 2006 to October 31, 2008. This is a reimbursable grant. Approve an appropriation adjustment in the amount of \$10,710.00 for both revenue and expenditures to the Emergency Management Department (150) Emergency Management Fund (215) budget. Also, direct the Office of Management and Budget to budget continued revenue and expense for FY 2007-08 in the amount of \$116,870.00. The funds are being awarded to support the Citizen Corp Planner and the Maricopa County Citizen Corp Program. Maricopa County Department of Emergency Management's (MCDEM) current indirect cost rate is 12.85% for FY 2007-08. Indirect costs of \$16,394.03 are unallowable and unrecoverable. This cost will be fully absorbed in the MCDEM budget. 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. (C1507012300)

MARICOPA COUNTY CITIZEN CORPS PROGRAM

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and accept \$47,601.00 in 2006 Federal Homeland Security Grant Program 222205-05 CFDA 97.067 from the Arizona Department of Homeland Security. The grant period is April 1, 2007 to March 31, 2008. This is a reimbursable grant. Approve an appropriation adjustment for FY 2007-08 in the amount of \$47,601.00 for both revenue and expenditures to the Emergency Management Department (150) Emergency Management Fund (215) budget. Maricopa County Department of Emergency Management's (MCDEM) current indirect cost rate is 12.85% for FY 2007-08. Indirect costs of \$6,116.73 are unallowable and unrecoverable. This cost will be fully absorbed in the MCDEM budget. 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. (C1508001300)

SOLE SOURCE CONTRACT FOR WEST NILE VIRUS TESTING

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a sole source contract with ADAPCO, Inc. as the exclusive distributor for Response Biomedical Corporation. The sole source contract, in the amount of \$195,000, will allow the Environmental Services Department to purchase needed RAMP System and West Nile Virus Test Kits.

**FORMAL SESSION
June 6, 2007**

The sole source contract will continue the West Nile surveillance testing through June 2008. Funding for this contract is already part of the department's FY 2007-08 budget request. (C8807008100)

REVENUE AND EXPENDITURE ADJUSTMENTS FOR FUEL AND PARTS

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an increase in budgeted revenue and expenditures for the Equipment Services Department (Department 740, Fund 654) for FY 2006-07 in an amount not-to-exceed \$2,767,230 due to the increase cost of fuel and parts. The revenue from charges for fuel and parts will offset the wholesale expense. This will require offsetting revenue and expenditure adjustments to Eliminations (Department 980 Fund 900) not-to-exceed \$2,767,230 that will have a net zero impact to the budget. (C7407004800) (ADM3100-003)

AMEND ACTION FOR APPROPRIATE TRANSFER OF FUNDS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to amend previous Board action (C7007042801), approved on April 18, 2007, which included the following language:

Approve an FY 2006-07 fund transfer of \$1,930,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to the Appropriated Fund Balance (480) General Fund County Improvement Fund (445). Also, increase the FY 2006-07 Appropriated Fund Balance (480) General Fund County Improvement Fund (445) revenue appropriation by \$1,930,000 and expenditure appropriation by \$60,000, and increase the FY 2006-07 expenditure appropriation of the General Government (470) Grants Fund (249) by \$1,870,000 with offsetting revenue and expenditure eliminations in the Eliminations (980) Eliminations Fund (900).

To the following language:

Transfer FY 2006-07 expenditure appropriation of \$1,930,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to the Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) line entitled, "Transfer to CIP funds". Also approve a fund transfer of \$1,930,000 from the Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) "Transfer to CIP funds" line to the Appropriated Fund Balance (480) General Fund County Improvement Fund (445). In addition, increase the FY 2006-07 Appropriated Fund Balance (480) General Fund County Improvement Fund (445) revenue appropriation by \$1,930,000 and expenditure appropriation by \$60,000, and increase the FY 2006-07 expenditure appropriation of the General Government (470) Grants Fund (249) by \$1,870,000 with offsetting revenue and expenditure eliminations in the Eliminations (980) Eliminations Fund (900). (C7007042801) (ADM800-003)

EXPENDITURE BUDGET ADJUSTMENTS FOR ADDITIONAL FACILITY RELATED ISSUES

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following FY 2006-07 expenditure budget adjustments in General Government (470) General Fund (100) Central Service Costs (4714):

- o Increase Maintenance Contracts by \$500,000.
- o Decrease Utilities by \$500,000.

The adjustments have a net zero impact on the overall county budget. (C7007048800) (ADM800-003)

PROFESSIONAL SERVICE CONTRACT FOR ENGINEERING SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a professional service contract with MMLA Psomas, Inc. to provide "as needed" engineering services for a two-year period. The consultant will provide planning, programming, estimating, design, and construction administration services for various county projects. Consultant fees for this two-year period shall be \$500,000 or less and are paid by the county's major maintenance budget or by budgeted department funds. (C7007049500)

ADJUSTMENTS TO FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

Pursuant to ARS 42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the following adjustments to the FY 2006-07 Five-Year Capital Improvement Program:

- o Decrease the FY 2006-07 Appropriated Fund Balance (480) County Improvement Fund (435) expenditure appropriation by \$1,944,313. Bond proceeds are considered non-local revenue for the purpose of the constitutional expenditure limitation, and therefore expenditure appropriation in the County Improvement Fund is not subject to the limitation.
- o Transfer FY 2006-07 expenditure appropriation of \$1,944,313 from the General Government (470) Grants Fund (249) to the Appropriated Fund Balance (480) General Fund County Improvement Fund (445).
- o Decrease the Appropriated Fund Balance (480) County Improvement Fund (435) Downtown Justice Center (DCJC) project expenditure budget by \$1,944,313 in Year 1 and increase the Appropriated Fund Balance (480) General Fund County Improvement Fund (445) Downtown Justice Center (DCJC) project expenditure budget by \$1,944,313 in Year 1. (C7007050800) (ADM800-003)

SETTLEMENT AGREEMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the proposed Settlement Agreement between Maricopa County and Plaintiffs Lawrence and Victoria Apodaca, concerning Maricopa County Superior Court Case No. CV2006-014860 (Claim No.: AL8844031241) and authorize the Chairman to sign the settlement agreement and all necessary documents upon review and approval as to form by assigned legal counsel. This matter was discussed in Executive Session on June 4, 2007. (C7507030100) (ADM409)

EXECUTIVE COMPENSATION PACKAGE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an Executive Compensation Package (ECP) for Bill Thornton, Director of Solid Waste, in order to deposit 200 hours of Family Medical Leave into his FML leave bank on or about April 30th of 2008, 2009 and 2010, as an employment retention incentive. For more than two years, Mr. Thornton has been the Solid Waste Director. In order for him to complete the implementation of the Solid Waste Strategic Plan, it is requested that the Board of Supervisors approve this ECP as a strategy to retain his employment for the next three years. He has provided critical leadership to Solid Waste and accomplished a number of important goals moving the Department forward. If at the time of his retirement he has accumulated 1,000 hours in his FML bank, Mr. Thornton would be eligible to participate in the Post Employment Health Plan and qualify for Maricopa County to contribute \$10,000 tax free to fund an

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

investment account for the payment of post employment medical expenses. This action will assist Mr. Thornton in qualifying for this benefit. (C6707007M00) (ADM3308-002)

EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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. (ADM2007)

253.001-1 Project No.: TT253 - Rainbow Road (Bridge @ Buckeye Canal) - Temporary
(JPM) Construction Easement and Agreement for Highway Purposes - Parcel No.: 504-45-016T - Connie E. White, trustee - for the sum of \$1,040.00.

253.002-1 Project No.: TT253 - Rainbow Road (Bridget @ Buckeye Canal) - Temporary
(JPM) Construction Easement and Agreement for Highway Purposes - Parcel No.: 504-44-024A - Rainbow & Monroe 480, LLC, an Arizona limited liability company - for the sum of \$180.00.

Á333.011-1 Project No.: TT186 - Indian School Road (Litchfield Road to Dysart Road) -
(JPM) Temporary Construction Easement and Agreement for Highway Purposes - Parcel No.: 508-02-389 - Dysart Ranch Community Association - for the sum of \$697.00.

A333.011-2 Project No.: TT186 - Indian School Road (Litchfield Road to Dysart Road) -
(JPM) Drainage Easement - Parcel No.: 508-02-389 - Dysart Ranch Community Association - for the sum of \$5,424.00.

TRANSPORTATION ADVISORY BOARD SPECIAL PROJECT FUND

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Maricopa County Department of Transportation's Transportation Advisory Board's (TAB) request to increase the Transportation Advisory Board Special Project Fund from \$1,000,000 up to \$1,500,000. The request to increase the Special Project Fund was made at the January 16, 2007 meeting, which was unanimously approved by the Transportation Advisory Board members. In a continuing effort to better serve the residents of Maricopa County, the Transportation Advisory Board (TAB) would like to increase the Special Project Fund from \$1,000,000 million up to \$1,500,000 million which allows them to respond to proposed transportation projects that it considers to be worthy, but are not programmed in Maricopa County Department of Transportation's Capital Improvement Program. This fund is reauthorized on an annual basis. (C6402255601) (ADM2001) (ADM2038)

OLIVE AVENUE CROSSING AT BEARDSLEY CANAL PROJECT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 to Intergovernmental Agreement (IGA) FCD 2004A005A, Olive Avenue Crossing at Beardsley Canal (Project #470), between the Flood Control District of Maricopa County and the Maricopa County Department of Transportation (MCDOT). This amendment is to revise the ownership and maintenance responsibilities for the Olive Avenue Crossing. The Flood Control District is requesting approval of this IGA from the Board of Directors under agenda item C6905059201. (Supervisory District 4) (C6405130201)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

AMENDMENT TO FIVE-YEAR TIP – TRANSPORTATION CAPITAL PROJECTS FUND - CONTINUED

Item: Pursuant to A.R.S. §42-17106 (B), approve an amendment to the current FY2007-2011 five-year TIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 21, 2006, by decreasing the FY 2006-07 (Year 1), capital budget for the following projects:

Project No.	Name	Capital Budget
T002	Project Reserves Account	\$3,655,000
T006	Unallocated Force Account	\$812,500
T102	Williams Field Road at Higley Road	\$525,000
T112	MC 85: 107th Ave – 91st Avenue	\$1,075,000
T219	Mingus Box Culvert	\$275,000

And, adjusting the following projects by **increasing** the FY 2006-07 (Year 1) capital budget for the following projects:

Project No.	Name	Capital Budget
T001	TIP Development	\$230,000
T011	ROW In-Fill/Roadway Inventory System	\$200,000
T025	Bell Road: SR303 – L101 ITS Imp	\$30,000
T028	PM 10 Program	\$125,000
T039	PM 10: Box Bar and Needle Rock	\$95,000
T047	PM 10: (PH 4) in North Valley	\$30,000
T062	Ellsworth Road: University Road-McLellan Road	\$230,000
T068	Ellsworth Road: Germann Road-Baseline Road	\$1,425,000
T083	MC 85: Cotton Lane – Estrella Parkway	\$175,000
T087	Queen Creek Road: AZ Ave – McQueen Road	\$1,400,000
T099	75th Avenue: MC 85 – Van Buren	\$2,500
T104	El Mirage: Beardsley – Loop 303	\$5,000
T113	MC 85: 91st Avenue – 75th Avenue	\$30,000
T114	Chandler Hgts Road at Sonoqui Wash	\$75,000
T166	MC 85: SR 85 – 75th Avenue	\$50,000
T176	Low Volume Roads Program	\$90,000
T186	Indian School Road: Litchfield - Dysart	\$120,000
T190	Dysart Road Bridge at Colter Channel	\$20,000
T193	Desert Hills at Skunk Creek	\$40,000
T199	Dobson Road Bridge at Salt River	\$15,000
T200	Olive Avenue at Beardsley Canal	\$30,000
T205	99th Avenue at Palmeras	\$25,000
T211	Olive Avenue at Litchfield Road	\$60,000
T213	Cotton Lane at McDowell	\$50,000
T216	Pinnacle Peak Road at 83rd and 91st Avenue	\$450,000
T218	SR 303 at Waddell Road	\$180,000
T225	Hawes Road at Hunt Highway	\$125,000
T226	Warner Road at Power Road	\$50,000
T227	Meeker at Camino Del Sol	\$120,000
T228	Olive Avenue at 103rd Avenue	\$25,000
T229	Sonoma at Dysart Road	\$60,000
T232	R.H. Johnson Boulevard at Meeker	\$75,000
T236	Signal Modernization SC1	\$180,000

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

Project No.	Name	Capital Budget
T243	Galivan Peak Pkwy: Cloud – Joy Ranch	\$160,000
T248	Deer Valley Road: El Mirage – Lake Pleasant	\$50,000
T251	Riggs Road: Ellsworth Road – Meridan Road	\$15,000
T256	Northern Avenue at El Mirage Road	\$300,000

The requested adjustment is necessary to realign project budgets to more closely match year-end projected expenditure amount, and results in a net impact of zero. (C6407227800) (ADM2000-003)

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson and unanimously carried to continue this item for two weeks to the June 20, 2007, meeting.

IGA FOR RUBBERIZED BITUMINOUS SURFACE TREATMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the intergovernmental agreement between Maricopa County and the City of Phoenix for the Rubberized Bituminous Surface Treatment on Lone Mountain Road near 52nd Street. The County is the lead agency with the City of Phoenix paying for the actual costs of the materials for the surface treatment on a 1/4 mile segment of Lone Mountain Road that exists within their jurisdictional boundaries. The estimated cost for this 1/4 mile segment is \$8,200. (C6407232200)

EASEMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an Easement from Maricopa County, a political subdivision of the State of Arizona to the Salt River Project Agricultural Improvement and Power District, an agricultural improvement district organized and existing under the laws of the State of Arizona. (C6407233000) (ADM2013)

ANNEXATION BY THE CITY OF PHOENIX

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the annexation by the City of Phoenix of County right-of-way within: 51st Avenue from Estrella Drive to Olney Avenue and also Elliot Road from 55th Avenue to approximately 1100 feet east of 51st Avenue and also Carver Road from 51st Avenue to 1505 feet east of 51st Avenue, in accordance with Ordinance No. G-4884. (C6407238000) (ADM4213-002)

Legal Description, Ordinance No. G-4884

Part No. 1:

That part of the Southeast quarter of Section 8 and the Southwest quarter of Section 9, both being in Township 1 South, Range 2 East, G&SRB&M, described as follows:

BEGINNING at the intersection of the North line of the South 55 feet of the North half of the Southwest quarter of said Section 9 with the East line of the West 55 feet of said Southwest quarter, being also a point in the City Limit line of the City of Phoenix, Arizona, as established by City of Phoenix Ordinance No. G-4729, recorded in Document No. 2005-1290414, records of Maricopa County, Arizona;

thence Northerly along the East line of the West 55 feet of said Southwest quarter to the East-West midsection line of said Section 9;

thence Westerly along said East-West midsection line to the West line of said Section 9, being also the East line of said Section 8;

thence continuing Westerly along the East-West midsection line of said Section 8 to the

West line of the East 55 feet of the Southeast quarter of Section 8;
thence Southerly along said West line to the North line of the South 55 feet of the North half of said Southeast quarter;
thence Easterly along said North line to the East line of said Section 8, being also the West line of said Section 9;
thence continuing Easterly along the North line of the South 55 feet of the Southwest quarter of said Section 9 to the POINT OF BEGINNING.

Part No. 2:

That part of Sections 8, 9, 16, and 17, Township 1 South, Range 2 East, G&SRB&M, described as follows:

BEGINNING at the South quarter corner of said Section 8, being also a point in the City Limit line of the City of Phoenix, Arizona, as established by City of Phoenix Ordinance No. G-4577, recorded in Document No. 2004-148043, records of Maricopa County, Arizona;

thence along said City Limit line to the North quarter corner of said Section 17;

thence Southerly continuing along said City Limit line and along the North-South mid-section line of said Section 17 to the South line of the North 33 feet thereof;

thence Easterly along last said South line to the point therein which bears Westerly a distance of 55 feet from the intersection of last said South line and the West line of the East 55 feet of said Section 17;

thence Southeasterly to a point in last said West line which is 55 feet Southerly of last said intersection;

thence Southerly along last said West line to the South line of the North 295.33 feet of the Southeast quarter of the Northeast quarter of said Section 17;

thence Easterly along last said South line to the West line of the East 40 feet of said Section 17;

thence Southerly along last said West line to the North line of the South 82.5 feet of the North half of the Southeast quarter of said Section 17;

thence Westerly along last said North line to the West line of the East 55 feet of said Section 17;

thence Southerly along last said West line to the point therein that bears Northerly a distance of 58 feet from the intersection of last said West line and the South line of said Section 17;

thence Southwesterly to a point in last said South line which is 58 feet Westerly of last said intersection;

thence Easterly to the Southeast corner of said Section 17, being also the Southwest corner of said Section 16;

thence continuing Easterly along the South line of said Section 16 to the East line of the West 40 feet thereof;

thence Northerly along last said East line to the South line of the North 33 feet of the Southwest quarter of said Section 16;

thence Easterly along last said South line to the East line of the West 1505 feet of said Southwest quarter;

thence Northerly along last said East line to the North line of said Southwest quarter;

thence Westerly along last said North line to the East line of the West 55 feet of said Section 16;

thence Northerly along last said East line to the South line of the North 110 feet of said Section 16;

thence Northeasterly to a point in the South line of the North 55 feet of said Section 16

which bears Easterly a distance of 110 feet from the West line of said Section 16;
thence Easterly along last said South line to the East line of the West 562.02 feet of said Section 16;
thence Northerly along last said East line to the South line of the North 33 feet of said Section 16;
thence Easterly along last said South line to the Northeast corner of that parcel of land described in the instrument recorded in Document No. 2002-840199, records of Maricopa County, Arizona;
thence Northerly along the prolongation of the East line of said parcel of land to the North line of said Section 16, being also the South line of said Section 9;
thence continuing Northerly along the prolongation of last said East line to the North line of the South 33 feet of said Section 9;
thence Westerly along last said North line to the East line of the West 700 feet of said Section 9;
thence Northerly along last said East line to the North line of the South 55 feet of said Section 9;
thence Westerly along last said North line to the East line of the West 110 feet of said Section 9;
thence Northwesterly to a point in the North line of the South 110 feet of said Section 9 which bears Easterly a distance of 55 feet from the West line of said Section 9;
thence Northerly along the East line of the West 55 feet of said Section 9 to the South line of the North 55 feet of the South half of the Southwest quarter of said Section 9;
thence Westerly along last said South line to the West line of said Section 9, being also the East line of said Section 8;
thence Westerly along the South line of the North 55 feet of the South half of the Southeast quarter of said Section 8 to the West line of the East 55 feet of said Section 8;
thence Southerly along last said West line to a point which bears Northerly a distance of 55 feet from the intersection of last said West line and the North line of the South 33 feet of said Southeast quarter of Section 8;
thence Southwesterly to a point in last said North line which is 55 feet Westerly of last said intersection;
thence Westerly along last said North line to the North-South midsection line of said Section 8;
thence Southerly along said North-South midsection line to the South quarter corner of said Section 8, and the POINT OF BEGINNING.

INDIAN SCHOOL ROAD: OLD LITCHFIELD ROAD TO DYSART ROAD

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Consultant Services Contract No. 2007-018 with PB Americas, Inc. in the amount not-to-exceed \$1,342,145.44 for construction administration services for the Indian School Road: Old Litchfield Road to Dysart Road, T186. Approval of this agenda is contingent upon the Board adopting the recommended FY 2007-08 budget. (C6407239500)

NEW RIVER ROAD ACCESS CONTROL AND CORRIDOR IMPROVEMENT STUDY

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Consultant Services Contract No. 2006-027 with PBS&J for a lump sum fee amount not-to-exceed \$383,997.56 for the preparation of the New River Road Access Control and Corridor Improvement Study (New River Road: I-17 to Desert Hills Drive), Project No. T005. The corridor

FORMAL SESSION
June 6, 2007

improvement study shall be completed within 420 calendar days from the Notice To Proceed. (C6407240100)

TRAFFIC CONTROL CHANGES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following traffic control changes:

- a. **Camelback Road and Cotton Lane** – A Four Way Stop (from a two-way east/west stop). This partially rescinds the Through Street Resolution on Cotton Lane dated May 21, 1957. (C6407242000) (F23193)
- b. **Southern Avenue and Rainbow Road** – A Four Way Stop (from a two-way east/west stop). This partially rescinds the Through Street Resolution on Southern Avenue dated January 26, 1976. (C6407243000) (F23193)
- c. **Southern Avenue and Apache Road** – A Four Way Stop (from a two-way east/west stop). (C6407244000) (F23193)

NEW TRAFFIC CONTROLS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following new traffic controls on unincorporated right-of-way at the following locations:

- a. **43rd Avenue from Southern Avenue to Broadway Road** (both sides) – A No Stopping, Standing, Parking Anytime Zone. (C6407245000) (F23193)
- b. **154th Lane at Greystone Drive for North and Southbound traffic** – A Two-Way Stop. (C6407246000) (F23193)
- c. **154th Lane at White Horse Drive for North and Southbound traffic** – A Two-Way Stop. (C6407246000) (F23193)
- d. **110th Lane/Morten Avenue at 110th Avenue for East and Westbound traffic** – A Two-Way Stop. (C6407247000) (F23193)
- e. **Memorial Drive from 100 Feet East of Daisy Mountain Drive to Whitman Drive** – All Traffic to stop before entering or crossing a through street within the prescribed limits of: (C6407248000) (F23193)
- f. **31st Drive at Irvine Road for Northbound traffic** – A One Way Stop. (C6407249000) (F23193)

ROAD FILE VACATE AND ABANDON

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to adopt Resolution AB-182 to abandon a portion of Baseline Road in the vicinity of 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 for Highway Purposes on April 13, 1965 and recorded by the Maricopa County Recorder as Docket 5506, Page 426. (C6407228000)

FORMAL SESSION
June 6, 2007

RESOLUTION
ROAD ABANDONMENT AB-182

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, DECLARING A ROADWAY EASEMENT TO BE UNNECESSARY FOR PUBLIC PURPOSES AND EXTINGUISHING THAT EASEMENT.

WHEREAS, a certain roadway easement located in the general vicinity of Baseline Road and 133rd Avenue was acquired by Maricopa County by means of an Easement for Highway Purposes on April 13, 1965 and recorded by the Maricopa County Recorder as Docket 5506, Page 426; and

WHEREAS, a proposal requesting the extinguishment of the roadway easement has been submitted to Maricopa County; and

WHEREAS, a legal description of the roadway easement to be extinguished, identified as Exhibit "A", is attached; and

WHEREAS, it has been determined by the Maricopa County Department of Transportation staff that the easement proposed for extinguishment is no longer needed for public purposes, and staff recommends that it would be in the best interest of Maricopa County that the proposed extinguishment be approved; and

WHEREAS, Maricopa County is authorized to extinguish the roadway easement as described in Exhibit "A", pursuant to A.R.S. §§28-6701, 6709, 7202 and 7214.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Maricopa County, Arizona, that the roadway easement as described in Exhibit "A" is no longer necessary for public purposes.

BE IT FURTHER RESOLVED that the roadway easement as described in Exhibit "A" is hereby extinguished.

BE IT FURTHER RESOLVED that this resolution does not abandon any patent easement that may encumber the property described in Docket 5506, Page 426.

BE IT FURTHER RESOLVED that this resolution does not abandon or extinguish existing utility easements or the right to access, operate and maintain a facility that existed before this abandonment resolution, per A.R.S. § 28-7210.

DATED this 6th day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

Road Abandonment, AB-182, Legal Description:

That portion of Baseline Road described as follows: The North 40 feet of Lot 1 of Section 3 - T1S, R1W of the G&SRB&M, Maricopa County, Arizona. EXCEPT the West 30 feet thereof.

APPOINTMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the appointments, reappointments and resignations of the following individuals:

- a. **Citizens' Transportation Oversight Committee** – Reappoint Terry Rainey, representing Supervisorial District 1, whose term is effective from June 18, 2007 through June 17, 2010. (C0607084900) (ADM2047-001)
- b. **Citizens' Transportation Oversight Committee** – Appoint Peggy Jones, representing Supervisorial District 5, whose term is effective from the date of Board approval through May 31, 2010. (C0607093900) (ADM2047-001)
- c. **Citizens' Audit Advisory Committee** – Reappoint Richard Lozar, nominated by Supervisorial District 5, whose term is effective from the date of Board approval through May 14, 2009. (C0607090900) (ADM2602-001)
- d. **Transportation Advisory Board**– Resignation of Murray Johnson, representing Supervisorial District 5. (C0607091900) (ADM2038-001)
- e. **Planning and Zoning Commission** – Appoint Murray Johnson, representing Supervisorial District 5, whose term is effective from the date of Board approval through May 31, 2011. (C0607094900) (ADM3415-001)
- f. **Board of Adjustment and Drainage Review Board** – Appoint Abe Harris, representing Supervisorial District 5, whose term is effective from the date of Board approval through March 19, 2010. (C0607092900) (ADM3408-001)
- g. **Ryan White Planning Council** – Appoint Laverne Parker Diggs, representing the General Public, whose term is effective from July 1, 2007, through June 30, 2010. (C2007097000) (ADM2153-001)
- h. **Ryan White Planning Council** – Appoint Anaseli Torres as Alternate for Maclovía Zepeda, representing Service Providers, whose term is effective from the date of Board approval through February 28, 2010. (C2007097000) (ADM2153-001)
- i. **Maricopa Workforce Connections Board** – Appoint and reappoint the following individuals, whose terms are effective from July 1, 2007 through June 30, 2009. (C2207133900) (ADM2512-001)

Name	Type	Representation
Tina Huff, Pro's Ranch Markets	Appointment	Industry
Brady Young, TGen	Appointment	Industry
Thomas Koelbl, Banner Health System	Appointment	Industry
Karen Poole, Maricopa Community College District	Appointment	One-Stop Partners
Chevera Trillo, Maximus	Appointment	One-Stop Partners
Neil Alexander, Littler Mendelson	Reappointment	Industry
Jane Fletcher, Camelback Inn	Reappointment	Industry
John Garza, Pinnacle West Capital Corporation	Reappointment	Industry
Jim Ponte, Harris Printers	Reappointment	Industry

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

Richmond Vincent, Compass Bank	Reappointment	Industry
Rebecca Flanagan, U.S. Department of Housing and Urban Development	Reappointment	One-Stop Partners
Tony Maldonado, Paradise Valley STAR Tech Professional Center	Reappointment	Education
Annette Stein, Maricopa County Human Services Department	Reappointment	One-Stop Partners
Mike Wall, Training for Phoenix Pipe Fitting Trades Apprenticeship	Reappointment	Labor
Nancy Welch, Morrison Institute for Public Policy	Reappointment	Education
Joel Millman, Department of Economic Security Division of Aging and Adult Services	Reappointment	One-Stop Partners
Marie Sullivan, AZ Women's Education- Employment	Reappointment	Community Based

j. **Maricopa Workforce Connections Board** – Resignation of the following individuals representing Industry. (C2207133900) (ADM2512-001)

- Susan Andrews
- Janine Tilli
- Charles Brewer
- Bill Harrington
- Barbara Stahl
- John Corella

k. **Maricopa Workforce Connections Board** – Appoint Margaret Trujillo, replacing Susan Schmidt, representing One-Stop Partners, who will fill the unexpired portion of the term effective the date of the Board approval through June 30, 2007. (C2207133900) (ADM2512-001)

l. **Travel Reduction Program (TRP) Regional Task Force** – Appoint Randy Roberts, nominated by Supervisorial District 4, whose term is effective from the date of Board approval through January 31, 2009. This appointment shall fill an existing vacancy on the Task Force. (C8507028900) (ADM2358-001)

m. **Travel Reduction Program Regional Task Force** – Amend the action taken on November 15, 2006, in which Lori Singleton was reappointed to the Travel Reduction Program Regional Task Force. Approve the nomination of Ms. Singleton as Chairman of the Travel Reduction Program Regional Task Force. Pursuant to A.R.S. §49-582, the task force shall nominate a chairman for the Task Force who is then officially appointed by the Board. All other terms remain unchanged. (C8507012901) (ADM2358-001)

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 (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) 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)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

No vouchers or warrants were presented for approval or ratification at this meeting and no staff update was given to the Board.

PUBLIC HEARING SCHEDULED – ROAD FILE DECLARATION

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, July 25, 2007, at 205 W. Jefferson, Phoenix.

- a. **Road File No. A322-R.** In the vicinity of Turner Road, from the East-West Mid Section Line of Sections 2 and 3, Township 1 South, Range 4 West, to Hazen Road and Hazen Road from 52 feet West of the East line of the Southeast quarter of Section 10, Township 1 South, Range 4 West, to 60 feet East of the West line of the Southwest quarter of Section 11, Township 1 South, Range 4 West. (C6407229000)
- b. **Road File No. 5362.** In the vicinity of Camelback Road and Dysart Road. (C6407234000)

PUBLIC HEARING – FEE SCHEDULE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to set a public hearing for 9:00 a.m., Wednesday, July 25, 2007, to consider implementation of a new fee schedule and adjustment to existing fees, and accept the proposed fees for Maricopa County Animal Care & Control (MCACC). Pet fee increases include a differential rabies vaccination, altered dog license, and license penalty fees. MCACC also requests a differential rabies vaccination fee: cost recovery fee for shelter application and a reduced fee for special vaccination clinics as an incentive to vaccinate and license pets. Upon Board approval these fees will become effective August 1, 2007. (C7908004800) (ADM2305)

AUTHORIZATION TO FILE APPEAL IN THE MICHAEL WALTERS CASE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize counsel to take appropriate action to file an appeal to Supreme Court in the case of Michael Walters v. Maricopa County, Court of Appeals No. 1-CA-CV060226, as discussed in Executive Session on June 4, 2007. (Item S-2) (ADM409)

ADJUSTMENT TO GENERAL FUND BUDGET

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Office of Management and Budget to make a base adjustment increase of \$563,500 to the Trial Courts FY 2007-08 General Fund budget to partially restore operational savings that were to

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

have been realized with the opening of the Northeast, Northwest, Downtown, and San Tan collocated Justice Courts. In January 2004, an agreement was reached between County management and Presiding Judge Colin Campbell in which the Court identified operational budget savings due to collocation and consolidation of Justice Courts. The savings was to accrue from the elimination of the individual court managers for each precinct in exchange for regional court managers, reduction in Fines Manager staffing due to sharing of resources after collocation, and elimination of security guards. These savings were part of the funding plan for the new facilities, and were duly deducted from the Trial Courts' budget target. The agreed-upon operating budget savings can no longer be fully realized, for two reasons. First, increased case filings have justified an increased level of staffing in the Justice Courts, and funding has been allocated for 12 additional positions this fiscal year. The Fines Manager positions, along with the new positions recently funded, are now required to meet higher levels of service. Second, the Arizona Supreme Court issued Administrative Order No. 2006-56, which directed changes in the administration of the Justice Courts. These changes prevented the elimination of specific court managers for each Justice Court precinct. (Item S-3)(C3807034800) (ADM1100-003)

FEDERAL GRANT FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Department of Health Care Mandates to apply and accept a federal grant in an amount not to exceed \$500,000 for the term of August 1, 2007 through July 31, 2009, to provide Minority AIDS Initiative funding through the Ryan White HIV/AIDS Treatment Modernization Act of 2006 from the Department of Health and Human Services. The funding will be used to provide critical services to those living with HIV/AIDS. (Subject to Finance, Office of Management and Budget, and Civil Division's review and approval of this item.) (Item S-4) (ADM2350-003)

PUBLIC HEARING SET - PLANNING AND ZONING CASES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County, on June 20, 2007, at 9:00 a.m. in the Board of Supervisors Auditorium, 205 West Jefferson, as follows: (Item S-5) (F23239)

Z2006134; Z2007028; TA2007004; TA2007005; TA2007009; TA2007010; TA2007011; TA2007012; TA2007013

ASRS CLAIMS

No claims were submitted for approval at this meeting. (ADM3309-001)

CANVASS OF ELECTIONS

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the canvasses of elections submitted by special districts, as follows:

Broadland Ranches Greenfield IWDD No.39

ADM4375-001

CLASSIFICATION CHANGES

No classification changes were submitted for approval at this meeting. (ADM723)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

DUPLICATE WARRANTS

Necessary affidavits having been filed pursuant to A.R.S. §11-632, motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve or ratify duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen, as follows: (ADM1823) (ADM3809)

COUNTY

NAME	WARRANT	FUND	AMOUNT
Jorge A Galindo	270044583	Payroll	\$1,249.92
Tiffany Hand	370023430	Expense	\$412.01
Erick Ibarra	370027360	Expense	\$1,112.40
Blanca Erives	370032237	Expense	\$234.83
Kforce	370042513	Expense	\$28,487.72
Accuvant	370046169	Expense	\$9,671.00
Jamie Jackson	270044315	Payroll	\$1,592.01
Teon Lamar Young	370047045	Expense	\$133.00

SCHOOLS

NAME	SCHOOL	WARRANT	AMOUNT
Talise Berry	Treasurer	170153643	\$300.06
Southwest Hazard Control	Madison Elem SD #38	470099791	\$3,914.00
Turner Construction	Wickenburg Unified SD #9	470108307	\$302,428.80
Lucia Zuniga	Isaac SD #5	170095907	\$512.95
Benjamin D. Goss	Arlington SD #47	170063691	\$145.40
Patricia Henley	Agua Fria Union High SD #216	170091328	\$31.77
Lyndsi Keves	Littleton Elem SD #65	470086711	\$177.53
Mason Goe	Roosevelt SD #66	66519743	\$1,417.72
Lauren Wakefield	EVIT #401	470084404	\$30.00
Openworks	Phoenix Elem SD #1	470101788	\$500.00
Priscila Marquez	Alhambra SD #68	170099414	\$430.63
Agua Fria UHSD Etc Fund	Agua Fria Union High SD #216	470092503	\$988.60
Irene Andrade	Phoenix Elem SD #1	470109427	\$28.00

MINUTES

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the minutes of the Board of Supervisors meetings held March 19, 2007 and April 4, 2007.

PRECINCT COMMITTEEMEN

Pursuant to A.R.S. §16-821, motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

SECURED TAX ROLL CORRECTIONS

Pursuant to A.R.S. §42-17152 motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

YEAR	FROM	TO	AMOUNT
2006	11618	11781	-\$396,360.34
2005	18725	18796	-\$38,143.88
2004	15724	15746	-\$7,888.04
2003	28078	28078	-\$1,375.28
2006	11691	11841	-\$144,636.48
2005	18768	18810	-\$31,930.88
2004	15723	15750	-\$819.62

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the settlement of tax cases dated June 6, 2007. (ADM704)

2004	2006
TX2003-000731	TX2005-050300
2004/2005	TX2006-000338
TX2004-000736	2007
2005	ST2006-000126
TX2004-000783	TX2006-000244
TX2004-000940	TX2006-000340
TX2006-000201	

STALE DATED WARRANTS

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to find that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

NAME	AMOUNT
Orabel Jacobs TR	\$470.63
Carolyn Sue Dawson	\$49.92

TAX ABATEMENTS

No request for tax abatements was received from the Treasurer's Office for this meeting. (ADM708)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

WRITE-OFFS

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the write-offs of the Sheriff's Uncollectible Accounts. This item was discussed in Executive Session held May 14, 2007. (ADM407)

Sheriff's Uncollectible \$12,639.30

CALL TO THE PUBLIC TO COMMENT

No member of the public came forward to speak at this meeting. (ADM605)

SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS

Supervisor Wilcox commented on the Bring Back Blue campaign award saying there was a lot of response to the idea. She also spoke on the presentation she attended the previous day on fiscal management, marveling at the many creative ideas that continue to make this County a leader to the rest of the country in technology innovation and advancements. (ADM606)

Supervisor Wilson commented on the AAA Bond Rating the County has received, praising the County "team" cooperation that achieved this coveted goal. He said the AAA rating and recognition extends Maricopa County tax dollars to the very maximum while allowing the County to set the tax rate at a minimum.

Chairman Brock thanked the County's senior managers whose diligence and expertise helped to achieve that AAA rating, including his colleagues on the Board, David Smith, Sandi Wilson, Tom Manos and Bill Scalzo. He said there is a lot of hard work in running a County with 14,000 employees that is one of the fastest growing counties in the country and has "needs" that are extensive and expensive. He said that all employees are dedicated to serving the public in the highest way and success is evident. He added, "Every day we come to work there is a new challenge on our desk but it's a real thrill to work here."

Supervisor Wilson commented on Internal Audit as being "an absolutely critical management tool for the County." He added that Audit seems to receive some abuse that is not warranted, and the award given to that department earlier in the meeting was well earned. He added that the whole department deserves kudos for doing a difficult job in an expert way.

Chairman Brock said that President Michael Crow is one of the top academic university presidents in the country. Dr. Crow and ASU hosted a get together with the Board of Supervisors last Monday evening where all entered into a discussion exploring ideas and ways to work cooperatively in environment, public safety, social services and covered many other topics in which to develop partnerships. He added that Maricopa County is interested in partnering with others on worthy projects and invited inquiries.

The Chairman also saluted Intel for hosting a West Nile Virus meeting featuring the types of pesticides used in spraying and new kinds of sprays being used that are much safer environmentally. He urged the public to stay vigilant in eliminating any pools of water in the County because those are breeding grounds for mosquitoes.

Supervisor Stapley commented on the upcoming National Association of Counties (NACo) annual conference in July and asked Board Members to prepare to attend and to let him know of any desire to enter leadership in the organization. He said that Maricopa County is a true leader nationally in many

FORMAL SESSION
June 6, 2007

areas and is looked to for innovative best practices. He also explained that Chairman Brock will moderate workshops on the Arizona Meth Project and also the Alpha Drug Treatment Program in the jails. He said that nearly all of the presidential primary candidates will address the group at this week-long national forum, which he felt would be an interesting "perk". Chairman Brock remarked that Supervisor Stapley is currently the national first vice president of NACo and will become national president next summer.

Chairman Brock thanked Phoenix City Councilman Greg Stanton for his invitation to attend a Townhall meeting at Desert Vista High School last week. He said a lively discussion was enjoyed by all who attended.

PLANNING AND DEVELOPMENT

CODE ENFORCEMENT REVIEW

PLEASE NOTE: The following Code Enforcement Review is of a quasi-judicial nature. The Board will review the Hearing Officer's decision to determine if sufficient evidence was presented to the Hearing Officer to support his decision, or whether a procedural error may have occurred. New evidence is not considered at these hearings.

CODE ENFORCEMENT REVIEW – PATRICIA RICHEY

Darren Gerard reviewed the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2006-00269 for respondent Patricia Richey. Mr. Gerard said that the buildings in question had been removed from the property prior to June 1, therefore there is no violation and no action was necessary on this case. All charges and fines have been dismissed. (ADM3417-049)

PLANNING AND DEVELOPMENT ITEMS

David Smith left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, Deputy County Attorney, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

CONSENT AGENDA

- 1. Z 94-69 District 1**
Applicant: B & R Engineering, Inc. for Sun Lakes Limited Partnership
Location: Northeast corner of Riggs Road & Robson Boulevard (in the Sun Lakes area)
Request: Removal of a Special Use Permit (SUP) for Sales Office, Design Studio, and Model Complex in the R1-6 RUPD zoning district (approximately 2.41 acres) – Sun Lakes Model Village

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of Z 94-69 to remove the SUP. Commissioner Makula seconded the motion, which passed with a unanimous vote of 6-0.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval.

- 2. Z2006-053 District 1**

FORMAL SESSION
June 6, 2007

Applicant: Phoenix Fuel Company for Maricopa County Department of Transportation (MCDOT)
Location: North of Germann Road and east of Arizona Avenue (in the Chandler area)
Request: Special Use Permit (SUP) for an interim industrial use (fuel cardlock facility) in the Rural-43 zoning district (approximately 3.7 acres) – Phoenix Fuel Company

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of Z2006-053, subject to stipulations “a” through “n”. Commissioner Barney seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the site plan entitled “Special Use Permit, Phoenix Fuel”, consisting of one (1) full-size sheet, dated revised, April 4, 2007 and stamped received April 5, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Project Narrative, Phoenix Fuel Company”, consisting of 32 pages, dated (revised) March 22, 2007, and stamped received April 5, 2007, except as modified by the following stipulations.
- c. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- d. Dedication of additional right(s)-of-way to bring the total half-width dedication to 65’ for Germann Road shall occur within six (6) months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- e. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- f. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- g. The applicant shall apply for and receive approval of as-built building permits for all of their improvements to the site including the placement of the above ground tanks, the fueling islands, the paving, grading and walls, within 90 days of Board of Supervisors approval. The site plan for the as-built permits will include a “Legend” that states the Maricopa County Department of Transportation (MCDOT) buildings are “EXISTING BY MCDOT” with corresponding and appropriate labeling.
- h. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area and shall present a copy of their signed Rural-Metro Fire Protection Services contract substantiating coverage of the site.
- i. This Special Use Permit shall expire on November 30, 2019 or upon termination of the lease, whichever comes first. Phoenix Fuel shall remove all of their site improvements within 90 days of such termination or expiration.

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

- j. Phoenix Fuel shall submit a written report outlining the status of the development. The status reports are due on September 30, 2009 and September 30, 2014. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- k. Major changes to the Special Use Permit (site plan and narrative report) or the stipulations as approved, shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- l. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action for revocation in accordance with the Maricopa County Zoning Ordinance.
- m. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- n. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "n."

- 3. S2005-047 District 1**
Applicant: Hunter Engineering, LLC for Cloud Creek Ranch Development, LLC
Location: West of the northwest corner of Signal Butte Road and Cloud Road (in the Queen Creek area)
Request: Final Plat in the R1-35 zoning district for Cloud Creek Ranch II (approximately 29.5 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval.

- 4. S2005-070 District 4**
Applicant: Norman Engineering Group Inc.
Location: Northeast corner of Camelback Road and Dysart Road (in the west Glendale/Litchfield Park area)
Request: Final Plat in the C-S PD zoning district for Camelback at Crossing (approximately 20.95 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval.

FORMAL SESSION
June 6, 2007

5. **S2006-066** **District 4**
 Applicant: Cathy Caudle with Sage Engineering Corp.
 Location: Southwest corner of Maryland Avenue and 127th Avenue (in the west
 Glendale/Litchfield Park area)
 Request: Final Plat in the R1-35 RUPD zoning district for Bethany Estates North
 (approximately 43.67 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval.

REGULAR AGENDA

6. **Z2006-086** **District 4**
 Applicant: Beus Gilbert, PLLC for Dycam Associates
 Location: North of Camelback Road and east of Dysart Road (in the west
 Glendale/Litchfield Park area)
 Request: Rezone from R1-10 PD and C-O PD to R-5 PD (approximately 11.1 acres) –
 Vinyards Tuscan Village

COMMISSION ACTION: Commissioner Makula moved to recommend approval of Z2006-086, subject to stipulations “a” through “v”. Commissioner Barney seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall be in substantial conformance with the zoning exhibit entitled, “Site Plan for The Vineyards - Tuscan Village at Litchfield”, consisting of three (3) full size sheets, stamped received April 3, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in substantial conformance with the narrative report entitled, “Vineyards Tuscan Village at Litchfield Zone Change and Preliminary Condominium Plat Submittal Z2006086 and S2006046”, consisting of eight (8) pages, dated February 26, 2007, and stamped received April 3, 2007, except as modified by the following stipulations.
- c. Landscaping of the site shall be is in substantial conformance with the landscape plan entitled, “The Vineyards: Tuscan Village at Litchfield Preliminary Condominium Plat”, consisting of two (2) full size sheets, stamped received April 3, 2007, except as modified by the following stipulations.
- d. Building elevations shall be in general conformance with the elevations entitled, “Ord & Rodgers Homes Mesa Ridge Condos”, consisting of eight (8) 8-1/2” by 11” reductions, stamped received March 8, 2007.
- e. Within 30 days of approval of this case by the Board of Supervisors, the applicant shall submit a revised site plan and preliminary landscape plan that shows the following corrections:
 - 1) Emergency vehicular access onto Colter Street.
 - 2) The City of Glendale strip annexation across the southern end of the site.

- 3) Buildings and units re-numbered in accordance with Maricopa County Addressing Regulations.
- f. No construction permits or final plats shall be approved on or for the subject property until an Inter-Governmental Agreement between the City of Glendale and Maricopa County is executed such to allow site development, final platting activity and the necessary construction permits to be processed through the County.
- g. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
 - 1) Ultimate improvements to perimeter roads with curb, gutter and sidewalk.
 - 2) Any landscaping in county right-of-way shall meet the provisions of Chapter 9 of the Roadway Design Manual.
- h. All interior streets within the proposed development are to be constructed to minimum County standards.
- i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- j. The applicant shall remit a quality of life assessment of \$596 per dwelling unit to be made available to the Maricopa County Library District. Prior to zoning clearance for any residential building to be located on the subject property, the applicant shall provide written evidence from the Library District indicating compliance with this stipulation.
- k. The master developer shall notify future homeowners that they are located within the state-defined "territory in the vicinity of a military airport" with the following language:

"You are buying a home or property in the 'vicinity of a military airport' as described by State of Arizona statute ARS §28-8481. Your residence should include sound attenuation measures as directed by State law. You will be subject to direct over flights and noise by Luke Air Force Base jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flight operations per year, at an average of approximately 170 overflights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

For further information, please check the Luke Air Force Base website at www.luke.af.mil/urbandevelopment or contact the Maricopa County Planning and Development Department."

Such notification shall be recorded on all Final Plats, be permanently posted on not less than a 3 foot by 5 foot sign in front of all home sales offices, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, and be included in all covenants, conditions, and restrictions (CC&Rs) as well as the Public Report and conveyance documents.

- l. All habitable buildings constructed within this subdivision shall be constructed to attain a noise reduction level as per ARS § 28-8482(B).
- m. All trees shall be double-staked when installed.
- n. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted.
- o. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- p. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to Final Plat approval, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- q. Prior to Final Plat approval, the developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- r. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- s. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- t. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
- u. All overhead electrical and telephone utilities located along Camelback Road adjacent to the site shall be placed under ground.

FORMAL SESSION
June 6, 2007

- v. The applicant shall provide for the full funding of a traffic signal at the intersection of 129th Avenue and Camelback Road.

Darren Gerard reported that the applicant has requested this item be continued to the June 20, 2007 meeting. He added that there is an organized neighborhood opposition and they are aware of the request for continuance.

Chairman Brock noted that two speakers had traveled a considerable distance to the meeting to speak in opposition to this project, Robert Nichols and John Borders, and they elected to speak at this time.

Robert Nichols pointed out that the Planning Department recommendation is for denial although the Planning Commission recommended approval of this project. He said a main concern of residents who are in opposition to the project includes parking access, and a notable lack of walls, which he felt was meant to encourage homeowners to park on the street. They also believe that there is a high-density issue that is not appropriate in the low-density neighboring developments that were built years ago.

John Borders said this property was rezoned in 1988 and residents in both adjoining neighborhoods like the original low-density and believe the high density in this new project is unfair to those who purchased expensive homes and have been residents for many years. He believed it would lower their property values. He added that high density usually attracts additional crime to a neighborhood. He also mentioned that schools are already crowded and said that traffic lanes that are now a problem would get worse. He wanted everything left the way it is.

Supervisor Wilson noted that the Valley receives tens of thousands of new residents each year and new developments have to be built to house them but he shared the concerns expressed on traffic congestion. He asked that a study be brought to him on traffic lights for Camelback and other area roads before the next meeting so he could review plans on how this would be handled.

Philip Zubia, representing the client, addressed the parking and traffic concerns and said that two-car garages would be provided for every unit plus an area provided for visitor parking. Regarding arterial traffic on Camelback Road and other roads, he said the applicant would fully fund a traffic signal at the corner of Coulter and Dysart Road. He believes this will enhance the traffic circulation for the area and eliminate any problem. He said he would further address concerns on the project in two weeks.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to continue this item to the June 20, 2007, meeting.

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
June 6, 2007**

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board