

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
December 19, 2007**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 a.m., December 19, 2007, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1 (entered late); Andrew Kunasek, Vice Chairman, District 3 (entered late); 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 and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

INVOCATION

Father Bill Wack, Director of Andre House, delivered the invocation.

~ Supervisor Kunasek entered the meeting and assumed the chair ~

PLEDGE OF ALLEGIANCE

Chris Pinuelas, County Manager's Office, led the assemblage in the Pledge of Allegiance.

PRESENTATIONS

1. Item: Maricopa County 2007 Accomplishments Video, presented by Chairman Brock. (ADM650)

The Maricopa County 2007 Accomplishments video was not presented at this meeting.

2. Presentation to William C. Scalzo, Assistant County Manager, in recognition of his accomplishments as he retires from Maricopa County. (ADM650)

Supervisor Stapley related the many accomplishments Bill Scalzo has achieved using his work ethic and negotiating skills in the various positions he has held during his 15 years at Maricopa County. Mr. Scalzo also often used his various skills in attaining local and regional government cooperation in joint projects. In his duties as Assistant County Manager, Bill Scalzo has overseen the offices of the Library District, Community Development, Economic Development, the Housing Authority of Maricopa County, Human Services, the Maricopa County Events Center, Animal Care and Control, Planning and Development, Solid Waste, the Medical Examiner's Office and the Public Fiduciary. In addition he long-served as Director of the Parks and Recreation Department and the Maricopa County Stadium District.

Supervisor Stapley continued by listing the many special projects that were completed in the County through Scalzo's efforts, including the Spur Cross Conservation Area, Lake Pleasant Desert Outdoor Center and Marina, the Southeast Regional Library, Chase Field Contracts for Operations, the creation of the Housing Authority, the Collaborative Solutions Center, Regional Trails System, Maricopa County Events Center and the San Tan Regional Park. Supervisor Stapley said he could personally attest to the fact that, "The Spur Cross Ranch Conservation Area would not exist today had it not been for Mr. Scalzo's persistence and his professionalism in working with other government agencies, particularly the State of Arizona and the Town of Cave Creek." Both had worked together to bring this special area under the protection of the County.

David Smith said that Bill Scalzo brings such a positive energy and not only a "can do spirit" but "an anything-is-possible spirit" to Maricopa County operations. He is adept in doing things that

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perhaps nobody else would have conceived that a government could do, and then doing it in a fiscally responsible manner, and doing it in an amazingly customer friendly way.” He added, “That didn’t always sit so well with some of the big private sector moguls and executives that Bill would deal with.” He felt that was because, “Bill was so much like them instead of the stereotypical government official that what they saw across the table was somebody who was even a better negotiator and had a better vision of how certain ideas could work.” He added that it was Scalzo’s special ability to interact at the highest levels with almost anyone and hold his own as an executive representing the Board and the County. He explained that in a recent very important negotiation where most corporations would have sent several lawyers and administrative representatives he had just sent Bill, and Bill had come back with the contract the way they wanted it to be. He added, “We appreciate him professionally and we appreciate him personally.” A special “recycled” plaque that represented many fond memories to Mr. Scalzo and many of those in attendance was presented by all of the Board Members.

Bill Scalzo responded, “I guess the important thing that I want to remember is that I left more (park) land than I came here with for space and open space, about 8,000 to 10,000 new acres. There’s more to be done, we never achieve enough on open space and public lands acquisition or retention.” He added, “All the departments and their directors that I’ve worked with were all challenging, charming and entertaining.” He said most do a great job. He thanked this Board of Supervisors in particular because he worked longer with these Members than former members. He added that what he would like people to remember is that, “We’re an entrepreneurial government. We don’t just do things because we have money to spend, we do things because it’s the best way to do it and we try to spread the cost so it’s not all tax dollars. The bottom line every year is we try to reduce the net cost of government and you do that in two ways. Not just by cutting spending but also by producing new revenues and new resources.” He asked the Board and all County employees to remember that their job is to make people’s lives better and help them with their pursuit of happiness. He said he would go on to other pursuits but he wasn’t saying goodbye to the County, only, “until we meet again.”

3. Presentation of a Certificate of Achievement for Excellence in Financial Reporting awarded to the Stadium District. (C6808007M00) (ADM5509)

Julie Schweigert received the Certificate of Achievement from the Chairman, saying it was a pleasure for the District to receive this award as the entrance credentials are judged by an impartial jury. She added that the District always includes their annual report with the other entrance forms and that generating this report takes input from most of their staff, so all are involved. She said that while such a report wasn’t required their comprehensive annual report contains additional information that provided beneficial input to the judges.

STATUTORY HEARINGS

Clerk of the Board

4. **PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS**

Pursuant to A.R.S. §4-201, Chairman Kunasek 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.

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No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (3-1-1) to recommend approval of the following liquor license applications:

- a. Application filed by Donald E. Majdecki for a Special Event Liquor License: (F23221) (SELL808)

Business Name: St. Clement's Men's Club
Location: 15800 Del Webb Boulevard, Sun City AZ 85351
Date/Time: March 15, 2008; 4:00 p.m. – 10:00 p.m.

- b. Application filed by Donald E. Majdecki for a Special Event Liquor License: (F23221) (SELL807)

Business Name: Sun City Knights of Columbus #6612
Location: 15800 Del Webb Boulevard, Sun City AZ 85351
Date/Time: January 16, 2008; 3:00 p.m. – 7:00 p.m.

- c. Application filed by LaDane Edwin Vandenberg for a Special Event Liquor License: (F23221) (SELL806)

Business Name: St. Katherine Greek Orthodox Church
Location: 2716 N. Dobson, Chandler AZ 85224
Date/Time: February 9, 2008; 12:00 p.m. – 10:00 p.m.

- d. Application filed by Doreen Liza Inzalaco for a New Series 12 Liquor License: (MCLL6251) (AZ#12077406)

Business Name: Julia's Cafe
Location: 10746 W. Bell Road, Sun City AZ 85251

- e. Application filed by Cynthia Mena for a New Series 12 Liquor License: (MCLL6250) (AZ#12077402)

Business Name: Rosati's Pizza
Location: 3668 W. Anthem Way Suite A144, Anthem AZ 85086

- f. Application filed by Michele J. Hylton for a New Series 12 Liquor License from: (MCLL6249) (AZ#12099398)

Business Name: Sweet Rustic American Grill & Cantina
Location: 15472 N. 99th Ave. #5, Sun City AZ 85251

Transportation

5. PUBLIC HEARING – ROAD DECLARED (ROAD FILE NO. A387)

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 (4-0-

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1) to approve petitions to open and declare the following road into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation. (C6408085000)

RESOLUTION

WHEREAS, pursuant to A.R.S. §28-6701, 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 roadway 80 feet in width, together with all appurtenances and easements of record, lying within Sections 14, T4N, R1E, of the Gila and Salt River Base and Base and Meridian, said roadway lying 40 feet, measured at right angles, on each side of the following described centerline:

BEGINNING at the West quarter corner of said Section 14; Thence East along the midsection line of said Section 14 to the Center of said Section 14, and the END of said CENTERLINE.

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.

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

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required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

DATED this 19th day of December 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

PUBLIC HEARING – ROAD DECLARED (ROAD FILE NO. A344)

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 (4-0-1) to approve petitions to open and declare the following road into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation. (C6408087000)

RESOLUTION

WHEREAS, pursuant to A.R.S. §28-6701, 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 60 foot roadway, together with all appurtenances and easements of record, lying within Section 10, T4N, R1E, of the G&SRB&M, Maricopa County, Arizona, said roadway being more particularly described as follows:

The South 30 feet of Northeast Quarter of the Southwest Quarter; The South 30 feet of North One Half of the Southeast Quarter; The North 30 feet of Southeast Quarter of the Southwest Quarter and The North 30 feet of South One Half of the Southeast Quarter all in said Section Ten.

(Said alignment is also known as Avenida Del Sol from 89th Avenue to 83rd Avenue, lying within Supervisor District No. 4)

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;

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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 19th day of December 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

PUBLIC HEARING – ROAD DECLARED (ROAD FILE NO. A345)

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 (4-0-1) to approve petitions to open and declare the following road into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation. (C6408086000)

RESOLUTION

WHEREAS, pursuant to A.R.S. §28-6701, 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:

COMMENCING at the Southwest corner of said SW4NW4; thence North (assumed bearing) along the West line thereof 235.97 feet to the POINT OF BEGINNING; thence North 89°37'02" East along the North line of the South 7.168 acres of said SW4NW4 for a distance of 1,323.31 feet to the East line of said SW4NW4; thence North 00°12'53" East along the East line thereof for a distance of 493.53 feet; thence South 89°36'24" West, a distance of 1,325.16 feet to the West line of said SW4NW4; thence South along the West line thereof 493.27 feet to the POINT OF BEGINNING.

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(Said alignment is also known as Vista Avenue from 83rd Avenue to 81st Avenue,
lying within Supervisor District No. 4.)

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.

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 19th day of December 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

SUPPLEMENTAL

Sheriff

S-1. AMENDMENT TO IGA FOR LAW ENFORCEMENT SERVICES WITH TOWN OF QUEEN CREEK

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Amendment No. 1 to the Intergovernmental Agreement for Law

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Enforcement Services between the Town of Queen Creek and Maricopa County Sheriff's Office to: 1) increase service from 4 beats to 5 beats plus two transportation deputies effective January 1, 2008, 2) address disposition of vehicles purchased by the Town for use in the contract, and 3) acknowledge provision of space by the Town to house those that deliver Sheriff's Office law enforcement service.

Approval of this amendment will raise the FY 2008 annualized value of the contract to \$4,083,657, which includes additional one-time vehicle and equipment purchases totaling \$245,699. This amendment is effective January 1, 2008 or as soon thereafter that service can be provided. The new monthly payment, \$319,829.80, billable by County Finance, will be pro-rated monthly according to level of service provided throughout any ramping up period as communicated by the Sheriff's Office.

The base contract continues through June 30, 2010 with up to three years of automatic renewal and is terminable upon 12 months written notice of either party. Charges are updated annually and are based on actual cost.

This beat increase results in the addition of seven deputy positions, including two for traffic enforcement, one captain and a full time clerical position. All full-time positions funded through the Queen Creek contract will be accounted for separately and will be subject to elimination with incumbents being reassigned to Sheriff's Office vacant positions should the contract be dissolved.

Also approve the purchase and addition to fleet of 3 SUVs.

Finally, approve per A.R.S. §42-17106 an increase to the Sheriff's Office General Fund (100) FY 2008 revenue appropriation of \$613,165 (\$734,932 annualized) and expenditure appropriation of \$613,165(\$734,932 annualized) to accommodate the increased revenue and expense associated with this action. Intergovernmental Agreement revenues are not local revenues for purposes of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (ADM3101) (C5008010201)

S-2. AGREEMENT WITH ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR USE OF SPACE AT BUCKEYE HILLS RANGE COMPLEX AS EXPLOSIVE TRAINING FACILITY

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve an Agreement between the Arizona Department of Homeland Security and the Maricopa County Sheriff's Office, for the 2007 Homeland Security Grant Program Award, number #333212-03 and acceptance of \$133,000 in grant funding. This funding is to prepare a space at the Buckeye Hills Range Complex as an explosive training facility. The Sheriff's Office indirect cost rate for FY08 is 11.7%. This is a construction project, there are no indirect costs associated with this grant. The term of this award is July 1, 2007 through July 31, 2009.

Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2007-08 by \$66,500. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the

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expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C5008537300)

S-3. AGREEMENT WITH ARIZONA DEPARTMENT OF HOMELAND SECURITY TO EXPAND FACIAL RECOGNITION CAPABILITIES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve an Agreement between the Arizona Department of Homeland Security and the Maricopa County Sheriff's Office, for the 2007 Homeland Security Grant Program Award, number #333212-02 and acceptance of \$264,450 in grant funding. This funding is to expand the Facial Recognition capabilities with specialized technology equipment. The Sheriff's Office indirect cost rate for FY08 is 11.7%. Unrecoverable indirect costs associated with this grant are estimated to be \$5,616. There will be capital equipment purchases that are excluded from the indirect cost calculation. The term of this award is July 1, 2007 through July 31, 2009.

Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2007-08 by \$132,225. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008538300)

S-4. AGREEMENT WITH ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR MOBILE RADIO REPEATERS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve an Agreement between the Arizona Department of Homeland Security and the Maricopa County Sheriff's Office, for the 2007 Homeland Security Grant Program Award, number #333212-01 and acceptance of \$194,400 in grant funding. This funding is for the purchase of two (2) self-contained mobile radio repeaters. The Sheriff's Office indirect cost rate for FY08 is 11.7%. This a capital equipment purchase and is excluded from the indirect cost calculation. The term of this award is July 1, 2007 through July 31, 2009.

Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2007-08 by \$194,400. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C5008539300)

S-5. ACCEPT GRANT FUNDS FOR ENFORCEMENT OF IMMIGRATION RELATED MATTERS

Item: Approve the acceptance of grants funds in the amount up to \$1,000,000 from the State of Arizona pursuant to House Bill 2779 "Legal Arizona Workers Act" through the Maricopa County Attorney's Office to enforce immigration related matters and the provisions of A.R.S. §23-212. The Board of Supervisors acknowledged receipt of these funds by the County Attorney on October 31, 2007 (C1908028300). The term of funding is January 1, 2008 through December 31, 2008. The Sheriff's Office FY2008 indirect cost rate is 11.7%, the unrecoverable indirect costs are estimated to be \$117,000.

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Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2007-08 by \$500,000. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

And approves the creation of 6 new deputy positions in the grant fund to be filled by experienced law enforcement personnel. Continuation of these positions is contingent upon continuation of the state funding and the Agreement with the County Attorney. When funding ceases, these positions will be deleted and individuals will be re-assigned according to established personnel policy.

Also approve an addition to the fleet of 2 full size undercover vehicles estimated costs of \$92,782 that will be utilized for this enforcement. The estimated costs for these vehicles are \$5,000 annually to be funded by the General Fund (100). (ADM3101) (C5008540300)

Supervisor Wilcox said she could not support this item because action was still pending on a court case concerning it.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and carried by majority vote (3-1-1), with Supervisor Wilcox voting "nay" and Supervisor Brock absent to approve the acceptance of grants funds as given above.

Treasurer

S-6. REFUND TO JLK REAL ESTATE INVESTMENT CORP FOR A PREVIOUS PURCHASE OF PARCELS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a refund per A.R.S. §42-18125 to JLK Real Estate Investment Corp in the amount of \$43,395.00 for the purchase of parcels 133-41-632, 159-25-005-T, 218-56-118-A and 218-56-247-B that were sold by the Board of Supervisors, conducted by Treasurer's Office at a tax-deeded land sale auction on December 7, 2006. This matter was discussed in Executive Session on December 3, 2007. (Subject to the review and approval of Legal and OMB) (C4308012000) (ADM656-2006)

General Government

S-7. ONE-TIME ADDITION TO FLEET

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the one time addition to the fleet of a 1998 Dodge Neon with 72,720 miles (fleet # 23803) to be utilized by General Government. The vehicle is valued at \$3,500. Funding for this vehicle is not applicable since the vehicle was deemed a surplus vehicle when turned into Equipment Services by the County Attorney for auction. Annual operating and maintenance costs are estimated at \$2,000 to be paid out of General Government Health Finance Administration. This vehicle is a one-time addition to the fleet that will be retired at the end of its' useful life with no funding from the General Fund for its replacement. A detailed cross-referenced

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list of vehicle identification numbers is kept on file with the Clerk of the Board. (C4508007M00)
(ADM3101)

Environmental Services

S-8. SUBMISSION OF NOTICE OF INTENT TO DISCHARGE TO ADEQ FOR PHASE II SMALL MUNICIPAL SEPARATE STORMWATER SYSTEM GENERAL PERMIT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the submittal of a Notice of Intent to Discharge (NOI) to the Arizona Department of Environmental Quality (ADEQ) for a Phase II Small Municipal Separate Stormwater System General Permit and authorize the preparation of an application for an Individual Permit under provisions of the Federal Clean Water Act as adopted by the State of Arizona. The General Stormwater permit and subsequently the Individual Stormwater permit will provide Maricopa County as the permittee, coverage for storm water discharges from portions of Maricopa County to the Waters of the United States. In accordance with the permit, the County will update its Stormwater Management Program designed to minimize surface water pollution caused by storm water. The County has already provided a Stormwater Management Plan to ADEQ on March 10, 2003 for their review. This matter was discussed in Executive Session on December 13, 2007. (C8808004000)

SETTING OF HEARINGS

S-9. PUBLIC HEARING SET - PLANNING AND ZONING CASES

Motion was made by Supervisor, seconded by Supervisor , 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 for 11:00 a.m. on January 2, 2008, in the Board of Supervisors Auditorium, 205 West Jefferson, as follows:

Z2003072	Charros Los Amigos - Special Use Permit
CPA200714	Comprehensive Plan Amendment (County Area Plan) - Goldfield Area Plan
DMP2007006	The Villas At Camelback West - Comprehensive Plan Amendment
Z2006147	The Villas At Camelback West - Zone Change
Z2006093	Rosebud RV And Mini-Storage - Special Use Permit

Clerk of the Board

6. LONGHORN RANCH IRRIGATION WATER DELIVERY DISTRICT

Pursuant to A.R.S. §48-261 and §48-263, Chairman Kunasek convened the scheduled public hearing on the impact statement for the proposed Longhorn Ranch Irrigation Water Delivery District.

The Clerk announced that the impact statement for this proposed district is compliant and petitions may be gathered. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to determine that the creation of the district would promote public health, comfort, convenience, necessity or welfare, and approved the district impact statement

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authorizing the persons proposing the district to circulate petitions. The impact statement is on file in the office of the Clerk of the Board.

Also, pursuant to A.R.S. §48-261(C), approved a bond in the amount of \$500 to be filed with the Board by the persons proposing the district to cover costs incurred by the County if the district is not finally organized.

The proposed district is located in the Longhorn Ranch Subdivision Community between Acoma Drive and Thunderbird Road and 71st Avenue and 69th Drive in Peoria and contains approximately 66 parcels. (C0608038700) (ADM4388)

7. GILBERT COUNTY ISLAND FIRE DISTRICT FORMED

Pursuant to A.R.S. §48-851(A)(9), Chairman Kunasek convened a public hearing on receipt of the signed formation petitions for the proposed Gilbert County Island Fire District located in the Town of Gilbert's municipal planning area.

George Pettit, Gilbert Town Manager, asked to clarify several items relating to the formation of this district. He asked for a finding to confirm that Rural Metro is not providing service within the Gilbert planning area because he had evidence that they are still mailing out subscriptions and are responding and providing services in the planning area, reminding Members that there can be no active private provider when forming a district. Secondly, he wanted confirmation that required steps have been taken so that the levying and collection of taxes can be achieved by July 1, 2008. Finally, he asked about the ability to remove properties from the District when they are annexed into Gilbert, including the property annexed the previous evening. He asked that the properties that have been annexed since last October be removed from the District prior to July 1, 2008.

Rick Bohan referenced letters from Rural Metro and Representative Biggs affirming there was no service being offered to the Gilbert Planning Area from Rural Metro but there had been some billing errors made that are now resolved.

Ms. Mangiapane commented on the properties annexed into Gilbert since October 31, 2007, saying she had held several meetings with Mr. Pettit and his counsel, Susan Goodwin, explaining this and she had sent a confirmation letter regarding the County's interpretation of the statute. This interpretation is being used for all newly formed fire districts.

She reported that the Board had excluded parcels from the District that had completed the annexation process by 5:00 p.m. on October 31, 2007, as requested at their hearing that day. The boundaries of the petitioned district that were approved at the Board's October 31, 2007, hearing must remain the same through the formation process taking place today, as specified in statute. Therefore, if annexations had occurred after October 31, 2007, statute allows those interim annexations to move forward but those parcels remain part of the District until the following July 1 date is reached, which will be in 2008. She also explained that the new District Governing Board would be the proper authority to address any taxing questions once they are seated.

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She reported a total of 1,327 property owners within the proposed district boundaries and 783 signatures were assessed as valid by the Assessor, fulfilling statutory requirements and the District may be legally formed today.

Nathan Anderson, LaSueur Investments, signed a speakers' slip and when called on said his questions have already been answered.

Noting any protests received and having heard speakers for and against the proposed District, motion was made by Supervisor Stapley, and seconded by Supervisor Wilson to determine the petitions are valid, order the formation of the District, and enter the order in the minutes. The order includes the appointment of the three initial governing board members of the District as set forth in the petition:

- o Marci A. Sale
- o Cindy L. Biggs
- o Glenn A. Beaumont

**IN THE MATTER OF THE ORGANIZATION OF THE
GILBERT COUNTY ISLAND FIRE DISTRICT**

WHEREAS, a request for formation was presented pursuant to A.R.S. §48-851(A), proposing the organization of the Gilbert County Island Fire District; and

WHEREAS, the request for formation contained a revised map of the proposed district representing all of the county island areas that are contained within the municipal planning area in the Town of Gilbert; legal description of the boundaries of the proposed district; list of parcel numbers, and the names, addresses, and occupations of the proposed members of the organizing Board of Directors; and

WHEREAS, the Board of Supervisors determined the creation of the district will promote public health, comfort, convenience, necessity or welfare and approved the request for formation at a hearing held on October 31, 2007, and circulation of petitions was authorized; and

WHEREAS, petitions were presented pursuant to A.R.S. §48-851, proposing the organization of the Gilbert County Island Fire District; and

WHEREAS, a hearing was held regarding the petitions on December 19, 2007; and

WHEREAS, the petitions were signed by more than one half of the aggregate number of property owners in the county island areas contained in the proposed district;

IT IS THEREFORE ORDERED that the said GILBERT COUNTY ISLAND FIRE DISTRICT is hereby declared organized and created thirty (30) days from this date; and

IT IS FURTHER ORDERED that Marci A. Sale, Cindy L. Biggs and Glenn A. Beaumont are hereby declared as the organizing Board of Directors to administer the affairs of the district until a duly constituted board of directors is elected; and

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IT IS FURTHER ORDERED that the boundaries of the said Gilbert County Island Fire District be declared as follows:

All county island areas that are contained within the municipal planning area of the Town of Gilbert generally described as beginning at the intersection of Country Club Drive and Baseline Road, proceeding south along the corporate boundary between the Town and the city of Chandler, Arizona to the intersection of Val Vista Road and Hunt Highway; then east on Hunt Highway to its intersection with Recker Road; then north along the corporate boundary between the Town and the town of Queen Creek to the intersection of Ocotillo Road and Recker Road; then east on Ocotillo Road to its intersection with Power Road; then north on Power Road to its intersection with Baseline Road; then west on Baseline Road to its intersection with Country Club Drive and further described in the attached map and parcel list (Exhibit A).

DATED this 19th day of December 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

Motion for approval unanimously carried (4-0-1).

The order of the Board shall be final and the proposed District will be formed as of January 18, 2008. The signed petitions and the petition results certification are on file in the Office of the Clerk of the Board. (C0608034701) (ADM4450-001)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Board

8. TRANSFER EXPENDITURE AUTHORITY RELATED TO BOARD OF EQUALIZATION FUNDING

Pursuant to A.R.S. §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a transfer of expenditure authority between Clerk of the Board (060) General Fund (100) and Non-Departmental (470) General Fund (100) Other Programs (4712) in the amount of \$44,762. This action requires a decrease to the Clerk of the Board (060) General Fund (100) appropriation in the amount of \$44,762 and an increase to Non-Departmental (470) General Fund (100) Other Programs (4712) in a new line item titled "Board of Equalization" in the amount of \$44,762. This action will move the funding for the State Board of Equalization from the Clerk of the Board Budget to Non-Departmental for control purposes and does not alter the duly adopted budget for FY 2007-08 approved by the Board of Supervisors pursuant to A.R.S. §42-17105.

Direct the Clerk of the Boards' Office to Journal Voucher FY 2007-08 actual State Board of Equalization payments from the Clerk of the Board General Fund Budget to the line item "Board of Equalization" in Non-Departmental. (C0608047800) (ADM700)

Internal Audit

9. ADJUSTMENT TO 2008 AUDIT PLAN

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to adjust the County Auditor's Fiscal Year 2008 Audit Plan as follows: (C2308002M00) (ADM2600)

- o Defer the Network Security Review to a subsequent year due to changes currently being made to the County's network;
- o Add the Payroll Outsourcing Review; and
- o Defer the Countywide Anti-Virus Review to satisfy current request for budget reduction.

Clerk of the Court

10. ACCEPTANCE OF FISCAL YEAR 2007-08 GRANT MONIES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to accept FY 2007-08 grants for the Clerk of the Superior Court in the amount of \$1,665,559. The indirect costs (based upon a rate of 31.6% as calculated by the Department of Finance) of \$526,327 are not fully recoverable, as reflected in the funding agreements. FY 2007-08 grants allow for \$289,255 of recoverable indirect costs and \$237,062 of unrecoverable costs. Grant revenues are not local revenues for the purpose of constitutional expenditure limitation, and therefore, expenditure of these revenues is not prohibited by the budget law. This request does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C1608003300)

County Attorney

11. REVENUE AND EXPENDITURE APPROPRIATION FOR FILL THE GAP FUND

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a transfer of revenue and expenditure appropriation in the amount of \$66,000 from Non-Departmental (470) Non-Departmental Grant Fund (249) Reserve for Potential Fee Increases (4711) to the County Attorney (190) Fill the Gap Fund (221). Also, authorize revenue and expenditure appropriation increase adjustments for the County Attorney (190) Fill the Gap Fund (221) in the amount of \$73,000. These "non-local" Fill the Gap 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. Both of these increases are based upon significantly higher revenue receipts in the County Attorney's Fill the Gap Fund and are necessary to fund anticipated salary and benefit increases (due to market studies) and other unanticipated expenditures. (C1908034800) (ADM1819)

12. RETROACTIVE SALARY ADVANCEMENT

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Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a retroactive salary advancement for Alycia Feinberg who received an evaluation in FY 2006-07 but that made her ineligible for a market increase following the Legal Support Market Study (June 2007). The employee has since improved her performance and received a score making her eligible for salary advancements. The effective date would be October 8, 2007, which is the pay period following her recent evaluation. (C1908035800) (ADM3308-001)

Elections

13. **DESIGNATION OF POLLING PLACES FOR PRESIDENTIAL PREFERENCE ELECTION AND APPOINTMENT OF ELECTION AND TALLY BOARDS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve polling places for the Presidential Preference election to be conducted February 5, 2008; authorize the Director of elections to select and designate additional polling places if needed due to changes or unavailability of polling places; and approve the appointment of election boards and tally boards necessary to conduct the election upon selection by the Director of Elections and filing with the Clerk of the Board of Supervisors, and provide for payment of election board communication expenses. The Elections Department will do their best to remain within the current budgeted amount. However, the possibility exists that the Department may need to return later in FY 2007-08 for an appropriation adjustment if the revenues and expenses are greater than budgeted. The cost of the Presidential Preference election is reimbursed by the Secretary of State per A.R.S. §16-250. (List is on file with the Clerk of the Board's office.) (C2108001700) (ADM1717)

Sheriff

14. **ONE-TIME LUMP SUM PAYMENT TO SHERIFF'S OFFICE EMPLOYEE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve a one-time, lump sum payment of \$11,859.42 to Sheriff's Office employee, Ricky Edward Hipp, S1723. This amount covers the gross pay difference between what Deputy Hipp earned and what he should have earned between May 7, 2007 and October 7, 2007. Deputy Hipp's pay record was missed in the application of a market adjustment. The expenditure impact to the employer is \$13,494.84, which includes variable benefits. (C5008029M00) (ADM3308)

15. **AMENDMENT TO SUB-LEASE AGREEMENT WITH DEL WEBB CORPORATION**

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve Amendment No. 4 to increase the space in the Sub-Lease Agreement (L7361) between Del Webb Corporation and Maricopa County Sheriff's Office for 1,411 square feet of office space in the Anthem Administration Building, 3701 W. Anthem Way, Anthem, Arizona commencing December 1, 2007 through November 30, 2008. This action would allow for more than double the current space assigned to the Sheriff's Office at Anthem and will result in a more visible law enforcement presence, which has been requested by the community's leadership. District IV deputies and posse will use the space. The cost is \$1.00 per term. This

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agreement is subject to termination pursuant to the provisions of A.R.S. §38-511. (C5005029M04)

16. ONE-TIME ADDITION TO FLEET

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve a one-time addition to fleet, of a 2008 Interstate Load Runner 102X18 Tandem Axle equipment trailer being purchased for \$6,900 using grant funds previously awarded for this general purpose to be used by the Threat Assessment Team. The Sheriff's Office was awarded funding from the U.S. Department of Homeland Security, Urban Areas Security Initiative (UASI) passed through the Arizona Department of Emergency Management (ADEM) via the City of Phoenix, which was approved by the Board of Supervisors on November 1, 2006 (C5007522301). The Sheriff's Office indirect cost rate for FY 2007-08 is 11.7%. This is a capital purchase so indirect costs are not calculated (\$807). There is a one-year warranty after which the General Fund (100) will fund operating costs, estimated to be \$500 annually. This is a temporary addition to the fleet and will be removed at the end of its useful life with no funding from the General Fund for replacement. 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. (C5007522303) (ADM3104)

Treasurer

17. COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT

Pursuant to A.R.S. §11-501, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to receive the Treasurer's Statement of Collections and Investment summary reports for October 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (C4308009000) (ADM4006)

18. CORRECTION TO QUIT CLAIM DEED

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to correct the action taken by the Board on December 20, 2006, under C4307001700 related only to the offer accepted on parcel 220-55-001-L. With this corrective action, the Board approves an Affidavit of Erroneous Recording which will effectively cancel two previously recorded documents:

- 1) Quit Claim Deed Doc. #2007-0010254 (recorded on January 3, 2007); and
- 2) "Corrected Deed" Doc. #2007-0453914 (recorded on April 18, 2007).

Additionally, approve the issuance and recording of a corrected Quit Claim Deed to be issued to Leo and Virginia Bellows for parcel 220-55-001-L which they purchased through the Treasurer's Tax-Deeded Land Auction conducted on December 7, 2006. (C4308010000) (ADM656)

TRIAL COURTS

Superior Court Judges and Commissioners

19. APPOINTMENTS

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Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the following: (ADM1001)

- a. Appointment of Court Commissioner Jerry Bernstein as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace for the period from December 19, 2007 through June 30, 2008 to serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. (C3808006700)
- b. Appointment of Court Commissioner Jeffrey A. Rueter as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace for the period from January 7, 2008 through June 30, 2008 to serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. (C3808007700)
- c. Appointments as Pro Tem Justices of the Peace for the period January 1, 2008 through December 31, 2008, to serve in various programs in Justice Courts to reduce trial delay. (C3808008700)

Adornetto, Charles J.	Koglmeier, Matthew D.
Anderson, Lex	Landau, Jerry G.
Barnes, Bernard J.	Mandell, Michael
Bohlman, Herbert	Matz, Theodore
Brnovich, Mark	Melton, Robert E.
Calender, Don	Mihalsky, Diane L.
Clark, Scott M.	Molner, William F.
Colglazier, Jerry L.	Neal, Delia
Cohen, Larry J.	Nelson, Douglas N.
Conti, Frank J.	Osterfeld, David
Delaney, Fenton Frank	Parker, Caryl K.
DeMars, William B.	Passey, Kerry
Dingott, Monroe	Ponath, William E.
Fletcher, David H.	Rogers, Phil J.
Freestone, Tom	Rowley, Paul S.
Garner, Yancey	Russell, Carl E.
Gooday, Henry	Seyer, David
Haworth, Richard	Sheldon, Chris J.
Henry, John C.	Skousen, Donald
Holliday, Denise	Smith, Kenneth P.
Hull, Andrew M.	Smith, Terry
Jarvis, Robert	Southern, E. Reid
Johnston, Sherwood III	Strong, Brian D.
Jones, Frederick M.	Tolby, Quentin
Julien, Paul D.	Tully, Brian Brendan
Karp, Ronald	Wilkins, Victor M.
Keltner, Kirby	Williams, Scott E.
Knapp, Robert E. Jr.	Wolf, Guy P.

20. AMENDMENT TO SERVICE LEASE WITH CENTRAL INVESTMENTS, LLC FOR COURT SPACE

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Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve and execute the forth amendment to full service lease No. L7156 with ~~Central~~ Century (Clerk's Note, not part of the regular minutes: Correct typo from Central to Century.) Investments, LLC, an Arizona Limited Liability Company, Lessor, for 7,587 square feet of court space located at 9550 W. Van Buren Street, Tolleson, Arizona. This amendment will adjust the rental rate for the current lease term, amend the lease term to commence on March 1, 2008 and terminate on February 28, 2012. The lease contains a 10-month termination provision and a six-month hold over provision. The rental rate is:

BASE YEAR	MONTHLY RATE	ANNUAL RATE plus rental tax
2007-08	\$16,005	\$192,060
2008-09	\$16,005	\$192,060
2009-10	\$16,005	\$192,060
2010-11	\$16,005	\$192,060
2011-12	\$16,005	\$192,060

In addition to the base rent outlined above, Lessee shall reimburse Lessor annually for Lessee's proportionate share of the increase in operating and maintenance expense above the Base Year 2007. (C2498010404)

DEPUTY COUNTY MANAGER

Correctional Health

21. WAIVER TO PERFORMANCE BASED SALARY ADVANCEMENT PLAN

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a waiver to the FY 2007-08 Performance-Based Salary Advancement Plan, Section VI. This waiver would allow a non-merit salary advancement to \$13.78 per hour for Jose A. Gutierrez retroactively to June 4, 2007. Correctional Health will absorb the financial impact of a retroactive pay raise for Mr. Gutierrez. (C2608006000) (ADM3308-001)

22. TRANSFER EXPENDITURE AUTHORITY FOR TELECOMMUNICATIONS PORTION OF THE TENANT IMPROVEMENTS OF THE DURANGO PARKING GARAGE

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the transfer of expenditure authority between Non-Departmental (470) Non-Departmental Grants Fund (249) and the Office of Enterprise Technology (410) Telecommunications Fund (681). This action will require an expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) Non-Departmental Grants Fund (249) by \$600,000 and increasing the FY 2007-08 Office of Enterprise Technology (410) Telecommunications Fund (681) by \$600,000. This adjustment will use fund balance to pay for the Telecommunications portion of the Tenant Improvements of the Durango Parking Garage. This adjustment will result in a countywide net impact of zero. (C4108004000) (ADM2700-003)

Public Health

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23. **AMEND AGREEMENT FOR DIETETIC INTERNS TO RECEIVE VOLUNTEER CREDIT THROUGH PROJECT AYUDA**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Amendment No. 1 to the Memorandum of Agreement: Linkage Agreement Between Project Ayuda and Participating Agencies with Paradise Community College, by and through its Office of Service Learning/Project Ayuda, and the Maricopa County Department of Public Health (MCDPH). The Memorandum of Agreement allows MCDPH dietetic interns to receive volunteer credit through Project Ayuda. The purpose of this amendment is to extend the term of the agreement from January 1, 2008 through December 8, 2008. This agreement is non-financial. All other terms and conditions of the original agreement shall remain in full force and effect. (C8607062001)

24. **AMEND AGREEMENT WITH MADISON SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Amendment No. 1 to Intergovernmental Agreement (IGA) No. C86074822 with the Madison School District to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment is effective upon execution by both parties and exercises the option in the agreement per Section 1, paragraph 24 to extend the agreement for a one year period starting upon full-execution of the agreement to May 1, 2008. This amendment also provides additional funds to the Madison School District in the amount of \$4,000 for the budget period July 1, 2007 through May 1, 2008. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. (C8607482201)

25. **IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TEEN PREGNANCY PREVENTION PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the Intergovernmental Agreement (IGA) HG861252 between the Arizona Department of Health Services (ADHS) and Maricopa County Department of Public Health for the Teen Pregnancy Prevention Program designed to help reduce pregnancies among teens by implementing programs to educate and train parents/caregivers of teens. The term of the IGA is from January 1, 2008 through December 31, 2008 and provides for funding in the amount of \$229,837.

The Department of Public Health's indirect rate for FY 2007-08 is 18.0%. This grant allows for full indirect cost reimbursement at \$35,060.

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 \$114,919. The appropriations adjustment is necessary because these funds were not included in the FY 2007-08 Adopted 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

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constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8608037300)

26. IGA WITH MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT FOR EMPLOYEE PARTICIPATION IN LEARNING EXPERIENCES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve an intergovernmental agreement (IGA) C90080011 between the Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS) and the Maricopa County Department of Public Health (MCDPH). The purpose of the agreement is to allow MCDPH WIC and Breastfeeding Peer Counselor Program employees to participate in learning experiences, provide breastfeeding support to MIHS patients, and to enroll MIHS patients in the Maricopa County WIC program. The agreement is non-financial. The term of the agreement is from January 1, 2008 through December 31, 2012. (C8608040000)

27. AFFILIATION AGREEMENT WITH UNIVERSITY OF NORTHERN IOWA FOR TRAINING EXPERIENCE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the Affiliation Agreement entitled "Off-Site Preceptor Student Rotation Training Agreement" between the University of Northern Iowa (UNI) and the Maricopa County Department of Public Health to provide training experience for UNI health and physical education and other students in the Department of Public Health Office of Health Promotion and Education. The agreement is non-financial, and is effective from January 1, 2008 through June 30, 2012. (C8608041000)

28. AFFILIATION AGREEMENT WITH WALDEN UNIVERSITY FOR TRAINING EXPERIENCE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the Affiliation Agreement entitled "Off-Site Preceptor Student Rotation Training Agreement" between Walden University and the Maricopa County Department of Public Health to provide public health training experience for Walden students in the Department of Public Health Epidemiology program. The agreement is non-financial, and is effective from December 1, 2007 through June 30, 2012. (C8608042000)

29. LEASE WITH ST. MARY'S FOOD BANK ALLIANCE FOR OFFICE/CLINIC SPACE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve and execute lease No. L7403 with St. Mary's Food Bank Alliance, Lessor, for 4,488 square feet of office/clinic space located at 3003 W. Thomas Road, Phoenix, AZ, 85009. The rental rate is \$12.00 s/f or an annual rate of \$53,856.00 plus rental tax. The lease provides for an option to renew for five additional years. The lease will commence upon approval by the Board of Supervisors and will terminate five years thereafter. The lease contains a 90 day termination provision and a six month holdover provision. (C8608046400)

30. TERMINATION OF LEASE WITH DAVID J. MCHENRY FAMILY TRUST

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve termination of Lease No. L7217 with David J. McHenry Family Trust,

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Lessor, for the Thomas Road WIC facility located at 2821 N. 33rd Avenue, Phoenix, Arizona. The lease provides an early termination option with, no penalty, by giving 180-day written advance notice. The termination will be effective on or about July 1, 2008. This approval will formally exercise the termination option. (C8696073404)

ASSISTANT COUNTY MANAGER – COMMUNITY SOLUTIONS AND INNOVATION

Human Services

31. APPLICATION AND ACCEPTANCE OF GRANT FUNDS FOR HEAD START HEALTHY MARRIAGE INITIATIVE PROJECT

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the application and acceptance of grant funds from U.S. Department of Health and Human Services/Administration for Children and Families (DHHS/ACF), Grant No. 90YD0225, in the amount of \$411,772 every year for five years. These grant funds are for the Head Start Healthy Marriage Initiative Project. Authorize the Chairman to sign all documents related to these grant funds. The grant funds may be expended for indirect costs which may be incurred by the Human Services Department or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Human Service's composite indirect cost rate at 16.5%. The total recoverable FY 2007-08 amount is \$43,740. Also, approve revenue and expenditure appropriation adjustments to the Human Services Department, Department #220, Human Services Grants, fund #222, associated with the grant in the amount of \$308,829 for FY 2007-08 only, FY 09 - FY 13 is \$411,772 per year. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2208128300)

32. CONTRACT WITH PIMA PREVENTION PARTNERSHIP FOR HEALTHY MARRIAGE EDUCATION SERVICES

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a contract between Pima Prevention Partnership and Maricopa County's Human Services Department for the provision of Healthy Marriage Education Services to 400 Head Start and Early Head Start parents. The contract amount is \$336,600. Funding under this agreement is based on "Financial Assistance Award" by the funding source, U.S. Department of Health and Human Services (DHHS). This contract is effective on September 30, 2007, and shall terminate September 29, 2008. This contract does not include any County general funds. (C2208129100)

33. ADMINISTRATIVE CORRECTION TO IGA WITH MARICOPA COUNTY HOUSING AUTHORITY FOR LEASE OF HEAD START CLASSROOM AND PLAYGROUND FACILITY

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve an administrative correction to the Intergovernmental Agreement (IGA) No. C2205100201 previously approved by the Board on December 5, 2007. This action specifies that this IGA is between the Maricopa County Housing Authority and Human Services Department for a Lease Agreement (L7401) on a Head Start classroom and playground facility

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located at the Kuban Housing Development, 5834 E. Santos Bravo, #1 and #2, Guadalupe, Arizona. This administrative correction further specifies that the annual utility fees are as follows:

YEAR	MONTHLY RATE	ANNUAL RATE plus rental tax
2007-08	\$160.00	\$1,920.00
2008-09	\$168.00	\$2,016.00
2009-10	\$176.40	\$2,116.80

The term of this agreement is for three years commencing July 1, 2007 through June 30, 2010. All other terms and conditions of this agreement shall remain unchanged. (C2205100202)

CHIEF FINANCIAL OFFICER

Animal Care & Control

34. DONATIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to accept the monetary donation from Lynn Morrison of Scottsdale, AZ in the amount of \$1,000 and Jean Tichenor of Paradise Valley, AZ in the amount of \$482 for the care of the animals. Donation revenue funds are deposited into Fund 573 as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908051700)

35. AMEND AND REALLOCATE RESTRICTED DONATION FUNDS RECEIVED FROM FRIENDS OF ANIMAL CARE & CONTROL

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to amend and reallocate restricted donation funds received from Friends of Animal Care & Control of Phoenix, Arizona in the amount of \$91,539 previously approved by the Maricopa County Board of Supervisors on June 8, 2005 (C7905092700). Reallocated funds will be used for the Big Fix Spay/Neuter Voucher Program. Reallocation in restricted funds include \$10,000 from the Volunteer portion of the Animal Welfare and Safety Net Division, \$5,639 from Spay Days, \$4,400 from Low-Income Spay Neuter Subsidy, and \$71,500 previously designated for a new Staff Veterinarian for the Animal Welfare and Safety Net Division. The remaining restricted funds do not apply to this change in designation.

Also, in accordance with A.R.S. §42-17106(B), approve the transfer of expenditure authority between the Non-Departmental (470) and Non-Departmental Grants Fund (249) and the Animal Care and Control (790) Animal Care and Control Donations Fund (573). This action will require an expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) Non-Departmental Grants Fund (249) by \$91,539 and increasing the FY 2007-08 Animal Care and Control (790) Animal Care and Control Donation Fund (573) by \$91,539. These adjustments will result in a County-wide net financial impact of zero and will allow the Animal Care and Control Department to reallocate funding to the Big Fix Spay/Neuter Voucher Program.

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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. (C7908050700) (ADM2300-006)

Finance

36. FUND TRANSFERS; WARRANTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) 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.

37. DECLARE REAL ESTATE PARCELS AS SURPLUS PROPERTY

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to declare two real estate sub-parcels of parcel 401-30-015 west of the Hassayampa Solid Waste Transfer Station to be surplus property and authorize them to be sold at auction by Real Estate Services. These sub-parcels have been appraised by a State certified licensed appraisers and will be auctioned either by oral or sealed bid to the public or, if to a municipality or other government entity, at fair market value, without an auction, all as provided for in A.R.S. §11-251 Paragraph 9. Also, authorize the Chairman of the Board to execute all necessary documents approved by County Counsel to complete the sale of the parcels to the qualified bidder(s). (C1808034B00) (ADM812)

38. RENEGOTIATION OF ADMINISTRATIVE AGREEMENT FOR 457 DEFERRED COMPENSATION PLAN

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to authorize the use of not-to-exceed \$10,000 from General Government (450) General Fund (100) Consultants Reserve (4524) for Mercer Consulting to assist with the renegotiation of the existing Administrative Agreement for the Maricopa County 457 Deferred Compensation Plan. (C1808035800) (ADM3323)

Materials Management

39. SOLICITATION SERIALS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) 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

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- 07078-C Vehicle Emergency Light System, Light/Bar Components & Accessories** (\$450,000 estimate/three years with three one-year renewal options) Price agreement for the purchase of a full line of emergency vehicle equipment, lighting and related components for Maricopa County public safety vehicles as requested by the Equipment Services Department.
- o Arizona Emergency Products
 - o Drake Truck & Trailer
 - o The Lighthouse, Inc.
 - o LSH Lights
 - o Tomar Electronics, Inc.
- 07125-RFP Head Start and Early Head Start Substitute Teachers and Teachers Aides** (\$450,000 estimate/three years with three one-year renewal options) Contract to provide Head Start and Early Head Start teachers, substitute teachers and teacher aides as required by the Human Services Department.
- o Provincia Staffing

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 January 31, 2010

- 03198-C Paint and Paint Supplies** (\$700,000 estimate/two years) Price agreement renewal to provide paint and paint supplies as requested by the Facilities Management and Transportation Departments.
- o Dunn-Edwards Corp.

Parks and Recreation

40. TRANSFER EXPENDITURE AUTHORITY FOR THE USERY ENTRY STATION PROJECT

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to transfer expenditure authority of \$8,510 from the Restroom Projects Phase 3 (REST) project to the Entry Station, Monuments, and Restroom (ENTR) project within the Appropriated Fund Balance (480) General Fund Capital Improvement Fund (445).

Funding for both projects was approved by the Board of Supervisors on June 19, 2006 as a part of the FY 2006-07 Capital Improvement Program budget. The Restroom Projects Phase 3 project spending is projected to be under budget in FY 2007-08 and this action transfers funding between projects. (C3008013800) (ADM800-03)

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Planning and Development

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41. **IGA WITH THE CITY OF LITCHFIELD PARK**

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an intergovernmental agreement between the City of Litchfield Park and Maricopa County allowing Maricopa County platting and permitting authority within city jurisdiction and authorize the execution thereof by the Chairman. The effective date of this agreement begins on October 17, 2007, and may not otherwise be terminated except by mutual agreement of the governing bodies of the City of Litchfield Park and Maricopa County. (C4408008000)

42. **ORDINANCE FOR MARICOPA COUNTY AGGREGATE MINING OPERATIONS DISTRICT #1**

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to adopt Ordinance #1 for the Maricopa County Aggregate Mining Operations District #1 (C4408009000) (ADM3441)

**ORDINANCE # 1
MARICOPA COUNTY AGGREGATE MINING OPERATIONS ZONING DISTRICT # 1**

Whereas ARS§11-830, Sections D, E, and F authorizes the Maricopa County Board of Supervisors to establish an aggregate mining operations zoning district, to appoint a recommendation committee for the district, and to adopt ordinances to enact administrative regulations recommended by the recommendation committee of the aggregate mining operations zoning district; and

Whereas the Maricopa County Aggregate Mining Operations Zoning District # 1 (District) was established on September 13, 2004, and the District boundaries were set on October 6, 2004 to include all territory within a one mile radius of the floodway of the main channel of the Agua Fria River from the Central Arizona Project Canal to Grand Avenue; and

Whereas the Maricopa County Aggregate Mining Operations Zoning District # 1 Recommendation Committee (Committee) was appointed comprised of five mining industry representatives and five persons not related to the mining industry who reside within one mile of an existing or proposed mining operation within the district; and

Whereas the Committee reviews compatibility issues between aggregate mining operations and proximate residential neighborhoods within the District; and

Whereas the Committee, in conjunction with the State Mine Inspector's Office, may recommend administrative regulations for aggregate mining operations within the District to the Maricopa County Board of Supervisors; and

Whereas the Committee on July 10, 2007 voted unanimously to recommend the following regulation, and on September 24, 2007 the State Mine Inspector's Office provided written concurrence with same; and

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Whereas the purpose of this regulation is to promote and protect the health, peace, safety, comfort, convenience and general welfare of the citizens of Maricopa County by regulating aggregate mining operations within the boundaries of the District;

Now therefore be it ordained that the Maricopa County Board of Supervisors hereby approves the following regulation for aggregate mining operations within the boundaries of the District and that the following regulation shall be effective for the Maricopa County Aggregate Mining Operations Zoning District # 1 from and after the passage of this Ordinance:

1. Alternative (i.e. broadband/low pitch/strobe) back-up alarms shall be used for all on-site/in-house vehicles within the mining district.
2. Due to costs and availability, alternative back-up alarms shall be phased in for on-site fleets including, mixers, loaders, and haulers incrementally within six months of the Maricopa County Board of Supervisors approval of this regulation.
3. Alternative back-up alarms shall be recommended for third party vehicles, brokers, and out-of-state contractors.
4. Traffic plans shall be established for sites operating in the mining district for safety and noise reduction purposes and adhered to by all drivers on-site. Vehicles without these alternative back-up alarms shall use the established forward traffic patterns for on-site mine traffic avoiding unnecessary use of alarms. This may not be practical for all service vehicles.

DATED this 19th day of December 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

43. AMEND AGREEMENT WITH CITY OF SURPRISE AND WASTE MANAGEMENT RELATED TO NORTHWEST REGIONAL LANDFILL ORIGINAL LANDFILL AIRSPACE

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve and execute Amendment No. 1 to Agreement (agenda item C67960312) between the City of Surprise, Waste Management Arizona Landfills, Inc a Delaware corporation formerly known as (fka) USA Waste Arizona Landfills, Inc., fka Sanifill of Arizona, Inc., and Maricopa County, to allow the height of 120 feet for the Northwest Regional Landfill and allow a disposal capacity consistent with the Original Landfill Airspace, as permitted by the original Special Use Permit approved by the Board on July 22, 1996. (F22338) (C440801000) (C6796031200)

ASSISTANT COUNTY MANAGER – PUBLIC WORKS

Facilities Management

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44. **CONTRACT WITH GILBANE BUILDING COMPANY FOR DOWNTOWN COURT TOWER PROJECT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve and award the design phase services Contract no. FMD-07-041, in a form authorized by the County Attorney, to Gilbane Building Company of Phoenix, Arizona, in an amount not-to-exceed \$2,000,000, effective July 30, 2007. This contract is for the design phase of the Downtown Court Tower project located in Phoenix, Arizona (Project No. 3325-07-380). (C7008022500)

45. **CONTRACT WITH PARCOMM FOR MANAGEMENT SERVICES FOR COURT TOWER PROJECT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve and award the program management services Contract No. FMD-08-020, in a form approved by the County Attorney, to PARCOMM, a subsidiary of Parsons Corporation of Phoenix, Arizona, in an amount not-to-exceed \$5,000,000 effective August 17, 2007. This contract is to provide program management and related services for the Maricopa County Downtown Court Tower project (Project No. 3325-07-380). [Clerk's note dated 3/26/08, not part of the minutes: PARCOMM is Parsons Commercial Technology Group, Inc. and this contract was effective August 20, 2007, not August 17.] (C7008024500)

Transportation

46. **EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) 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)

A229.D26 (DK)	Project No.: TT046 – Palm Lane (Hawes to 78 th St. Drainage) – Letter Agreement for a Temporary Construction Easement – Parcel No.: 219-23-014F – Steve and Kristi Adams - for the sum of \$100.00.
A138.003B (CS)	Project No.: TT102 – Williams Field and Higley –Warranty Deed – Parcel No.: 304-30-009B – Roosevelt Water Conservation District (Grantor) – for the sum of \$3,420.00.
A138.003B (CS)	Project No.: TT102 – Williams Field and Higley – Purchase Agreement and Escrow Instructions – Parcel No.: 304-40-009B – Roosevelt Water Conservation District.

47. **TRADE-IN OF EQUIPMENT**

Pursuant to Maricopa County Procurement Code MC1-803.D.3., motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the trade-in of four used Caterpillar 140H Motor Graders, valued at \$436,000 to be used as credit toward the purchase of three new Caterpillar 140M Motor Graders from Empire Machinery under the terms

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of IGA #07147. The IGA was established by Materials Management on September 18, 2007, for the purpose of purchasing motor graders for the Maricopa County Department of Transportation (MCDOT).

The County asset numbers of the four used Caterpillar 140H Motor Graders are as follows:

M0200082 (2001 ser. 2ZK07295)
M0200085 (2002 ser. 2ZK07442)
M0200086 (2002 ser. 2ZK07610)
M0200087 (2002 ser. 2ZK07611)

The purchase price of the three new 140M Motor Graders is \$807,712.56. With the trade-in credit of \$436,000, the net cost to the County is \$371,712.56. (C6408097M00) (ADM3104-001)

48. REIMBURSEMENT TO SRP REMOVAL AND RELOCATION OF POWER POLES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve reimbursement to Salt River Project (SRP) in the amount of \$53,028 for the removal and relocation of their power poles in conflict with Maricopa County Department of Transportation (MCDOT) project T262, Riggs Road and Power Road Intersection Improvements. The cost may not exceed the estimated amount of \$53,028.00 by more than 10%.

Also, approve and execute the referenced SRP Design and Construction contract, SRP Job Order JE6-90135.

This approved reimbursement and executed contract will be in effect for two years from the date of approval by the Board of Supervisors. (C6408105100)

49. REIMBURSEMENT TO ROOSEVELT WATER CONSERVATION DISTRICT FOR RELOCATION OF IRRIGATION FACILITIES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve reimbursement to Roosevelt Water Conservation District (RWCD) for the costs incurred in the relocation of 150 feet of their piped irrigation facilities which is in conflict with MCDOT Project T156 – Chandler Heights Road at 124th Street. The cost may not exceed the current estimate of \$85,286 by more than 10%. This approved re-imbursement will be in effect for two years from the date of approval by the Board. (C6408106M00)

50. JOINT RESOLUTION WITH FLOOD CONTROL DISTRICT FOR THE SALE, EXCHANGE OF REAL AND PERSONAL PROPERTY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to adopt Joint Resolution, FCD 2007R009, between the Flood Control District of Maricopa County and the Maricopa County Department of Transportation authorizing and directing the Transportation Director of Maricopa County Department of Transportation and/or his designee to dispose by sale, exchange or other lawful means real and personal property, including dirt, trees, and other natural resources to any political subdivision. The joint resolution provides the Transportation Director and/or his designee the sole discretion to dispose the natural resources as deemed most advantageous to Maricopa County, including setting a price of zero (“0”) dollars per unit. Sale of the natural resources to any other person or persons upon an

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invitation to bid would be in compliance with the requirements of A.R.S. § 9-402. A corresponding agenda item is found on the Flood Control District agenda under C6908025600. (C6408111M00) (ADM2000-005)

51. NEW TRAFFIC CONTROLS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve new traffic controls (No Stopping, Standing, Parking Anytime) on unincorporated right-of-way at the following location: (F23223)

- a. **A NO STOPPING, STANDING, PARKING ANYTIME ZONE** on Lower Buckeye Road from 1,365 feet west of Central Avenue east to 4th Street. (Both sides) (C6408108000)
- b. **A NO STOPPING, STANDING, PARKING ANYTIME ZONE** on 115th Avenue from 200 Feet South of Pinehollow Drive north to 114th Avenue. (West side only) (C6408109000)

52. TRAFFIC CONTROL CHANGES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve a change in traffic controls (Four Way Stop) on unincorporated right-of-way at the following location:

A Four Way Stop (from a Two-Way east/west Stop) at Peoria Avenue and Sarival Avenue. This partially rescinds the Through Street Resolution on Sarival Avenue dated December 15, 1965. (C6408107000) (F23223)

53. EXTEND CONTRACT WITH SALT RIVER PROJECT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an extension to the design and construction contract with Salt River Project (SRP) to June 30, 2008; and authorize expending the balance of the contract in the amount of \$11,303.85 from CIP Project TT114 in FY2008. The cost may not exceed the current total estimate of \$58,100.00 by more than 10%. (C6406045102)

54. AGREEMENT WITH TOWN OF QUEEN CREEK FOR IMPROVEMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the Agreement between Maricopa County, acting through the Maricopa County Department of Transportation (County), and the Town of Queen Creek (Town) for improvements to the intersection at Riggs Road and Sossaman Road. This Project (T261) is in coordination with an interrelated project between the County and the Queen Creek Unified School District (District). The purpose of this Agreement is to identify and define the responsibilities of the County and the Town for roadway improvements at the intersection of Riggs Road and Sossaman Road. The total cost of this Project is currently estimated at \$1,084,895. (C6408113200)

55. SOLICITATION OF BIDS FOR EL MIRAGE ROAD: DEER VALLEY ROAD TO LOOP 303, MCDOT PROJECT

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Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the solicitation of bids for El Mirage Road: Deer Valley Road to Loop 303, MCDOT Project No. T104A; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10%. (C6408114500)

56. APPLY AND ACCEPT A HIGHWAY EXPANSION AND EXTENSION LOAN PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and carried by majority vote (3-1-1), with Supervisors Kunasek, Stapley and Wilcox voting "aye" and Supervisor Wilson voting "nay" and Supervisor Brock absent, to authorize Maricopa County's Department of Transportation to apply for and accept a "Highway Expansion and Extension Loan Program" (HELP) loan from Arizona Department of Transportation in FY 2007-08 in an amount of up to \$25,683,000 to purchase the right-of-way needed for two Transportation Improvement Program (TIP) projects: This item was continued from the December 5, 2007 meeting. (Supervisorial District 5) (C6408090000)

- o MC 85 from 107th Avenue to 91st Avenue; and
- o MC 85 from 91st Avenue to 75th Avenue.

BOARD OF SUPERVISORS

Clerk of the Board

57. APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the following:

- a. **Community Development Advisory Committee:** The resignation of Levi Beard and appointment of Councilman Dave Rioux as the Alternate Representative for the Town of Buckeye to the Community Development Advisory Committee (CDAC). The term of appointment will be effective as of the date of Board approval through June 30, 2008. (C1708035900) (ADM1501-001)
- b. **Air Pollution Hearing Board:** The reappointment of Kim MacEachern to the Air Pollution Hearing Board as nominated by Supervisorial District 3. The term of the appointment will be effective as of the date of Board approval through August 23, 2008. (C0608049900) (ADM2352-001)

58. INDUSTRIAL DEVELOPMENT AUTHORITY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to adopt the following captioned Resolution on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). This item is being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings

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under which bonds of the Industrial Development Authority of the County of Maricopa are issued:
(C1808032A00)(ADM4792)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA REGARDING TO THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA SINGLE FAMILY MORTGAGE REVENUE BONDS, SERIES 2008A AND SERIES 2008B, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$400,000,000

59. INDUSTRIAL DEVELOPMENT AUTHORITY (GOODWILL INDUSTRIES OF CENTRAL ARIZONA, INC. PROJECT)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to adopt the following captioned Resolution on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). This item is being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued: (ADM4792) (C1808033000)

RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA RATIFYING THE CONDUCTING BY TOM MANOS OR HIS DESIGNEE OF TWO PUBLIC HEARINGS AS REQUIRED BY THE PROVISIONS OF SECTION 147 (f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED AND APPROVING (i) THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FLORENCE, ARIZONA (THE "AUTHORITY") TO ISSUE NOT TO EXCEED \$6,000,000 AGGREGATE PRINCIPAL AMOUNT OF ITS INDUSTRIAL DEVELOPMENT REVENUE BONDS (GOODWILL INDUSTRIES OF CENTRAL ARIZONA, INC. PROJECT), SERIES 2007 AND (ii) THE EXECUTION AND DELIVERY BY THE AUTHORITY OF CERTAIN LEASE DOCUMENTS FOR THE BENEFIT OF GOODWILL INDUSTRIES OF CENTRAL ARIZONA, INC. IN AN AMOUNT NOT TO EXCEED \$7,000,000. THE BOARD OF SUPERVISORS AUTHORIZES THE CHAIRMAN TO EXECUTE ALL REMAINING DOCUMENTS IN ACCORDANCE WITH THIS RESOLUTION

60. 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)

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

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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 District vouchers/warrants were presented for approval at this meeting. No update was given to the Board at this meeting.

~ Chairman Brock entered the meeting and received the gavel from Vice Chairman Kunasek ~

SETTING OF HEARINGS

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

Assessor

61. ADOPTION OF FEE SCHEDULE FOR IS AND GIS DATA PRODUCTS AND SERVICES

Pursuant to A.R.S. §11-251.08, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to set a public hearing for January 16, 2008, to consider the adoption of a proposed fee schedule charge for IS and GIS data products and services offered by the Assessor's Office, to be effective upon Board approval. Included in this proposed fee schedule is a new fee for rental registration, which permits the Assessor's Office to charge ten dollars for all rental property registrations and rental property registration changes as specified in A.R.S. §33-1902(l). (The fee schedule is on file in the Clerk of the Board's Office.) (C1208004M00)

Transportation

62. ROAD FILE DECLARATION

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, 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, January 16, 2008.

Road File No. (A388). Various streets, in the Town of Guadalupe, known as Calle Pitaya from Avenida Del Yaqui to Calle Gloria, Calle Gloria from Avenida Del Yaqui to Calle Batoua, Calle Batoua from Calle Pitaya to Calle Sonora, Mesquite Place from Calle Batoua to North Branch Highland Canal, Calle Sonora from Calle Batoua to Calle Vauo Nawi, Calle Batoua from Calle Sonora to Calle Magdalena, Calle Tomi from Calle Sonora to Calle San Angelo, Calle Magdalena from Avenida Del Yaqui to Calle Batoua, Calle Magdalena from Calle Tomi to Calle Vauo Nawi, Calle Batoua from Calle Magdalena to Calle San Angelo, Calle San Angelo from Avenida Del Yaqui to Calle Vauo Nawi, Calle Vauo Nawi from Calle San Angelo to Calle Iglesia, Calle Batoua from Calle Iglesia to Calle Mexico, Calle Tomi from Calle Iglesia to Calle Mexico, Calle Vauo Nawi from Calle Iglesia to Calle Mexico (C6408110000)

CONSENT AGENDA

Clerk of the Board

63. ARIZONA POLLUTION CONTROL CORPORATION

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Proceedings of Maricopa County, Arizona Pollution Control Corporation for the issuance of not-to-exceed \$60,300,000 Maricopa County, Arizona Pollution Control Corporation Pollution Control Revenue Refunding Bonds, 2008 Series (Public Service Company of New Mexico Palo Verde Project). (ADM5134)

64. ASRS CLAIMS

No claims were submitted by the Arizona State Retirement System for approval at this meeting. (ADM3309-001)

65. CANVASS OF ELECTIONS

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4300)

SPECIAL DISTRICT	ADM NO.
Rancho Grande Landerwood IWDD No. 24	4360-001
Puerto Cuatro IWDD No. 46	4383-001
Harquahala Valley Irrigation District	4329-001
Maricopa Water District No. 1	4391-001
Woolsey Flood Protection District	1914-001

66. CLASSIFICATION CHANGES

No Assessor recommended changes were requested for this meeting. (ADM723)

67. COMBINED CHARITABLE CAMPAIGN

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the acceptance of cash, not-to-exceed \$6,500.00, and in-kind contributions generated for the 2007 Combined Charitable Campaign through corporate sponsorships and donations. These contributions will support the expenses associated with the Maricopa County 2007 Combined Charitable Campaign and will also be used as incentives to encourage employee participation. Itemized listings of commitments and donations received are on file in the Clerk of the Board's Office. Approve depositing these funds into the General Fund (100). (ADM3311-001)

68. DONATIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the donation reports received from county departments for November 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810)

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69. DUPLICATE WARRANTS

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

COUNTY

NAME	WARRANT	FUND	AMOUNT
Kathleen J Ferraro	380007554	Expense	\$2,095.00
Ryan Donovan	280013738	Payroll	\$846.90
Timothy A Hoyt	280015805	Expense	\$115.00
Cardinal Health MPS	370030747	Expense	\$5,544.14
A Mind for Detail Inc.	380005755	Expense	\$854.68
Alan Long	380005628	Expense	\$12.00
John Carlson	280017929	Payroll	\$1,795.50

SCHOOLS

NAME	SCHOOL	WARRANT	AMOUNT
Sarah Madison	Wilson SD #7	33011	\$1,000.68
Jill Zbrzenzny	Madison Elem SD #38	38609447	\$1,134.97
BMI	Littleton Elem SD #65	470112967	\$393.21
Jeffrey Young	Agua Fria Union High SD #216	180041509	\$30.38
Jeffrey Young	Agua Fria Union High SD #216	180035991	\$16.88
R & M Sports	Agua Fria Union High SD #216	480028068	\$543.84

70. 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 Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. (ADM3308-006)

Market Range Title	Minimum	Midpoint/Hiring Maximum	Maximum
Director - Stadium District	\$52.88	\$64.90	\$76.92
Events Operations Manager	\$29.43	\$36.64	\$43.85
Probation Assistant	\$16.29	\$20.06	\$23.82
Program Coordinator	\$18.19	\$23.01	\$27.83
Operations/Program Supervisor	\$23.03	\$29.34	\$35.65
Operations/Program Manager	\$28.75	\$36.69	\$44.62
Social Worker	\$17.04	\$22.29	\$27.53
Social Worker Supervisor	\$21.37	\$25.85	\$30.32
Counselor	\$19.91	\$24.79	\$29.67
Counseling Supervisor	\$24.04	\$29.07	\$34.09

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Guardian/Estate Administrator \$17.04 \$22.29 \$27.53

71. MINUTES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the minutes of the Board of Supervisors meetings held October 10, 2007.

72. COUNTY FAIR RACING MEET

Pursuant to A.R.S. §11-251.24, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Maricopa County Fair, Inc., to conduct a county fair racing meet under the terms and at such time as provided in the application for the racing permit by the Maricopa County Fair, to the Arizona Department of Racing. (ADM150)

73. PRECINCT COMMITTEEMEN

Pursuant to A.R.S. §16-821, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and/or removal of precinct committeemen due to disqualification in accordance with lists dated December 19, 2007, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

74. SECURED TAX ROLL CORRECTIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve requests from the Assessor for correction of the Secured Tax Roll Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. (ADM705)

YEAR	FROM	TO	AMOUNT
2007	1471	29805	-\$1,477,451.02
2006	13857	14257	-\$235,751.24
2005	19557	19779	-\$158,611.54
2004	16111	16194	-\$27,909.02
2007	2352	30075	-\$304,213.48
2006	13863	14381	-\$138,483.00
2005	19776	19816	-\$4,760.26
2004	16195	16195	-\$684.46
2007	29030	30374	-\$1,603,516.48
2006	14368	14434	-\$69,149.62
2005	19820	19826	-\$195,427.74
2004	16218	16220	-\$7,893.78
2003	28194	28194	-\$14,274.14
2007	30070	30758	\$476,397.68

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2006	14382	14564	-\$151,996.96
2005	19817	19874	-\$6,144.96
2004	16216	16248	-\$5,495.58

75. SETTLEMENT OF PROPERTY TAX CASES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the settlement of tax cases dated December 19, 2007. (ADM704)

2007

TX2006-000441

76. STALE DATED WARRANTS

The Board of Supervisors finds 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)

Gwen McNeil \$659.72

77. TAX ABATEMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. (ADM708)

PARCEL NO.	YEAR	AMOUNT	PARCEL NO.	YEAR	AMOUNT
924-27-865	1992	\$7,791.60	200-76-003	2005	\$567.56
302-41-666	2000	\$610.64	200-76-003	2006	\$477.86
302-41-666	2001	\$654.74	212-34-954	2001	\$79.61
302-41-666	2002	\$686.90	212-34-954	2002	\$37.23
302-41-666	2003	\$644.40	212-34-954	2003	\$32.46
122-56-014	2002	\$4,601.80	212-34-954	2004	\$27.60
134-24-005P	2002	\$72.44	212-34-954	2005	\$49.13
134-24-005P	2003	\$975.78	212-34-954	2006	\$5.77
134-24-005P	2004	\$1,214.45	212-34-954	2007	\$4.31
134-24-005P	2005	\$1,150.86	303-11-002C	1994	\$11.36
134-24-005P	2006	\$912.61	303-11-002C	1995	\$11.16
134-24-005P	2007	\$952.45	303-11-002C	1996	\$10.74
200-76-003	1994	\$761.80	303-11-002C	1997	\$10.60
200-76-003	1995	\$610.89	303-11-002C	1998	\$11.16
200-76-003	1996	\$565.24	303-11-002C	1999	\$10.72
200-76-003	1997	\$852.38	303-11-002C	2000	\$10.18
200-76-003	1998	\$977.97	303-11-002C	2001	\$10.02
200-76-003	1999	\$858.42	303-11-002C	2002	\$9.96
200-76-003	2000	\$892.47	303-11-002C	2003	\$9.30

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PARCEL NO.	YEAR	AMOUNT	PARCEL NO.	YEAR	AMOUNT
200-76-003	2001	\$923.52	501-21-024	2000	\$206.84
200-76-003	2002	\$864.40	501-21-024	2001	\$193.84
200-76-003	2003	\$588.94	501-21-024	2002	\$191.58
200-76-003	2004	\$450.81	501-21-024	2003	\$50.24
304-87-111	2002	\$486.60	304-87-111	2001	\$177.72

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

78. PUBLIC COMMENT

Silverio Garcia spoke in Spanish to protest that the Board of Supervisors' meeting agenda and speaker slips are not printed in Spanish. (ADM605)

Supervisor Kunasek explained that Maricopa County follows the laws of Arizona and United States in official meetings.

Mark Tudi, Executive Director of the Phoenix Regional Sports Commission, and Daniel Shlossman, said they came to thank the Board of Supervisors and Maricopa County for the financial, community and public relations support given to the Commission during the Senior Softball World Championships held in October. He said the event was a huge success and they hope to retain the annual event in Phoenix through 2011. He believed this would continue to have widespread economic and community support and involvement.

Daniel Shlossman reported that 331 teams came to Maricopa County to participate in the tournament and over 10,000 visitors came to watch the games with a total economic impact, based on a Phoenix survey, of more than \$25 million. He said this is the largest senior softball event in the world that is held each year. He presented a team ball signed by the team members of one of the Japanese teams to the Board.

Supervisor Wilcox said this had been a wonderful event and a lot of fun for those over the age of 65 and the economic gains were a tremendous boost for the Valley.

Chairman Brock said the team ball would be proudly displayed on the 10th floor of the Administration Building.

Supervisor Stapley asked if there was really a softball player who was older than 90, as he had heard.

Mr. Shlossman said it was true and he had heard there were 14 players over the age of 85 with the base age of the players 65, although the age for senior players begins at 45.

Supervisor Wilson said he had difficulty in following more than a few words of one of today's speakers (Mr. Garcia) and referenced the baseball signed in another language (Japanese) in which he couldn't understand any words and said he does a better job with things that are spoken or written in English.

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Silvia Centoz spoke as a community activist in a County island in the Queen Creek area. She came to thank some members of MCDOT regarding road work done last year and this year, closing San Tan Blvd for a period of time in an area near Queen Creek where fissures developed. She said the MCDOT crew put in extra days to dig more deeply to build a different type of infrastructure. She referenced some of the serious issues with public safety and said she appreciated the emphasis put into rebuilding that one road. She praised the "very diligent group of workers who worked above and beyond the call of duty and took time to explain why they did the extra work."

Ms. Centoz also addressed some flood control issues in southeast Maricopa County adjacent to the Pinal County border. Some landowners had modified washes and now flooding could affect other landowners who had made no modifications. She asked the District to check into this for safety reasons.

79. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS

Supervisor Stapley said he had attended a very successful NACo Board of Directors meeting in Florida along with several other Arizona members. From there he went to Stockholm, Sweden for a government summit on global warming and the impact of technology on global warming. He said that several people obviously knew about Maricopa County's planned Innovation Center and the technology that will be available to local governments. He said the County already has "a reputation as being pretty innovative." (ADM606)

Supervisor Wilson took this opportunity at the end of 2007 to mention the services provided by Maricopa County employees and thanked them for the great job they do.

Supervisor Wilcox mentioned McBiz and the innovative ways they help small businesses and she wished everyone a happy 2008.

Chairman Brock commented on 2007 and the different kinds of things that came across the Supervisors' desks over the past 12 months. He said that every day is different in their work at the County. He added that ASU has established a liaison with the County and he welcomed Eric Sloan, Arizona State University's liaison to the County.

~ Supervisor Kunasek left the meeting ~

PLANNING AND ZONING AGENDA

David Smith left the dais and Victoria Mangiapane left the meeting at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. 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).

REGULAR AGENDA DETAIL:

- TA2007-02045 All Districts**
Applicant: Commission Initiative
Location: County-wide

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Request: Text Amendment to the Maricopa County Local Addition and Addenda to adopt the 2006 International Plumbing Code

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of TA2007-015. Commissioner Brooks seconded the motion, which passed with a unanimous vote of 8-0.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the Text Amendment and adopt the 2006 International Plumbing Code.

2. CPA2007-08 District 5 (Adoption is by Resolution)

Applicant: Withey Morris, PLC for Arizona State Land Department and Volkswagen of America, Inc.

Location: Approximately 10 miles west of the Town of Gila Bend and approximately 2 miles south of Interstate 8

Request: Change Comprehensive Plan land use designation from Rural Development Area to Industrial for an automobile proving ground facility (approximately 12,135 acres) – Gila Bend Proving Grounds

COMMISSION ACTION: Commissioner Johnson moved to recommend approval of CPA2007-08, subject to stipulations “a” through “f”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the narrative report entitled, “Volkswagen of America, Inc., Major Comprehensive Plan Amendment”, a document consisting of twenty-six (26) pages dated September 7, 2007, and stamped received October 16, 2007, except as modified by the following stipulations.
- b. If a Special Use Permit to allow an automobile proving ground facility has not been approved by the Board of Supervisors within five (5) years from the date of comprehensive plan amendment approval, this comprehensive plan amendment will be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider reverting the Industrial designation back to the previous Rural Development Area designation. Further, should this designation be reverted, all zoning and other entitlement changes approved as part of this project shall also be considered for reversion by the Board of Supervisors to the previous entitlements.
- c. When the Special Use Permit to allow an automobile proving ground facility has expired, this comprehensive plan amendment will be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider reverting the Industrial designation back to the previous Rural Development Area designation. Further, should this designation be reverted, all zoning and other entitlement changes approved as part of this project shall also be considered for reversion by the Board of Supervisors to the previous entitlements.
- d. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this major comprehensive master plan due to non-compliance with any of the approved stipulations or other conditions of approval.

- e. That the following Drainage Administration stipulations shall apply:
1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
 2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- f. The following MCDOT stipulations shall apply:
1. The applicant shall provide a Traffic Impact Study (TIS.) The TIS shall comply with MCDOT requirements and include information as to the number, type, origination/destination of trips generated, etc. The TIS must be approved before any subsequent approvals (Special Use Permit.) The project must comply with all recommendations in the MCDOT-approved TIS.
 2. Thayer Road, west of SR 85 and east of State Land traverses through private property. The Applicant should obtain legal right to operate and maintain the private access road. Maricopa County plans to cease and desist maintenance of the current portions of Thayer Road (0.8 miles west of SR 85) and Potatoe Road beginning in section 10/11-6S-6W (4.5 miles.) It is recommended that the applicant obtain a private maintenance agreement between the Arizona State Land Department (ASLD) and/or the Town of Gila Bend for continued maintenance of the 13 mile private access road.
 3. Per item #2, provide information as to the type of road that will be constructed (i.e. dirt, asphalt, chip seal.)
- g. The following MCESD stipulations shall apply:
- A new Public Water System (PWS) will be required for this project. A PWS number must be obtained from MCESD prior to any support for further entitlements.
- h. That the following Sheriff's Office stipulations shall apply:
1. Adequate lighting shall be installed at the main entrance for nighttime security.
 2. That a sign be installed at the main entrance indicating the owner/operators immediate 24 hour emergency contact information.
- i. The following ADOT stipulations shall apply:
1. Submit a Traffic Impact Analysis for review and comment at the time of Special Use Permit application submittal.

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2. That new auxiliary lanes for egress and ingress shall be provided along State Route 85 at Thayer Road intersection or new access improvements at I-8 if deemed necessary by ADOT and approved Traffic Impact Analysis to accommodate the increased turning movements generated by this development.
- j. That the following Luke Air Force Base stipulations apply:
1. Outside lighting shall be directed downward.
 2. The proposed use shall not be operated in a manner that would impair visibility or otherwise interfere with operating aircraft.
- k. That the following SHPO stipulation shall apply:
- An archaeological survey of the subject property shall be conducted prior to approval of Special Use Permit to locate and evaluate any cultural resources on the site. Once complete, a report of the results shall be provided to the Arizona State Historic Preservation Officer for review and comment before any ground disturbing activities related to development are initiated. The applicant shall perform an archaeological analysis to evaluate the eligibility of cultural resource sites for the National or State Register of Historic Places. If Register eligible properties cannot be avoided by development activities, then the Arizona SHPO shall determine if a data recovery (excavation) program is necessary. Should federal permits be required for the project, then any archaeological work performed must meet the Secretary of Interior Standards, and will be subject to the National Historic Preservation Act.
- l. That the following State Fire Marshall's stipulations shall apply:
1. Provide water to meet fire flow requirements based on type of construction and sizes of buildings.
 2. Provide fire lanes for emergency response access with 25 feet inside and 50 feet outside turning radii.

Darren Gerard reported on the history of this case. Supervisor Wilcox said that this will provide employment and bring other benefits to District 5.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to concur with the Planning Commission for approval by resolution with stipulations "a" through "l" and the following revision to language in stipulation "k":

- k. That the following SHPO stipulation shall apply:
- An archaeological survey of the subject property shall be conducted prior to approval of ~~Special Use Permit~~ any grading permit or other ground disturbing activity to locate and evaluate any cultural resources on the site. Once complete, a report of the results shall be provided to the Arizona State Historic Preservation Officer for review and comment

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before any ground disturbing activities related to development are initiated. The applicant shall perform an archaeological analysis to evaluate the eligibility of cultural resource sites for the National or State Register of Historic Places. If Register eligible properties cannot be avoided by development activities, then the Arizona SHPO shall determine if a data recovery (excavation) program is necessary. Should federal permits be required for the project, then any archaeological work performed must meet the Secretary of Interior Standards, and will be subject to the National Historic Preservation Act.

RESOLUTION OF AMENDMENT
Eye to the Future 2020, Maricopa County Comprehensive Plan
Resolution Amending the Maricopa County Comprehensive Plan
Case Number: CPA 200708
Gila Bend Proving Grounds

BE IT RESOLVED by the Maricopa County Board of Supervisors as follows:

WHEREAS, Maricopa County adopted its Comprehensive Plan in accordance with Title 11, Section 806 of the Arizona Revised Statutes to help bring about coordinated physical development consistent with the present and future needs of Maricopa County; and

WHEREAS, Eye to the Future 2020, the Maricopa County Comprehensive Plan, recognizes the importance of having a comprehensive plan amendment process so that this plan can be responsive and flexible to meet the changing conditions of Maricopa County; and

WHEREAS, Maricopa County has an approved process where specific criteria is used to determine when comprehensive plan amendments are necessary, how comprehensive plan amendments are to be processed, and at what point comprehensive plan amendments can be presented at a public hearing by the Board of Supervisors, upon recommendation by the Planning and Zoning Commission; and

WHEREAS, Case number CPA200708 meets the requirements for a comprehensive plan amendment and was processed according to the approved Maricopa County Comprehensive Plan Amendment Guidelines, including all legal notification requirements; and

WHEREAS, Title 11, Section 824 of the Arizona Revised Statutes requires that amendments to the Comprehensive Plan be approved by resolution of the Board of Supervisors; and

WHEREAS, the Maricopa County Board of Supervisors has carefully considered this comprehensive plan amendment application, has held a public hearing regarding this comprehensive plan amendment application, and finds that this comprehensive plan amendment constitutes an overall improvement to the Maricopa County Comprehensive Plan and to Maricopa County in general.

NOW, THEREFORE BE IT RESOLVED that the comprehensive plan amendment application for case number CPA200708, is hereby approved this 19th day of December 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

~ Supervisor Kunasek entered the meeting ~

3. **CPA2007-09 District 4 (Adoption is by Resolution) – CONTINUED**
Applicant: Withey Morris, PLC for BVPG Holdings, LLC
Location: Southwest corner of 227th Avenue and the Carefree Highway alignment & Grand Avenue (US 60)
Request: Change the White Tank/Grand Avenue Area Plan land use designation from Rural Residential (0-1 d.u./ac.) to Small Lot Residential (2-5 d.u./ac.) and High Density Residential (15+ d.u./ac.) (approximately 157.2 acres) – Grand Oasis

COMMISSION ACTION: Commissioner Aster moved to recommend approval of CPA2007-09, subject to stipulations “a” through “m”. Commissioner Barney seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development shall comply with the Comprehensive Plan Amendment document entitled “Grand Oasis - A Residential Subdivision”, a bound document, dated October 19, 2007, including all exhibits, maps, and appendices, except as modified by the following stipulations.
- b. Changes to the Grand Oasis Major Comprehensive Plan Amendment with regard to use and intensity, or the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. Revised applications shall be in accordance with the applicable Comprehensive Plan Amendment Plan Guidelines, zoning ordinance, and subdivision regulations in effect at the time of amendment application. Non-compliance with the approved Grand Oasis Major Comprehensive Plan Amendment, including the narrative report, maps, exhibits, or approved stipulations, constitute a violation in accordance with the Maricopa County Zoning Ordinance.
- c. If the initial final plat for this project has not been approved within seven (7) years from the date of comprehensive plan amendment approval, this comprehensive plan amendment will be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider reverting the Small Lot Residential (2-5 d.u./ac.) and the High Density (15+ d.u./ac) back to the previous Rural Residential (0-1 d.u./ac) designation. Further, should this designation be reverted, all zoning and other entitlement changes approved as part of this project shall also be considered for reversion by the Board of Supervisors to the previous entitlements.
- d. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this major comprehensive master plan due to non-compliance with any of the approved stipulations or other conditions of approval.
- e. The total number of residential units shall not exceed 1,176 dwelling units.
- f. Not less than 8% of open space shall be provided for mini-parks, parks or other open space uses. A description of the types of recreational amenities that will be included in the open space and mini-park areas shall also be submitted with all zone change applications and with all preliminary plats to the Maricopa County Planning and Development Department.

- g. Prior to any zoning change, the master developer shall enter into a pre-annexation service agreement with the City of Surprise. Further, prior to any rezoning approval this pre-annexation service agreement shall be signed by both the Master Developer and the designated City of Surprise representatives and provided to the Maricopa County Planning and Development Department for public record.
- h. The following MCDOT stipulations shall apply:
1. The Developer shall provide a new Traffic Impact Study (TIS). The TIS shall comply with MCDOT requirements and shall address development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The TIS must be approved before subsequent approval of any roadway improvement plans. The TIS shall be updated prior to any zoning (rezoning) and/or plat approvals and with each development phase to reflect current conditions and any changes to the development plan. The need for additional lane capacity on offsite alignments will be reviewed with each re-submittal of the TIS. The project must comply with all recommendations in the MCDOT-approved TIS.
 2. The Developer shall make a contribution to regional transportation infrastructure. The contribution shall be \$3,281.00 per residential dwelling unit. The Developer may construct certain off-site street improvements in lieu of payment of this contribution. Such off-site street improvements must be "system roadways," must be all-weather facilities, must meet county standards in effect at the time they are improved, and must be pre-approved by MCDOT. MCDOT shall require a Development Agreement to detail the specifics of construction, including phasing and timing. If the Developer does not construct certain off-site street improvements, the Developer shall pay the contribution amount at the time individual building permits are issued, or per an alternate agreement as approved by MCDOT.
 3. If required per item #2 above, a Development Agreement shall be executed prior to any zoning or preliminary plat approval. The Development Agreement shall be an enforceable contract, regardless of annexation.
 4. The Applicant shall provide right-of-way for all public roadways as follows:
 - a) Arterials: 65 Feet Half-width; 130 Feet Full-width
 - b) Collectors: 40/30 Feet Half-width; 80/60 Feet Full-width
 - c) Residential/Locals: 25 Feet Half-width; 50 Feet Full-width
 5. The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments). Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where 'half' of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn

lanes are possible. The widened right-of-way section shall accommodate dual left turn lanes, including reverse curves.

6. The Developer shall be responsible for the design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways. Where applicable, "half-width" construction must safely convey two directions of traffic until the ultimate roadway is constructed. All roadways must meet all county standards in effect at the time. (This includes, but is not limited to the "MCDOT Roadway Design Manual," including ITS infrastructure requirements and the "Drainage Policies and Standards for Maricopa County.") The Developer shall relocate any "obstructions" (well sites, etc.) and/or provide additional right of-way in the event of conflict with any transportation facilities. Roadway improvement plans must be approved and permitted by MCDOT.
7. The Developer is responsible for assuring paved access to their site at the time of the first final plat. Improvements necessary to provide paved access may or may not be creditable to the Applicants contribution referred to in item 2.
8. The Developer shall provide all-weather access to all parcels and lots.
9. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.
10. The Developer shall not locate elementary or middle schools on arterial roads. (The schools may not "back up" to arterials.) Pedestrian routes to school shall be planned so if necessary, the route to school shall only cross arterials at signalized intersections.
11. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation between uses within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated.
12. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of the Superintendent of Streets (602-506-8797) to initiate the SLID process.
13. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to Home Owner's Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.
14. The Developer shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.

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15. The Developer shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)
 16. The Developer shall coordinate with the City of Surprise and provide written documentation of the City's comments.
 17. The Developer shall coordinate with ADOT and provide written documentation of ADOT's review and requirements.
- i. Prior to the approval of the first Final Plat or the first Approval to Construct (whichever comes first), final detailed Water and Wastewater Master Plans (both onsite and offsite) must be submitted to MCESD, under application and fee, for review and approval. No final plats or Approvals to Construct will be issued prior to approval of these Final Master Plans. A Certificate of Assured Water Supply must be obtained for the development prior to recordation of the final plat. Approval is predicated on water and sewer services being provided by the City of Surprise.
- j. The following Drainage Administration stipulations shall apply:
1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
 2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- k. The following Maricopa County Library District stipulation shall apply:
- A quality of life assessment of \$596 for each housing unit built shall be made available to the Maricopa County Library District at the time of building permit issuance.
- l. The following SHPO stipulation shall apply:
- Prior to zone change application, the applicant submit to SHPO the proposed treatment plan for AZ T:2:50 (ASM) as recommended in the cultural resources survey [An Archaeological Survey of 158 Acres for the Grand Oasis Development Located Approximately 1.5 Miles Northwest of Wittmann in Northern Maricopa County, Arizona] by SWCA Environmental Consultants.
- m. The following LAFB stipulation shall apply:
- The master developer shall notify future homeowners that they are located within the state-defined "Luke AFB Auxiliary Field #1" with the following language:

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"You are buying a home or property near the Luke AFB Auxiliary Field #1. Aircraft flying in this auxiliary field are authorized to fly as low as 1,500 feet above the ground. You will be subject to direct overflights and noise by Luke Air Force Base jet aircraft in the vicinity.

Luke Air Force Base executes over 13,000 flight operations per year over the auxiliary field. 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 base to the auxiliary field and other flight 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 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.

Darren Gerard reported on this request to change the land-use designation.

Bill Lally represented the applicant and requested a continuance for 60 days to give them time to resolve some problem areas.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to continue this item for 60 days, to the February 20, 2008, meeting.

- 4. CPA2007-10 District 5**
Applicant: Lazarus & Associates for Verma Family, LP
Location: South side of Interstate-8, approximately 1 miles west of the Painted Rock Dam Road alignment
Request: Change Comprehensive Plan land use designation from Rural Development Area to Industrial for a grain handling/processing facility – Painted Rock Grain Handling Facility

COMMISSION ACTION: Commissioner Johnson moved to recommend approval of CPA2007-10, subject to stipulations "a" through "j". Commissioner Aster seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the narrative report entitled, " A Major Comprehensive Plan Amendment Painted Rock Grain Handling Facility", a document

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consisting of ten pages dated October, 2007, and stamped received October 25, 2007, except as modified by the following stipulations.

- b. If a Special Use Permit to allow a grain handling/processing facility has not been approved by the Board of Supervisors within three (3) years from the date of comprehensive plan amendment approval, this comprehensive plan amendment will be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider reverting the Industrial designation back to the previous Rural Development Area designation. Further, should this designation be reverted, all zoning and other entitlement changes approved as part of this project shall also be considered for reversion by the Board of Supervisors to the previous entitlements.
- c. When the Special Use Permit to allow a grain handling/processing facility has expired, this comprehensive plan amendment will be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider reverting the Industrial designation back to the previous Rural Development Area designation. Further, should this designation be reverted, all zoning and other entitlement changes approved as part of this project shall also be considered for reversion by the Board of Supervisors to the previous entitlements.
- d. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this major comprehensive master plan due to non-compliance with any of the approved stipulations or other conditions of approval.
- e. The following MCESD stipulation shall apply:

The total number of employees at the site shall be capped at (15) fifteen. A Public Water System will be required if additional employees exceeding fifteen are required.
- f. The following SHPO stipulation shall apply:

An archaeological survey of the subject property shall be conducted prior to approval of any Special Use Permit to locate and evaluate any cultural resources on the site. Once complete, a report of the results shall be provided to the Arizona State Historic Preservation Officer for review and comment before any ground disturbing activities related to development are initiated. The applicant shall perform an archaeological analysis to evaluate the eligibility of cultural resource sites for the National or State Register of Historic Places. If Register eligible properties cannot be avoided by development activities, then the Arizona SHPO shall determine if a data recovery (excavation) program is necessary. Should federal permits be required for the project, then any archaeological work performed must meet the Secretary of Interior Standards, and will be subject to the National Historic Preservation Act.
- g. The following Drainage Administration stipulations shall apply:
 1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.

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2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- h. That the following Arizona State Fire Marshall's stipulations shall apply:
 1. Provide water for fire flow requirements for administration.
 2. All construction is to meet the requirements of the Building Code Official having jurisdiction.
- i. That the following ADOT stipulation shall apply:

That no building permits be issued prior to the applicant obtaining legal access from ADOT.
- j. That the following Luke Air Force Base stipulation shall apply:

That construction plans be submitted to Luke Air Force Base for review and comment prior to issuance of any development permits. (Construction plans and oversized construction equipment may require submittal of an FAA Form 7460-1, Notice of Proposed Construction or Alteration.)

Darren Gerard reported on the background of this case. He said there is no known opposition and it is viewed as an economic development opportunity for the southwestern portion of the County. The recommendation is for approval. Supervisor Wilcox felt this use would be beneficial to the area.

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

RESOLUTION OF AMENDMENT
Eye to the Future 2020, Maricopa County Comprehensive Plan
Resolution Amending the Maricopa County Comprehensive Plan
Case Number: CPA 200710
Painted Rock Grain Handling Facility

BE IT RESOLVED by the Maricopa County Board of Supervisors as follows:

WHEREAS, Maricopa County adopted its Comprehensive Plan in accordance with Title 11, Section 806 of the Arizona Revised Statutes to help bring about coordinated physical development consistent with the present and future needs of Maricopa County; and

WHEREAS, Eye to the Future 2020, the Maricopa County Comprehensive Plan, recognizes the importance of having a comprehensive plan amendment process so that this plan can be responsive and flexible to meet the changing conditions of Maricopa County; and

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WHEREAS, Maricopa County has an approved process where specific criteria is used to determine when comprehensive plan amendments are necessary, how comprehensive plan amendments are to be processed, and at what point comprehensive plan amendments can be presented at a public hearing by the Board of Supervisors, upon recommendation by the Planning and Zoning Commission; and

WHEREAS, Case number CPA200710 meets the requirements for a comprehensive plan amendment and was processed according to the approved Maricopa County Comprehensive Plan Amendment Guidelines, including all legal notification requirements; and

WHEREAS, Title 11, Section 824 of the Arizona Revised Statutes requires that amendments to the Comprehensive Plan be approved by resolution of the Board of Supervisors; and

WHEREAS, the Maricopa County Board of Supervisors has carefully considered this comprehensive plan amendment application, has held a public hearing regarding this comprehensive plan amendment application, and finds that this comprehensive plan amendment constitutes an overall improvement to the Maricopa County Comprehensive Plan and to Maricopa County in general.

NOW, THEREFORE BE IT RESOLVED that the comprehensive plan amendment application for case number CPA200710, is hereby approved this 19th day of December, 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

- 5. CPA2007-11 District 4 (Adoption is by Resolution)**
Applicant: Burch Cracchiolo, PA for Power Center 379, LLC, et al
Location: Southwest corner of Interstate-10 and Wintersburg Road
Request: Change the Tonopah/Arlington Area Plan from Rural (0-1 d.u./ac.) and Community Retail Center to Small Lot Residential (3-5 d.u./ac.), Medium Density Residential (5-15 d.u./ac.), High Density Residential (15+ d.u./ac.), Mixed Use (15+ d.u./ac.), Office, Community Retail Center, Dedicated Non-Developable Open Space, and Hotel – Encanto Village

COMMISSION ACTION: Commissioner Johnson moved to recommend approval of CPA2007-11, subject to stipulations “a” through “o”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development shall comply with the Comprehensive Plan Amendment document entitled “Major Comprehensive Plan Amendment for Encanto Village”, a bound document, dated September 14, 2007, and stamped received September 14, 2007, including all exhibits, maps, and appendices, except as modified by the following stipulations.
- b. Changes to the Encanto Village Major Comprehensive Plan Amendment with regard to use and intensity, or the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. Revised applications shall be in accordance with the applicable Comprehensive Plan Amendment Plan Guidelines, zoning ordinance, and subdivision regulations in effect at the time of amendment application. Non-compliance with the approved Encanto Village Major Comprehensive

Plan Amendment, including the narrative report, maps, exhibits, or approved stipulations, constitutes a violation in accordance with the Maricopa County Zoning Ordinance.

- c. The initial final plat and precise plan of development for the Encanto Village Major Comprehensive Plan Amendment shall be approved by the Board of Supervisors within five (5) years of approval of this comprehensive plan amendment. If the initial final plat and precise plan of development has not been approved within this timeframe, this major comprehensive plan amendment shall be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Development Department, for possible revocation of this major comprehensive plan amendment. If revoked, all zoning and other entitlement changes approved that are associated with the Encanto Village Major Comprehensive Plan Amendment shall also be considered for revocation by the Board of Supervisors, upon recommendation of the Commission, to the previous entitlements.
- d. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this major comprehensive master plan due to non-compliance with any of the approved stipulations or other conditions of approval.
- e. The total number of residential units shall not exceed 1,504 dwelling units.
- f. Not less than 20 gross acres of open space be provided for mini-parks, parks or other open space uses. A description of the types of recreational amenities that will be included in the open space and mini-park areas shall also be submitted with all preliminary plats to the Maricopa County Planning and Development Department.
- g. Not less than 21 gross acres be provided be provided for Office employment uses and not less than 4 gross acres be provided for Hotel uses.
- h. Unless agreed to by the Maricopa County Planning and Development Department, prior to any zoning change, the master developer shall enter into a development agreement with Maricopa County. Further, prior to any rezoning approval this development agreement shall be signed by both the master developer and the designated Maricopa County representatives and provided to the Maricopa County Planning and Development Department for public record.
- i. The following MCDOT stipulations shall apply:
 1. The Owner/Developer shall provide a Traffic Impact Study (TIS). The TIS shall comply with MCDOT requirements and shall address development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The TIS must be approved before subsequent approval of any roadway improvement plans. The TIS shall be updated prior to any zoning (rezoning) and/or plat approvals and with each development phase to reflect current conditions and any changes to the development plan. The need for additional lane capacity on offsite alignments will be reviewed with each re-submittal of the TIS. The project must comply with all recommendations in the MCDOT-approved TIS.

2. The Developer shall make a contribution to regional transportation infrastructure. The contribution shall be \$3,281.00 per residential dwelling unit. The Developer may construct certain off-site street improvements in lieu of payment of this contribution. Such off-site street improvements must be "system roadways," must be all-weather facilities, must meet county standards in effect at the time they are improved, and must be pre-approved by MCDOT. MCDOT may require a Development Agreement to detail the specifics of construction, including phasing and timing. If the Developer does not construct certain off-site street improvements, the Developer shall pay the contribution amount at the time individual building permits are issued, or per an alternate agreement as approved by MCDOT.
3. If required per item #2 above, a Development Agreement shall be executed prior to any zoning or preliminary plat approval. The Development Agreement shall be an enforceable contract, regardless of annexation.
4. The Owner/Developer shall provide the ultimate half-width of right-of-way for all public roadways as follows:
 - a) Arterials: 65 Feet Half-width; 130 Feet Total-width
 - b) Collectors: 40/30 Feet Half-width; 80/60 Feet Total-width
 - c) Residentials/Locals 25 Feet Half-width; 50 Feet Total width
 - d) Parkway/enhancement roadway; 100 Feet Half-width
5. The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments). Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where 'half' of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate dual left turn lanes, including reverse curves.
6. The Developer shall be responsible for the design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways. Where applicable, "half-width" construction must safely convey two directions of traffic until the ultimate roadway is constructed. All roadways must meet all county standards in effect at the time. (This includes, but is not limited to the "MCDOT Roadway Design Manual," including ITS infrastructure requirements and the "Drainage Policies and Standards for Maricopa County.") The Developer shall relocate any "obstructions" (well sites, etc.) and/or provide additional right of-way in the event of conflict with any transportation facilities. Roadway improvement plans must be approved and permitted by MCDOT.

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7. The Developer is responsible for assuring paved access to their site at the time of the first final plat. Improvements necessary to provide paved access may or may not be creditable to the Developer contribution referred to in item 2.
 8. The Developer shall provide all-weather access to all parcels and lots.
 9. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.
 10. The Owner/Developer shall not locate elementary or middle schools on arterial roads. (The schools may not "back up" to arterials.) Pedestrian routes to school shall be planned so if necessary, the route to school shall only cross arterials at signalized intersection.
 11. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation between uses within and adjacent to the site, by means in addition to the roadways system. Crossings of arterials at other than signalized intersections may be required to be grade separated.
 12. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of the Superintendent of Streets to initiate the Improvement District process to initiate the SLID process.
 13. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to Home Owner's Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.
 14. The Developer shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.
 15. The Developer shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)
 16. The Owner/Developer shall provide written documentation of ADOT's review and response. Such documentation shall be received before any zoning (rezoning) or preliminary plat approval.
- j. That the following Environmental Services Department stipulation shall apply:

Prior to the approval of the first Final Plat or the first Approval to Construct (whichever comes first), final detailed Water and Wastewater Master Plans (both onsite and offsite) must be submitted to MCESD, under application and fee, for review and approval. No final plats or Approvals to Construct will be issued prior to approval of these Final Master Plans. A Certificate of Assured Water Supply must be obtained for the development prior to recordation of the final plat.

- k. That the following Parks and Recreation Department stipulation shall apply:

At the time each residential building permit is issued, TWO-HUNDRED FIFTY DOLLARS (\$250) per residential unit will be paid by the developer to a Park Enhancement Fund for trails and facilities enhancement and maintenance. The County shall deposit and hold all receipts in the Parks Special Revenue Fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing County appropriations for similar purposes, but rather are intended as supplemental resources resulting from additional park usage by Encanto Village residents. Details regarding this assessment are to be addressed in the development agreement.

- l. The following SHPO stipulation shall apply:

An archeological survey of the subject property shall be conducted prior to approval of any preliminary plat to locate and evaluate any cultural resources on the site. Once complete, a report of the results shall be provided to the Arizona State Historic Preservation Officer for review and comment before any ground disturbing activities related to development are initiated. The applicant shall perform an archeological analysis to evaluate the eligibility of cultural resource sites for the National or State Register of Historic Places. If Register eligible properties cannot be avoided by development activities, then the Arizona SHPO shall determine if a data recovery (excavation) program is necessary. Should federal permits be required for the project, then any archeological work performed must meet the Secretary of Interior Standards, and will be subject to the National Historic Preservation Act.

- m. The following Drainage Administration stipulations shall apply:

1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.

- n. The following Flood Control District stipulation shall apply:

That the floodplain be shown on the Land Use Plan.

- o. The following Luke Air Force Base stipulation shall apply:

The master developer shall notify future homeowners that they are located within the state-defined "Military Training Route" with the following language:

"You are buying a home or property under an existing Military Training Route (VR-231 A-B 100.) Aircraft flying in this Training Route are authorized to fly as low as 300 feet

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above the ground. You will be subject to direct overflights 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 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 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.

Darren Gerard reported on the background of this case. There is no known opposition and the recommendation is for approval.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the Planning Commission recommendation of approval with stipulations "a" through "o" to approve this CPA by resolution.

RESOLUTION OF AMENDMENT
Eye to the Future 2020, Maricopa County Comprehensive Plan
Resolution Amending the Maricopa County Comprehensive Plan
Case Number: CPA 200711
Encanto Village

BE IT RESOLVED by the Maricopa County Board of Supervisors as follows:

WHEREAS, Maricopa County adopted its Comprehensive Plan in accordance with Title 11, Section 806 of the Arizona Revised Statutes to help bring about coordinated physical development consistent with the present and future needs of Maricopa County; and

WHEREAS, Eye to the Future 2020, the Maricopa County Comprehensive Plan, recognizes the importance of having a comprehensive plan amendment process so that this plan can be responsive and flexible to meet the changing conditions of Maricopa County; and

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WHEREAS, Maricopa County has an approved process where specific criteria is used to determine when comprehensive plan amendments are necessary, how comprehensive plan amendments are to be processed, and at what point comprehensive plan amendments can be presented at a public hearing by the Board of Supervisors, upon recommendation by the Planning and Zoning Commission; and

WHEREAS, Case number CPA200711 meets the requirements for a comprehensive plan amendment and was processed according to the approved Maricopa County Comprehensive Plan Amendment Guidelines, including all legal notification requirements; and

WHEREAS, Title 11, Section 824 of the Arizona Revised Statutes requires that amendments to the Comprehensive Plan be approved by resolution of the Board of Supervisors; and

WHEREAS, the Maricopa County Board of Supervisors has carefully considered this comprehensive plan amendment application, has held a public hearing regarding this comprehensive plan amendment application, and finds that this comprehensive plan amendment constitutes an overall improvement to the Maricopa County Comprehensive Plan and to Maricopa County in general.

NOW, THEREFORE BE IT RESOLVED that the comprehensive plan amendment application for case number CPA200711, is hereby approved this 19th day of December 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

6. DMP2006-018 District 2

Applicant: CMX, LLC for Goldfield Preserve Development, LLC

Location: Approximately 6 miles east of Fountain Hills, north and south of the Beeline Highway (State Hwy 87)

Request: Development Master Plan (DMP) Major Amendment as a protected development right plan (approximately 2,079 acres) – The Preserve at Goldfield Ranch

COMMISSION ACTION: Commissioner Barney moved to recommend approval of DMP2006-018, subject to stipulations “a” through “z”. Commissioner Bowers seconded the motion, which passed with a majority vote of 5-1, with Commissioner Aster dissenting.

NOTE: Commissioner Aster clarified that he was always in favor of approving the DMP. His opposition to the vote today was simply to not provide a Protected Development Right at this juncture in the process.

- a. Development and use of the site shall comply with the narrative report titled The Preserve at Goldfield Ranch Development Master Plan dated revised July 2, 2007 and stamped received September 18, 2007, consisting of 67 pages, including the land use map dated November 1, 2007, as well as all appendices and all figures and tables except as modified by the following stipulations.
- b. Changes to the Preserve at Goldfield Ranch Development Master Plan with regard to use and intensity, or the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, zoning ordinance, and

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subdivision regulations in effect at the time of amendment application. The Maricopa County Planning and Development Department may administratively approved minor changes to the Preserve at Goldfield Ranch Development Master Plan as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved narrative report, maps, exhibits, or approved stipulations, constitutes a violation in accordance with the Maricopa County Zoning Ordinance.

- c. If the initial final plat has not been approved within five (5) years from the date of the Board of Supervisor's approval of this Development Master Plan approval, this Development Master Plan shall be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider revocation of the adopted Development Master Plan. Further, should this Development Master Plan be rescinded, all zoning and other entitlement changes approved as part of the Preserve at Goldfield Ranch Development Master Plan shall also be considered for revocation by the Board of Supervisors, upon recommendation of the Planning and Zoning Commission, to the previous entitlements.
- d. Prior to approval of any zoning change for the Preserve at Goldfield Ranch Development Master Plan, the master developer shall enter into a development agreement with Maricopa County. Further, prior to approval of any zone change this development agreement shall be signed by both the master developer and the designated Maricopa County representative(s) and provided to the Maricopa County Planning and Development Department for public record.
- e. The Preserve at Goldfield Ranch master homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and amenities; washes; parks; roadway median landscaping; landscaping within public rights-of-way; all pedestrian, bicycle, and multi-use paths; and other community amenities.
- f. Prior to approval of each final plat for the Preserve at Goldfield Ranch Development Master Plan, the master developer shall submit to the Maricopa County Planning and Development Department a landscape inventory and salvage plan which identifies and assesses the native vegetation within the development parcels, and which determines the preservation and disposition for each of the selected native vegetation.
- g. Concurrent with each preliminary plat application for the Preserve at Goldfield Ranch Development Master Plan, the master developer shall provide documentation as to how the preliminary plat complies with the Maricopa County Bicycle Transportation Plan.
- h. To the maximum extent feasible irrigation water supplied for common and open space areas and lakes shall be supplied by a renewable water supply, such as treated effluent, surface water or Central Arizona Project (CAP) water by build out. Interim water for the purposes noted may be supplied by groundwater and shall comply with all Arizona Department of Water Resources regulations. Proof of conversion from groundwater to a renewable water supply to the maximum extent feasible shall be provided to Maricopa County Planning and Development Department at build out.

- i. The total number of residential dwelling units for the Preserve at Goldfield Ranch Development Master Plan shall not exceed 1,000 residential units. To help ensure compliance, the cumulative number of dwelling units permitted to that point shall be identified on each preliminary and final plat.
- j. Up to a 10% change in the total number of residential dwelling units within a parcel may be approved administratively by the Maricopa County Planning and Development Department. Any changes greater than 10% in the number of residential dwelling units within a parcel will require a Major Amendment subject to approval by the Board of Supervisors upon recommendation by the Planning and Zoning Commission. In any case the maximum number of dwelling units shall not exceed 1,000 units.
- k. The master developer shall submit a written report to the Maricopa County Planning and Zoning Commission outlining the status of the Preserve at Goldfield Ranch Development Master Plan every five years following Board of Supervisors approval. The status report shall discuss development progress, including the total number of units permitted and platted to that point, locations of parcels/areas under construction, status of infrastructure development, status of non-residential property, progress on how the stipulations of approval are being implemented, and any other information as requested by the Maricopa County Planning and Development Department.
- l. Until annexation of the entire Preserve at Goldfield Ranch DMP, the master developer shall notify all future residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to most municipally-managed services. Such notice shall be included on all plats, 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 homeowner association covenants, conditions, and restrictions (CC&Rs).
- m. All park facilities shall be completed concurrent with any residential development within a respective parcel(s) as shown on each plat. Park facilities and amenities shall be identified on all applicable plats, and are subject to review by the Maricopa County Planning and Development Department.
- n. Prior to approval of any preliminary plat for the Preserve at Goldfield Ranch Development Master Plan, the applicant shall provide the Maricopa County Planning and Development Department with the design guidelines referenced in the narrative report.
- o. Prior to any zoning change for the Preserve at Goldfield Ranch Development Master Plan, the applicant shall submit to the Maricopa County Planning and Development Department verification of approval by the Maricopa Association of Governments (MAG) of a 208 amendment.
- p. The Preserve at Goldfield Ranch Development Master Plan shall be developed sequentially as identified on the phasing exhibit.
- q. Prior to approval of any preliminary plat for The Preserve at Goldfield Ranch Development Master Plan, the developer shall submit documentation from SHPO

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regarding disposition of archaeological site [AZ U:6:288 (ASM)] referenced in the January 2006 report [An Archaeological Survey and Evaluation of Approximately 2,420 Acres for The Preserve at Goldfield Ranch Development, Maricopa County, Arizona] as prepared by SWCA Environments Consultants. The documentation shall indicate whether the site will either be included in the National Register of Historic Places or how a data recovery program will be implemented during construction.

- r. That the DMP amendment adhere to Appendix Q-Hillside Development Standards.
- s. The following Drainage Administration stipulations shall apply:
 - 1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
 - 2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- t. The following Maricopa County Department of Transportation stipulations shall apply:
 - 1. The Developer (Applicant) has provided a Traffic Impact Study (TIS). The TIS shall comply with MCDOT requirements and shall address development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The TIS must be approved before subsequent approval of any roadway improvement plans. The TIS shall be updated prior to any final plat approvals and with each development phase to reflect current conditions and any changes to the development plan. The need for additional lane capacity on offsite arterial alignments will be reviewed with each resubmittal of the TIS. The project must comply with all recommendations in the MCDOT-approved TIS.
 - 2. The Developer shall make a contribution to regional transportation infrastructure. The contribution shall be \$3,281.00 per residential dwelling unit. The Developer may construct certain regional improvements as further defined in the Development Agreement, in lieu of payment of this contribution. Such street improvements must be "system roadways," must be all-weather facilities, must meet county standards in effect at the time they are improved, and must be pre-approved by MCDOT. MCDOT will require a Development Agreement to detail the specifics of construction, including phasing and timing. If the Developer does not construct regional roadway improvements, the Developer shall pay the contribution amount at the time individual building permits are issued, or per an alternate agreement as approved by MCDOT.
 - 3. The Development Agreement shall be executed prior to any zoning (rezoning) or preliminary plat approval. The Development Agreement shall be an enforceable contract, regardless of annexation.

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4. The Developer shall provide the ultimate full or half-width of right-of way for all public roadways, OR, shall provide the equivalent widths as private tracts for private roadways. Right-of-way/Private Tract shall be provided as follows:
 - A total of 130 feet full-width (interior) or 65 feet half-width (perimeter) for section line and/or arterial roadways.
 - A total of 80 feet full-width (interior) or 40 feet half-width (perimeter) for collector roadways.

The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where "half" of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

5. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways. A portion of these improvements may be creditable to the Developer's contribution referred to in item #2. All roadways must meet county standards in effect at the time they are improved. This includes, but is not limited to the MCDOT Roadway Design Manual, including ITS infrastructure requirements and the Drainage Policies and Standards for Maricopa County. Half-width roadways must be designed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities. The Developer shall be responsible for design and construction of all collector roadways to a minimum design speed of 40 mph, unless otherwise approved by MCDOT.
6. The Developer is responsible for assuring paved access to their site at the time of the first final plat. Improvements necessary to provide paved access may or may not be creditable to the Developer's contribution referred to in item #2.
7. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.
8. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.
9. The Developer shall design and construct the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site. The Developer shall design and construct a Park and Ride facility.

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10. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Applicant should contact the Office of the Superintendent of Streets to initiate the SLID process.
 11. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner's Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.
 12. The Developer shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.
 13. The Developer shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)
 14. The Developer shall provide written documentation of ADOT's review and response. ADOT documentation shall be received before any preliminary plat approval. (The Developer has submitted documentation of ADOT's review.)
 15. MCDOT continues to recommend that roadways meet minimum county standards. If roadways are not built to minimum county standards, perpetual maintenance of the roadways must be provided through alternative means.
- u. The following Maricopa County Library District stipulation shall apply:
- A quality of life assessment of \$596 for each housing unit built is made available to the Maricopa County Library District at the time of building permit issuance.
- v. The following Maricopa County Parks and Recreation Department stipulation shall apply:
- At the time each residential building permit is issued, two hundred fifty dollars (\$250) per residential unit shall be paid by the developer to a Park Enhancement Fund for trails and facilities enhancement and maintenance. The County shall deposit and hold all receipts in the Parks Special Revenue fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing County appropriations for similar purposes, but rather are intended as supplemental resources resulting from additional park usage by The Preserve at Goldfield Ranch residents. Details regarding this assessment are to be addressed in the required development agreement.
- w. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this development master plan due to non-compliance with any of the approved stipulations or other conditions of approval.

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- x. That the developer design the streets to accommodate school bus turn around spaces and bus pull-outs for collecting students within the development as determined by the Fountain Hills Unified School District .
- y. The following stipulations of DMP 92-4 (The Preserve Development Master Plan) shall apply:
 - 1. Prior to any grading the developer shall coordinate with the Arizona State Game and Fish Department and obtain a handling permit to facilitate temporary possession of desert tortoises.
 - 2. The developer shall work with the Arizona Game and Fish Department in the development of the CC&R's and a mitigation plan.
 - 3. All exposed slopes created by grading shall be restored and stabilized. Restoration shall consist of revegetation with native species or artificial weathering of rock faces. The overall shape, height and grade of any cut or fill slope should be designed to simulate the existing natural contours and scale of the natural terrain of the site. Approved dust control shall be maintained during cleaning, brushing or grubbing and until revegetation or site stabilization has occurred.
 - 4. During the subdivision process, building envelopes will be designed and grading will be allowed only in an approved disturbance envelope as outlined in the Development Master Plan documents. All development in the Preserve must submit a disturbance plan prior to grading. Existing vegetation and areas that are to remain undisturbed shall be protected by flagging, roping or other physical means that will visually warn grading or construction equipment away from these areas. The contractor shall maintain adequate grading supervision during the clearing, grading or brushing to ensure that only those areas to be graded are disturbed.
 - 5. All development shall comply with Maricopa County Lighting Ordinance requirements. In addition, the use of street lights shall be minimized, except when required by the governmental jurisdiction at street intersections for safety purposes. All street lights shall be shielded and directed downward to minimize reflection to the night sky. All lighting on residences shall also be shielded and directed downward. Low level lighting shall be encouraged throughout the project. All poles or standards used to support outdoor light fixtures shall be anodized or otherwise coated to minimize glare from the light source. Mercury vapor fixtures, lamps and searchlights will be prohibited.
 - 6. The developer shall negotiate a recycling program with the solid waste provider for The Preserve.
- z. The adopted plan and stipulations of approval for DMP 92-4 shall remain in effect for the properties not included in this amendment.

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Darren Gerard reported on the history of this case and an amendment to the original Master Development Plan that was approved in the early 1990's. He said there is organized opposition to the plan amendment. The recommendation is for approval, however, both staff and counsel believe approval should not include the requested status of Protected Development Rights, as it does not meet the statutory requirements. Staff recommends approval without the Protected Development Rights (PDR) designation.

Those registering to speak in opposition to this amendment included Randy Haines, Kathy Haines, Dr. Steve Feyres-Melk, Kent Mathes, Deborah J. Sedlmeyer, Jeanne Lefkowitz, Joy Brewster, and Carole Klopckle. The Chairman asked each to please observe the three-minute time limit.

Supervisor Stapley asked for the representative of the applicant to speak first and to address the question of (PDR) and then requested a spokesperson for the opposition to speak. He added that a number of letters had been received in favor of the amendment.

Wendy Riddell, representing the applicant, referenced the earlier plan and the improvements that are included in the amendment. The improvements include 50% less density, reduction of water use and no commercial sites. She gave details to illustrate that the new plan will leave the softest footprint possible and retain the rural character while remaining a responsible development. She said that much of the natural preserve land will be left that way. Special Use Permits for two equestrian facilities and a resort spa will be applied for later. They created legislation that allowed this project to voluntarily annex with the Fountain Hills Unified School District. She said it is a very lucrative deal for the school district and they have more than adequate capacity.

She addressed the dedicated property rights issue in the following way: this is in an early stage and the designation would help ensure that the today's rules will continue to apply as the process moves forward.

Terry Eckhardt said that there is no statute specifically for a DMP but there is a statute that is specific on what is necessary to receive the PDR. He explained that the DMP was devised as a planning tool and is not the proper stage for PDR rights to be applied. He believed that these rights should come no earlier than the zoning stage of the process. He said that the DMP was not designed to provide entitlements to a developer.

Randy Haines spoke in opposition to the amended plan citing three "serious deficiencies" – no fire protection, increased traffic and the Protected Development Rights request. He said the current fire coverage contract with Fort McDowell was not designed to cover more than the original 90 homes stipulated to in the contract and the Fort would not be capable of providing protection to this large new subdivision. He believed this DMP would double existing traffic on the Beeline Highway during times of prime use and there is no stipulation for the developer to accommodate the additional flow of traffic. He said that requisite plans for providing electricity, telephone, cable, natural gas, etc., are not included in the amendment. He charged that the company is here not to develop a residential subdivision but really want to get development rights that can be marketed and that Protected Development Right status enhances marketability.

Carole Klopatic, Fort McDowell Yavapai Nation, addressed several concerns. Regarding fire protection, she said it was never the intent of Fort McDowell to provide fire protection to a large area as they do not have the capacity and do not want the legal liabilities of providing fire protection for that kind of area as they are too small and have a very limited scope of coverage. The referenced contract allows the withdrawal of protection with a 90-day notification from either party. They would like an answer on what the developer is going to do about providing protection to the 2,000 acres of new homes. She said water

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is the lifeblood of the Nation and without a change in the way the development plans to get water and dispose of waste water there will be a very real and serious impact on their water supply, which comes from the Verde River. She cited several other concerns that are not covered in the application. She said they wish to work with the applicant and the County to address the impact, environmental concerns, fire concerns and other concerns mentioned, but they need to have more knowledge of what is planned.

Supervisor Stapley clarified that approving this amendment does not give implicit approval for any future resort spa or hotel development rights. Mr. Gerard said that a Special Use Permit would have to be acquired for that. Discussion ensued on the impact of a future hotel on water, traffic, etc. and also on the current fire protection agreement designed for the original residents (only).

Kathy Haines said the water supply in the Verde River is not just a concern of the Fort McDowell residents but of everyone currently living in that area adjacent to the reservation and also a concern of SRP. She contended that this is the time to voice concerns about a threatened water supply and not after the initial approval of the plan.

Steve Feyres-Melk said this land is an island and is located miles from Fountain Hills and between the Fort McDowell nation and the Tonto National Forest. It is a rural lifestyle now and the high density of the new development would not conform. He explained that the drought has continued since the first DMP in 1995 and water is even more scarce now. He said the "reduced" density for 1,000 homes doubles the current density of 500 homes and triples the total density. He declared that comparing a new DMP to a flawed DMP doesn't make for a "right" DMP and questioned if this was the place for such a development to be built. He said it was necessary to look at the big picture of this rural area and how their lifestyle would be affected by tripling the population.

Deborah J. Sedlemeyer spoke in favor of responsible development with proper infrastructure, and said this plan does not have that. She said that residents have demonstrated the desire for properties of more than five acres and the proposed development has one to two acre lots. She asked for protection of those already living there and for consideration of the "awful ramifications of approving this measure."

Jeanne Lefkowitz spoke in opposition wanting to preserve the natural resources she felt would be threatened by this development.

Randy Haines said that Supervisor Stapley's acknowledgement of substantial support of stakeholders is not accurate and he believed there could be no more than seven letters of approval that were received by Board members. He added that it is the opposition that is substantial, as shown by a survey of the 280 stakeholders taken last year where the great majority favored preserving the R-190 zoning throughout all of Goldfield ranch. Also a thousand residents living on Fort McDowell are also opposed primarily because of the threat to their water supply from the Verde River. He added he had helped to create the fire district and of the 280 stakeholders owning 3,000 of the 5,000 acres in Goldfield Ranch, 90 to 94 live there year-round and that is the number the contract with Fort McDowell was intended to provide protection for.

Wendy Riddell said that details of how fire coverage would be provided under that contract is what will be worked out through the process and they look forward to working with the district on this. She said there is a potential for a boutique hotel and coverage of water, etc. was taken into consideration for that, if it isn't built the total project amount used would be reduced. She said traffic is reduced by 80% in the amended plan. She disagreed with county counsel's interpretation of the statute on Protected

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Development Rights and gave details. She discussed infrastructure planned for the facility and said this is not the time for approval of that part of the DMP.

Supervisor Stapley asked Ms. Riddell if she could accept approval without the protection status and she agreed that this would be acceptable. Mr. Stapley asked for a new stipulation on fire protection and this was also agreed to by both Ms. Riddell and Mr. Haines, although Mr. Haines wanted a four-minute response time included, which is the accepted County response time.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to concur with the Planning Commission for approval with stipulations "a" through "z" and with the addition of a new stipulation "aa" with details to be worked out further on in the process, and to also strike the verbiage on Protected Development Rights. Supervisor Stapley committed to the fact that the concerns of residents will be addressed or nothing would be built.

- aa. Fire protection shall be established (services agreement signed by both the developer and Fire District) to the site prior to rezoning approval.

7. **Z2006-075 District 1 – CONTINUED**

Applicant: Desert Colony, LLC

Location: South of Riggs Road and east of Hawes Road (in the Queen Creek area)

Request: Special Use Permit (SUP) for a feed store in the Rural-43 zoning district (approximately 3.64 acres) – Horse and More Country Store

COMMISSION ACTION: Commissioner Brooks moved to continue Z2006-075 to the regular meeting of January 3, 2008. Commissioner Aster seconded the motion, which failed with a vote of 4-2.

COMMISSION ACTION: Commissioner Brooks moved to recommend approval of Z2006-075, subject to stipulations "a" through "ee". Commissioner Barney seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall comply with the site plan entitled "Desert Colony, LLC Special Use Permit for Horse & More Country Store", consisting of one (1) full-size sheet, dated (revised) September 8, 2007, and stamped received November 2, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in general conformance with the narrative report entitled "Desert Colony, LLC-Horse & More Country Store", consisting of thirteen (13) pages, dated (revised) September 20, 2007, and stamped received October 30, 2007, except as modified by the following stipulations.
- c. Development of the site shall be in conformance with the landscape plan entitled "Desert Colony LLC, Horse and More Country Store Case Z2006075", consisting of one (1) full-size sheet, date(revised) August 10, 2007 and stamped received October 30, 2007, except as modified by the following stipulations.
- d. Development of the site shall be in conformance with the elevation plan entitled "Horse and More Country Store", consisting of one (1) full-size sheet, stamped received October 30, 2007, except as modified by the following stipulations.

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- e. Development of the site shall be in conformance with the sign package "Sample Sketch of Wall Sign Type W4-NON" and "Sample Sketch of Monument Sign Type M2", consisting of two (2) pages, stamped received May 18, 2007, except as modified by the following stipulations.
- f. The feed store shall operate Monday through Saturday from 7:00 a.m. to 6:00 p.m. and Sundays from 9:00 a.m. to 4:00 p.m. No deliveries shall occur before 6:00 a.m. or after 10:00 p.m.
- g. The store shall only hold two (2) special events per month and the hours of operations when special events shall be consistent with the feed store, but extended on Saturdays to 9:00 p.m. and Sundays to 6:00 p.m. No additional exterior signage shall be allowed and off-site parking is prohibited.
- h. The use of speakers or loud sound devices shall not be allowed to promote regular operations or special events.
- i. Dedication of additional right(s)-of-way to bring the total half-width dedication to 70' for Riggs Road shall occur within six (6) months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- j. Dedication of additional right(s)-of-way to bring the total half-width dedication to 65' for Hawes Road shall occur within six (6) months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- k. Development of the site shall include half-street improvements (including paving, gutter and sidewalk) to ultimate width for Riggs Road and Hawes Road along the perimeter of the site.
- l. The following stipulations from Maricopa County Department of Transportation (MCDOT) shall be met:
 - 1. Bonding for perimeter roadway improvements (curb, gutter, paving, and sidewalk).
 - 2. Any landscaping in County Right-of-Way shall meet Chapter 9 (Roadway Design Manual) and be MCDOT permitted.
- m. The following stipulation from Flood Control District shall be met:

Prior zoning clearance, a Floodplain Use Permit will need to be obtained from Regulatory Division of the Flood Control District.
- n. All trees shall be double-staked when installed.
- o. A continuous parapet shall screen all roof-mounted equipment.

- p. 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 or screened from view.
- q. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- r. 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.
- s. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
- t. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- u. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- v. 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 issuance of zoning clearance, 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.
- w. 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 during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- x. This Special Use Permit shall expire twenty (20) years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- y. The applicant shall submit a written report outlining the status of the development at the end of two (2) and ten (10) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- z. Major changes to the Special Use Permit 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.

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- aa. 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 the Maricopa County Zoning Ordinance.
- bb. 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.
- cc. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
- dd. Fire sprinklers shall be installed in the hay barn.
- ee. The applicant shall pay for installation of a fire hydrant within 300' of the subject property.

Darren Gerard said there is opposition to this request and he reported on the background of the case. Recommendation is for approval.

Wayne Souza, citizen, working with the builders of this Special Use Permit, asked to speak after those who are in opposition,.

Tawnya Rimer spoke for her friend, Christie Wright, who lives near the proposed special use site and who is in opposition to having a commercial building less than 60 feet from her home. She asked for this to be defeated.

Sylvia Centoz, citizen, brought a petition from people living near the proposed feed store and said the town of Queen Creek is opposed to this because it does not meet the requirements for their general plan. She felt there would be a danger of fire in the hay stored at the site. She also had a question on the site being in danger of flooding. She said she had 125 signatures of people in nearby areas who are opposed to this and asked for disapproval.

~ Supervisor Wilcox left the meeting ~

Wayne Souza responded to the concerns expressed and said that flood issues have been addressed and they have spoken to the chief fire inspector of Queen Creek with regards to hay storage. He said they have obtained necessary permissions.

Supervisor Kunasek asked how much of the site will be paved and Mr. Souza outlined their paving plans.

Supervisor Stapley said a Special Use Permit is subject to a higher level of scrutiny especially when neighbors voice concerns.

Chairman Brock said the adjacent neighbors are mostly in support of this but he hadn't been aware of the letters of opposition until today and he felt these should have been introduced and addressed at the Planning Commission meeting. He felt an additional two weeks could provide time to interview some of the residents and Mr. Souza acquiesced.

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (5-0) to continue this item to the January 16, 2008, meeting.

- 8. Z2006-154 District 4**
Applicant: Brian Cave, LLC for Volvo Cars of North America, Inc.
Location: South of Happy Valley Road and west of 199th Avenue (in the Surprise area)
Request: Major Amendment to an approved Special Use Permit (SUP) for an automotive proving grounds in the Rural-43 zoning district (the site is also partially located within the High Noise and Accident Potential zone for the Luke Air Force Base Auxiliary 1 facility) (approximately 1,498 acres) – Volvo Arizona Proving Grounds

COMMISSION ACTION: Commissioner Johnson moved to recommend approval of Z2006-154, subject to stipulations “a” through “v”. Commissioner Bowers seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall be in substantial conformance with the site plan entitled “Volvo Cars of America LLC Arizona Proving Grounds”, consisting of three (3) full-size sheets, dated August 31, 2007 and stamped received September 14, 2007, except as modified by the following stipulations.
- b. Development and use of the site shall be in substantial conformance with the narrative report entitled “Narrative Report – Major Amendment to Special Use Permit For Volvo Cars of North America, LLC – Arizona Proving Grounds”, consisting of 19 pages plus exhibits, dated September 7, 2007, and stamped received September 14, 2007, except as modified by the following stipulations.
- c. Prior to the submittal of any construction permit applications to Maricopa County Planning and Development Department pertaining to improvements other than those listed as “Phase 1”, Volvo Motor Cars of North America shall seek review and comment from Luke Air Force Base and shall provide to Luke Air Force Base the average and maximum number of people expected to be on the property throughout the year. Volvo Motor Cars of North America shall provide written evidence of compliance with this condition to Maricopa County Planning and Development as part of any permit submittal other than those listed as Phase 1.
- d. The applicant shall submit a Status Report and Site Plan Update discussing the status of the Special Use Permit, including any alterations to the Plan of Development, prior to the fifth anniversary of the approval of this Major Amendment and every fifth year thereafter. All Status Reports and Site Plan Updates shall be routed to Luke Air Force Base for review and comment.
- e. The proposed use shall not be operated in a manner that would impair visibility or otherwise interfere with operating aircraft from Luke Air Force Base Auxiliary Field #1, with such determination made by Luke Air Force Base.
- f. Outside lighting shall be downward directed and minimal in nature. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance with the exception of the proposed parking lot lighting that may be installed at a height of 30’.

- g. The maximum number of employees located on site shall not exceed 200 full time personnel. In addition, total attendance, including special events, shall not exceed 500 persons at any one time.
- h. Volvo Cars of North America shall submit an updated Grading and Drainage Plan and an updated Drainage Report on a project by project basis at the time application is made for permits to construct each proposed component of the Site Plan, and as part of any Minor Amendment application.
- i. All development and engineering design shall be in conformance with the Drainage Regulations and current engineering policies, standards and best practices at the time of application for construction.
- j. Drainage review of this Special Use Permit is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- k. A Floodplain Use Permit will need to be obtained from the Floodplain Management & Services Division of the Flood Control District prior to any development within the floodplain.
- l. Prior to zoning clearance, Volvo Cars of North America shall provide evidence of the dedication of additional right-of-way to bring the total half-width dedication to 55 feet for Happy Valley Road.
- m. Prior to zoning clearance, Volvo Cars of North America shall provide evidence of the application of additional right-of-way to bring the total half-width dedication to 65 feet for Deer Valley Road.
- n. All new drives and parking areas will meet Environmental Protection Agency (EPA) requirements for dust control in office complex.
- o. A continuous parapet shall screen all roof-mounted equipment.
- p. The perimeter berm shall be limited to fourteen (14) feet in height and shall be landscaped using indigenous plant species sufficient to provide soil stabilization and visual interest.
- q. Prior to zoning clearance for any vertical construction, Volvo Cars of North America shall provide evidence that emergency fire protection and emergency medical services have been established for all real property contained within the project area. If said fire and medical protection is to be provided by on-site personnel, Volvo shall provide evidence that said personnel have been duly trained and certified to provide those services.
- r. 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 issuance of zoning clearance, the applicant shall seek review

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and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.

- s. This Special Use Permit shall expire on July 7, 2079 or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. Removal of site improvements shall be based on the terms of the lease agreement between the applicant and the State of Arizona Land Department.
- t. Major changes to the Special Use Permit 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. All amendment shall be routed to Luke Air Force Base for review and comment.
- u. Noncompliance with the conditions of approval, or 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, shall 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 the Maricopa County Zoning Ordinance.
- v. Volvo Cars of North America, LLC and its successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

Darren Gerard reported on previous action on this case. He said that Luke Air Force Base has signed off on this but stipulation "m" should be revised, as follows:

- m. ~~Prior to zoning clearance, Volvo Cars of North America shall provide evidence of the application of additional right-of-way to bring the total half-width dedication to 65 feet for Deer Valley Road.~~ Upon written request by MCDOT, applicant shall provide a 65-foot half-width right-of-way dedication adjacent to the south boundary of their site (Deer Valley Road alignment). The State Land application shall be initiated within 90 days and acquisition complete within 24 months from written notification by MCDOT.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "v" and with revised language to stipulation "m" as given above.

- 9. **S2007-007 District 4**
Applicant: Hunter Engineering, P.C.
Location: Southwest corner of Camelback Road & El Mirage Road (in the Litchfield Park area)
Request: Final Plat in the IND-2 for Monument Business Park (approximately 34.67 gross acres)

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Andy Moore, HOA, said he had met with Litchfield Park on roadways and they will be privately maintained by the HOA. March 31, 2008, is the deadline for the annexation process to be completed.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve this final plat.

- 10. S2007-054 District 4**
Applicant: Carter-Burgess on behalf of Scott Communities, RC, Inc.
Location: South of Jomax Road and west of Dysart Road (in the Peoria area)
Request: Replat for Rancho Cabrillo Parcel E (approximately 38.08 gross acres)

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve this replat.

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned at 12:41 p.m.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board