

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
June 4, 2008**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 a.m., June 4, 2008, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Max W. Wilson, Vice Chairman, District 4; Fulton Brock, District 1 and Don Stapley, District 2. Absent: Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; Joy Rich, Assistant County Manager and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**1. INVOCATION**

Ross Tate, Director, Internal Audit, delivered the invocation.

**2. PLEDGE OF ALLEGIANCE**

Richard Chard, Internal Audit, led the assemblage in the Pledge of Allegiance.

**BOARD OF SUPERVISORS**

**3. Roll Call**

Members present are shown above.

**4. PET SHOWCASE**

Aprille Hollis brought a 3-month old fuzzy-haired, mostly white with spots, Australian-Sheppard mix puppy, she called "Puppy" from the Maricopa County Animal Care & Control as their special adoptive pet for this meeting. Puppy is one of a litter of eight so if you want to adopt him and he's already gone when you inquire, you still have seven chances for an adorable new family member.

**CHAIRMAN'S PREROGATIVE**

Chairman Kunasek moved agenda item No. 65 forward to accommodate several speakers from the District, Jack LaSota and Marcie Sale, who have to leave the meeting early because of previous appointments and who came to answer any questions. There were no questions.

**65. ASSISTANCE PACKAGE IGA AND PROMISSORY NOTE FOR GILBERT COUNTY ISLAND FIRE DISTRICT**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the Assistance Package Intergovernmental Agreement and Promissory Note in the amount of \$5,000 for the Gilbert County Island Fire District effective upon signature of the Chairman of the Board of Supervisors. Pursuant to A.R.S. §42-17106(B), transfer expenditure appropriation of \$5,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to a new line in Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) entitled, "Gilbert County Island Fire District". This matter was heard in Executive Session on May 5, 2008. (C0608096700) (ADM4450)

**STATUTORY HEARINGS**

**Clerk of the Board**

**5. 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.

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

- a. Application filed by Amy E. Newby for a Special Event Liquor License: (SELL835) (F23249)

Business Name: Community Perk, Inc.  
Location: 41130 N. Freedom Way, Anthem, 85086  
Date/Time: July 3, 2008, 6:00pm – 11:00pm

- b. Application filed by Sheila Ann Reed for a Person-to-Person Transfer of a Series 7 Liquor License from Crain Allen Davis: (MCLL6267) (AZ#07070230)

Business Name: Falcon Golf Course  
Location: 15152 W. Camelback Road, Litchfield Park, 85340

Motion carried by majority vote (3-1-1) with Supervisors Stapley, Kunasek and Wilson voting "aye" and Supervisor Brock voting "nay." Supervisor Wilcox was absent this meeting.

**6a. FRANCHISE – WATER UTILITY OF GREATER TONOPAH, INC. PUBLIC UTILITY FRANCHISE**

Chairman Kunasek called for a public hearing to solicit comments on the application filed by Water Utility of Greater Tonopah, Inc. for a public service franchise for a domestic water distribution system. The Board considered whether the applicant is able to adequately maintain facilities in county rights-of-way. The franchise is granted with such conditions and restrictions the Board of Supervisors deems best for public safety and welfare including the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. The Franchisee shall bear all expenses relating to the granted franchise including damage and compensation for any alteration of the direction, surface, grade or alignment of any county road for the purpose of the franchise. The public utility franchise is granted to construct, maintain and operate a domestic water distribution system consisting of pipe lines, meters, connections and all necessary equipment for a period not to exceed twenty-five (25) years or for a period of one (1) year after the franchised area or a portion thereof is annexed by a municipality, whichever is shorter, for the supplying of this service, along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State Highways), within that portion of Maricopa County, Arizona, known and described as follows, to-wit:

Township 2 North, Range 6 West, G&SRB&M, Maricopa County, Arizona

**Parcel 1**

Lots 1 Through 4, Inclusive; The South Half Of The North Half And The South Half Of Section 1, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 2**

All Of Section 11, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 3**

All Of Section 12, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 4**

The North Half And The Southwest Quarter Of Section 13, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 5**

All Of Section 14, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 6**

The North Half Of The Southwest Quarter Of Section 16, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona,  
Except The North 282.91 Feet Of The South 305.26 Feet Of The East 154.00 Feet Of The North Half Of The Southwest Quarter Of Section 16, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona, And  
Except The South 282.91 Feet Of The North 478.97 Feet Of The East 154.00 Feet Of The North Half Of The Southwest Quarter Of Section 16, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 7**

The South Half Of The Southwest Quarter Of Section 16, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

The Southeast Quarter Of Section 17, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 9**

The North Half Of Section 20, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 10**

The Northwest Quarter Of Section 23, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 11**

The Northeast Quarter Of Section 24, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 12**

The West Half Of The Southwest Quarter Of The Northeast Quarter; And The West Half Of The Southeast Quarter Of The Southwest Quarter Of The Northeast Quarter; And The West Half Of The Northeast Quarter Of The Southwest Quarter Of The Northeast Quarter Of Section 28, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

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**Parcel 13**

The Southeast Quarter Of The Northeast Quarter, And The Southeast Quarter Of The Northeast Quarter Of The Northeast Quarter Of Section 28, Township 2 North, Range 6 West Of The Gila And Salt River Meridians Maricopa County, Arizona.

**Parcel 14**

The Northeast Quarter Of The Northeast Quarter Of The Northeast Quarter Of Section 28, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 15**

The East Half Of The Southeast Quarter Of The Southwest Quarter Of The Northeast Quarter; And The East Half Of The Northeast Quarter Of The Southwest Quarter Of The Northeast Quarter Of Section 28, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 16**

The North Half Of The Southeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 17**

The South Half Of The Southeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona,

**Parcel 18**

The East Half Of The Northeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona, Except Therefrom That Portion Which Lies Within A Strip Of Land 308 Feet In Width, Being 154 Feet Wide On Each Side Of The Following Described Line:

Beginning At A Point On The West Line Of Section 30, Which Point Bears S 00° 00' 05" Seconds West, 76.94 Feet From The Northwest Corner Of Said Section 30;

Thence S75°07'10"E, 2990.74 Feet To A Bearing Equation Point, At Which Point S75°07'10"E = S75°04'23"E; Thence S75°04'23"E, 2445.44 Feet To A Point On The Line Common To Said Section 29 And 30, Township 2 North, Range 6 West, Which Point Bears S00°00'38" W, 1476.85 Feet From The Section Corner Common To Sections 19, 20, 29 And 30, Township 2 North, Range 6 West;

Thence Continuing S75°04'23"E To The East Line Of Said West Half Of The Northwest Quarter Of Section 29; And,

Except Therefrom Those Portions Lying Within The Following Described Parcels Of Land:

Tract No. 1

Beginning At A Point On The Line Common To Said Sections 29 And 30, Which Point Bears S00°00'38"W, 476.85 Feet From The Corner Common To Sections 19, 20, 29 And 30;

Thence N89°59'22"W, 33.00 Feet;

Thence S08°19'27"W, 809.17 Feet To The Existing Northerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway);

Thence S75°04'23"E, Along Said Right-Of-Way Line, A Distance Of 310.42 Feet;

Thence N04°29'47"W, 381.77 Feet;

Thence N09°51'36"W, 507.51 Feet;

Thence N89°59'22"W, 33.00 Feet To The Point Of Beginning.

Tract No. 2

Beginning At A Point On The Line Common To Said Sections 29 And 30, Which Point Bears N00°00'38"E, 2805.94 Feet From The Corner Common To Sections 29, 30, 31 And 32;

Thence N89°59'22"W, 33.00 Feet;

Thence N07°33'28"W, 888.33 Feet To The Existing Southerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway);  
Thence S75°04'23"E, Along Said Right-Of-Way Line, A Distance Of 310.42 Feet;  
Thence S08°19'27"W, 809.17 Feet;  
Thence N89°59'22"W, 33.00 Feet To The Point Of Beginning; And  
Except Therefrom Any Portion Lying Within The Following Described Parcel Of Land:  
Beginning At The Northeast Corner Of Section 30;  
Thence West Along The North Section Line 511 Feet;  
Thence South 90 Feet;  
Thence West 50 Feet;  
Thence South 1098 Feet;  
Thence East Along The Northerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway) To A Point Common To Sections 29 And 30, Township 2 North, Range 6 West;  
Thence North Along The East Section Line To The Point Of Beginning.

**Parcel 19**

That Portion Of The Northeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona. Described As Follows:  
Beginning At The Northeast Corner Of Section 30;  
Thence West Along The North Section Line 511 Feet;  
Thence South 90 Feet;  
Thence West 50 Feet;  
Thence South 1098 Feet;  
Thence East Along The Northerly Right-Of-Way Line Of Interstate 10 (Ehrenberg-Phoenix Highway) To A Point Common To Sections 29 And 30, Township 2 North, Range 6 West;  
Thence North Along The East Section Line To The Point Of Beginning,  
Except That Portion Lying Within The Following Described Parcel Of Land:  
Beginning At A Point On The Line Common To Said Sections 29 And 30, Which Point Bears S00°00'38"W, 476.85 Feet From The Corner Common To Sections 19, 20, 29 And 30;  
Thence N89°59'22"W, .33.00 Feet;  
Thence S08°19'27"W, 809.17 Feet To The Existing Northerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway);  
Thence S75°04'23"E, Along Said Right-Of-Way Line, A Distance Of 310.42 Feet,  
Thence N04°29'47"W, 381.77 Feet;  
Thence N09°51'36"W, 507.51 Feet;  
Thence N89°59'22"W, 33.00 Feet To The Point Of Beginning.

**Parcel 20**

The West Half Of The Northeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona;  
Except Therefrom That Portion Which Lies Within A Strip Of Land 308 Feet In Width, Being 154 Feet Wide On Each Side Of The Following Described Line:  
Beginning At A Point On The West Line Of Section 30, Which Point Bears S00°00'05"W, 76.94 Feet From The Northwest Corner Of Said Section 30;  
Thence S75°07'10"E, 2990.74 Feet To A Bearing Equation Point, At Which Point S75°07'10"E = S75°04'23"E;  
Thence S75°04'23"E, 2445.44 Feet To A Point On The Line Common To Said Section 29 And 30, Township 2 North, Range 6 West, Which Point Bears S00°00'38"W, 1476.85 Feet From The Section Corner Common To Sections 19, 20, 29 And 30, Township 2 North, Range 6 West;

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Thence Continuing S75°04'23"E To The East Line Of Said West Half Of The Northwest Quarter Of Section 29.

**TOWNSHIP 3 NORTH, RANGE 6 WEST, G&SRB&M, MARICOPA COUNTY, ARIZONA**

**Parcel 1**

Lot 3 Of Section 14, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 2**

The South Half Of The Northeast Quarter And The Southeast Quarter Of Section 22, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 3**

Lots 1 Through 3, Inclusive; The Northeast Quarter Of The Northeast Quarter, The South Half Of The North Half And The South Half Of Section 23, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 4**

Lots 2 Through 4, Inclusive, The South Half Of The Northwest Quarter And The South Half Of Section 24, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 5**

All Of Section 25, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 6**

The East Half And The East Half Of The West Half Of Section 26, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 7**

The Southwest Quarter Of The Northwest Quarter Of Section 26, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

The East Half Of Section 27, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 9**

All Of Section 34, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 10**

All Of Section 35, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

Township 1 North, Range 5 West, G&SRB&M, Maricopa County, Arizona

**Parcel 1**

Lots Three (3) And Four (4) And The Southwest Quarter Of The Northwest Quarter Of Section Five (5), Township One (1) North, Range Five (5) West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona,

Except That Portion Lying Within The Phoenix-Ehrenberg Highway (I-10) Described As Follows:

Beginning At The Northeast Corner Of Said Lot 3;

Thence South 00 Degrees 08 Minutes 55 Seconds East 187.60 Feet (South 187.18 Feet Record) Along The East Line Of Said Lot 3 To The South Right-Of-Way Of Said Highway;

Thence North 75 Degrees 01 Minutes 17 Seconds West (North 75 Degrees 01 Minutes 36 Seconds West 725.36 Feet Record) Along Said Right-Of-Way To The North Line Of Said Lot 3;

Thence South 89 Degrees 59 Minutes 34 Seconds East 700.57 Feet (East 700.80 Feet Record) To The Point Of Beginning.

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**Parcel 2**

The West Half Of The Southwest Quarter And The Southeast Quarter Of The Southwest Quarter Of Section 5, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 3**

The Southeast Quarter Of The Northwest Quarter And The Southwest Quarter Of The Northeast Quarter Of Section 5, Township 1 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 4**

The West Half Of The Northeast Quarter And The East Half Of The Northwest Quarter Of Section Eight (8), Township One (1) North, Range Five (5) West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 5**

The West Half Of The East Half Of The Southwest Quarter Of Section 8, Township 1 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona, Except The South 701.62 Feet Thereof.

**Parcel 6**

The South Half Of The North Half Of The Following Described Parcel:  
The East Half Of The East Half Of The Southwest Quarter Section 8, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 7**

The South Half Of The South Half Of The Following Described Parcel:  
The East Half Of The East Half Of The Southwest Quarter Of Section 8, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

The North Half Of The North Half Of The Following Described Parcel:  
The East Half Of The East Half Of The Southwest Quarter Of Section 8, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 9**

The North Half Of The South Half Of The Following Described Parcel:  
The East Half Of The East Half Of The Southwest Quarter Of Section 8, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 10**

The North Half Of The Northwest Quarter Of Section 9, Township I North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.  
Township 2 North, Range 5 West, G&SRB&M, Maricopa County, Arizona

**Parcel 1**

Lots 1 Through 4, Inclusive; The South Half Of The North Half And The South Half Of Section 3, Township 2 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 2**

Lots 1 Through 4, Inclusive; The South Half Of The North Half And The South Half Of Section 4, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 3**

Lots 1 Through 4, Inclusive, The South Half Of The North Half And The South Half Of Section 5, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 4**

Lots 1 Through 7, Inclusive; The South Half Of The Northeast Quarter, The Southeast Quarter Of The Northwest Quarter, The Southeast Quarter And The East Half Of The Southwest Quarter Of Section 6, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 5**

Lots 1 Through 4, Inclusive; The East Half Of The West Half And The East Half Of Section 7, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 6**

All Of Section 8, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 7**

All Of Section 9, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

The West Half Of The East Half And The West Half Of Section 10, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 9**

All Of Section 15, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 10**

All Of Section 16, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona,  
Except The North Half Of The Northeast Quarter Of Said Section.

**Parcel 11**

The North Half Of The Northeast Quarter Of Section 16, Township 2 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 12**

The East Half Of Section 17, Township 2 North, Range 5 West. Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 13**

Lots 1 Through 4, Inclusive; The East Half Of The West Half And The East Half Of Section 18, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 14**

Lot 1, The East Half Of The Northwest Quarter And The East Half Of Section 19, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 15**

The East Half Of The Northeast Quarter, The Northwest Quarter Of The Northeast Quarter, The West Half, And The Southwest Quarter Of The Southeast Quarter Of Section 22, Township 2 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 16**

The West Half, The West Half Of The East Half, The Northeast Quarter Of The Northeast Quarter, The South Half Of The North Half Of The Southeast Quarter Of The Northeast Quarter And The South Half Of The Southeast Quarter Of The Northeast Quarter Of Section 29, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

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Except Commencing At The Northeast Corner Of Said Northeast Quarter Of The Northeast Quarter Of Section 29; Thence South 00 Degrees 11 Minutes 16 Seconds West, Along The East Line Of Said Northeast Quarter Of The Northeast Quarter, 1291.13 Feet To The Point Of Beginning; Thence Continuing South 00 Degrees 11 Minutes 16 Seconds West, 26.41 Feet; Thence North 89 Degrees 25 Minutes 24 Seconds West, Along The South Line Of Said Northeast Quarter Of The Northeast Quarter, 808.80 Feet; Thence North 01 Degrees 25 Minutes 28 Seconds West, 101.26 Feet; Thence South 84 Degrees 09 Minutes 42 Seconds East, 815.59 Feet To The Point Of Beginning.

**Parcel 17**

The Northeast Quarter, The Southeast Quarter Of The Northwest Quarter, The North Half Of The Southeast Quarter And The Southeast Quarter Of The Southeast Quarter Of Section 30, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 18**

Glo Lot (Fractional Southwest Quarter Of The Southwest Quarter) And The Southeast Quarter Of The Southwest Quarter And The Southwest Quarter Of The Southeast Quarter Of Section 30, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 19**

The East Half Of The East Half Of Section 31, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

Township 3 North, Range 5 West, G&Srb&M, Maricopa County, Arizona

**Parcel 1**

Lot 1, Lots 4 Through 7, Inclusive; The Southeast Quarter Of The Northeast Quarter, The South Half Of The Southwest Quarter And The Southeast Quarter Of Section 17, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 2**

Lots 9 And 10 Of Section 18, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 3**

Lots 2 Through 6, Inclusive; The Southeast Quarter Of The Northwest Quarter, The East Half Of The Southwest Quarter And The East Half Of Section 19, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 4**

All Of Section 20, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 5**

All Of Section 21, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 6**

All Of Section 28, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 7**

All Of Section 29, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

Lots 1 Through 4, Inclusive; The East Half Of The West Half And The East Half Of Section 30, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

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**Parcel 9**

Lots 1 Through 4, Inclusive; The East Half Of The West Half And The East Half Of Section 31, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 10**

All Of Section 33, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 11**

The East Half Of Section 34, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.  
Containing Approximately 24,117 Acres, More Or Less.

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 grant the said franchise as applied for and to impose such restrictions and limitations upon said applicant as to the use of such public highways, roads, alleys and thoroughfares as may be deemed best for the public safety and welfare and to include in such franchise the statutory provisions set forth in Title 40, Chapter 2, Article 4, A.R.S., 1956, requiring the grantee of said franchise to pay such expenses, damages and compensations, if any, as may result from the use and operation of said franchise and as in said statute specified. (C0608022701) (F21283)

**6b. FRANCHISE – HASSAYAMPA UTILITY COMPANY PUBLIC UTILITY FRANCHISE**

Chairman Kunasek called for a public hearing to solicit comments on the application filed by Hassayampa Utility Company for a public service franchise for a domestic water distribution system. The Board considered whether the applicant is able to adequately maintain facilities in county rights-of-way. The franchise is granted with such conditions and restrictions the Board of Supervisors deems best for public safety and welfare including the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. The Franchisee shall bear all expenses relating to the granted franchise including damage and compensation for any alteration of the direction, surface, grade or alignment of any county road for the purpose of the franchise. The public utility franchise is granted to construct, maintain and operate a domestic water distribution system consisting of pipe lines, meters, connections and all necessary equipment for a period not to exceed twenty-five (25) years or for a period of one (1) year after the franchised area or a portion thereof is annexed by a municipality, whichever is shorter, for the supplying of this service, along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State Highways), within that portion of Maricopa County, Arizona, known and described as follows, to-wit:

**TOWNSHIP 1 NORTH, RANGE 6 WEST, G&SRB&M, MARICOPA COUNTY, ARIZONA**

**Parcel 1**

All Of Section 6, Township 1 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 2**

The West Half Of The Northeast Quarter And The North Half Of The Southeast Quarter Of Section 7, Township 1 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona;

Except That Portion Of The Following Described Parcel Of Land Lying Within A 200 Foot Strip, Being 100 Feet On Each Side Of The Following Described Centerline:

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Beginning At A Point North 07 Degrees 7 Minutes 30 Seconds East, 1223.03 Feet From The Southeast Corner Of Section 16, Township 1 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona;  
Thence North 56 Degrees 07 Minutes 30 Seconds West, 1783.55 Feet To The Point Of Curve Of A 0 Degrees 15 Minutes Curve To The Right, Having A Radius Of 22,918.3 Feet;  
Thence Along The Arc. Of Said Curve, A Distance Of 433.33 Feet To The Point Of Tangent Of Said Curve;  
Thence North 55 Degrees 02 Minutes 30 Seconds West, 9949.29 Feet To The Point Of Curve Of A 4 Degrees 00 Minutes Curve To The Left, Having A Radius Of 1432.69 Feet;  
Thence Along The Arc Of Said Curve, 417.29 Feet To The Point Of Tangent Of Said Curve;  
Thence North 71 Degrees 44 Minutes West, 4963.49 Feet To The Point Of Curve Of A 2 Degrees 00 Minutes Curve To The Right Having A Radius Of 2864.79 Feet;  
Thence Along The Arc Of Said Curve, 489.17 Feet To The Point Of Tangent Of Said Curve;  
Thence North 61 Degrees 57 Minutes West, 211.49 Feet To A Point On The West Line Of Section 7, Township 1 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona, Said Point Being South 0 Degrees 16 Minutes West, 394.03 Feet From The Northwest Corner Of Said Section 7.

**TOWNSHIP 2 NORTH, RANGE 6 WEST, G&SRB&M, MARICOPA COUNTY, ARIZONA**

**Parcel 1**

Lots 1 Through 4, Inclusive; The South Half Of The North Half And The South Half Of Section 1, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 2**

All Of Section 11, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 3**

All Of Section 12, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 4**

The North Half And The Southwest Quarter Of Section 13, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 5**

The Northeast Quarter And The Southeast Quarter Of Section 14, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 6**

The North Half Of The Southwest Quarter Of Section 16, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona,

Except The North 282.91 Feet Of The South 305.26 Feet Of The East 154.00 Feet Of The North Half Of The Southwest Quarter Of Section 16, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona, And

Except The South 282.91 Feet Of The North 478.97 Feet Of The East 154.00 Feet Of The North Half Of The Southwest Quarter Of Section 16, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 7**

The South Half Of The Southwest Quarter Of Section 16, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

The Southeast Quarter Of Section 17, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 9**

The North Half Of Section 20, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 10**

The Southeast Quarter Of Section 20, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 11**

The West Half Of Section 21, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona, Except The East 200 Acres Thereof.

**Parcel 12**

The Northeast Quarter Of Section 24, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 13**

The Northwest Quarter Of Section 28, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 14**

The West Half Of The Southwest Quarter Of The Northeast Quarter; And The West Half Of The Southeast Quarter Of the Southwest Quarter Of The Northeast Quarter; And The West Half Of The Northeast Quarter Of The Southwest Quarter Of The Northeast Quarter Of Section 28, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 15**

The Southeast Quarter Of The Northeast Quarter, And The Southeast Quarter Of The Northeast Quarter Of The Northeast Quarter Of Section 28, Township 2 North, Range 6 West Of the Gila And Salt River Meridians Maricopa County, Arizona.

**Parcel 16**

The Northeast Quarter Of The Northeast Quarter Of The Northeast Quarter Of Section 28, Township 2 North, Range 6 West Of the Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 17**

The East Half Of The Southeast Quarter Of The Southwest Quarter Of The Northeast Quarter; And The East Half Of The Northeast Quarter Of The Southwest Quarter Of The Northeast Quarter Of Section 28, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 18**

The Northeast Quarter Of Section 29, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona,  
Except That Portion Of The South Half Of The Northeast Quarter Of Section 29, Township 2 North, Range 6 West Of the Gila And Salt River Meridian, Maricopa County, Arizona, Which Lies Within A Strip Of Land 308 Feet In Width, Being 154 Feet Wide On Each Side Of The Following Described Line:

Beginning At A Point On The West Line Of Said Section 29, Which Point Bears South 0 Degrees 00 Minutes 38 Seconds West, 1476.85 Feet From The Northwest Corner Of said Section 29;  
Thence South 75 Degrees 04 Minutes 23 Seconds East, 5470.76 Feet To A Point On The East Line Of Said Section 29, Which Point Bears South 0 Degrees 03 Minutes 23 Seconds West, 243 12 Feet From The East Quarter Corner Of Said Section 29, As Conveyed To State Of Arizona By And Through Its Highway Commission By Warranty Deed Recorded In Docket 6586, Page 69.

**Parcel 19**

The East Half Of The Northwest Quarter Of Section 29, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona,

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Except That Portion Of Said East Half Of The Northwest Quarter Of Said Section 29 Which Lies Within A Strip Of Land 308 Feet In Width, Being 154 Feet Wide On Each Side Of The Following Described Line:

Beginning At A Point On The West Line Of Said Section 29, Which Point Bears S00°00'38"W, 1476.85 Feet From The Northwest Corner Of Said Section 29;

Thence S75°04'23"E, 5470.76 Feet To A Point On The East Line Of Said Section 29, Which Point Bears S00°03'23"W, 243.12 Feet From The East Quarter Corner Of Said Section 29.

**Parcel 20**

The West Half Of The Northwest Quarter Of Section 29, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona,

Except Therefrom That Portion Which Lies Within A Strip Of Land 308 Feet In Width, Being 154 Feet Wide On Each Side Of The Following Described Line:

Beginning At A Point On The West Line Of Section 30, Which Point Bears S 00° 00' 05" Seconds West, 76.94 Feet From The Northwest Corner Of Said Section 30;

Thence S75°07'10"E, 2990.74 Feet To A Bearing Equation Point, At Which Point S75°07'10"E = S75°04'23"E; Thence S75°04'23"E, 2445.44 Feet To A Point On The Line Common To Said Section 29 And 30, Township 2 North, Range 6 West, Which Point Bears S00°00'38" W, 1476.85 Feet From The Section Corner Common To Sections 19, 20, 29 And 30, Township 2 North, Range 6 West;

Thence Continuing S75°04'23"E To The East Line Of Said West Half Of The Northwest Quarter Of Section 29, And

Except Therefrom Those Portions Lying Within The Following Described Parcels Of Land:

Tract No. 1

Beginning At A Point On The Line Common To Said Sections 29 And 30, Which Point Bears S00°00'38"W, 476.85 Feet From The Corner Common To Sections 19, 20, 29 And 30;

Thence N89°59'22"W, 33.00 Feet;

Thence S08°19'27"W, 809.17 Feet To The Existing Northerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway);

Thence S75°04'23"E, Along Said Right-Of-Way Line, A Distance Of 310.42 Feet,

Thence N04°29'47"W, 381.77 Feet;

Thence N09°51'36"W, 507.51 Feet;

Thence N89°59'22"W, 33.00 Feet To The Point Of Beginning.

Tract No. 2

Beginning At A Point On The Line Common To Said Sections 29 And 30, Which Point Bears N00°00'38"E, 2805.94 Feet From The Corner Common To Sections 29, 30, 31 And 32;

Thence N89°59'22"W, 33.00 Feet;

Thence N07°33'28"W, 888.33 Feet To The Existing Southerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway);

Thence S75°04'23"E, Along Said Right-Of-Way Line, A Distance Of 310.42 Feet;

Thence S08°19'27"W, 809.17 Feet;

Thence N89°59'22"W, 33.00 Feet To The Point Of Beginning.

**Parcel 21**

The North Half Of The Southeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 22**

The South Half Of The Southeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 23**

The East Half Of The Northeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona, Except Therefrom That Portion Which Lies Within A Strip Of Land 308 Feet In Width, Being 154 Feet Wide On Each Side Of The Following Described Line:

Beginning At A Point On The West Line Of Section 30, Which Point Bears S 00° 00' 05" Seconds West, 76.94 Feet From The Northwest Corner Of Said Section 30;

Thence S75°07'10"E, 2990.74 Feet To A Bearing Equation Point, At Which Point S75°07'10"E = S75°04'23"E; Thence S75°04'23"E, 2445.44 Feet To A Point On The Line Common To Said Section 29 And 30, Township 2 North, Range 6 West, Which Point Bears S00°00'38" W, 1476.85 Feet From The Section Corner Common To Sections 19, 20, 29 And 30, Township 2 North, Range 6 West;

Thence Continuing S75°04'23"E To The East Line Of Said West Half Of The Northwest Quarter Of Section 29; And,

Except Therefrom Those Portions Lying Within The Following Described Parcels Of Land:

Tract No. 1

Beginning At A Point On The Line Common To Said Sections 29 And 30, Which Point Bears S00°00'38"W, 476.85 Feet From The Corner Common To Sections 19, 20, 29 And 30;

Thence N89°59'22"W, 33.00 Feet;

Thence S08°19'27"W, 809.17 Feet To The Existing Northerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway);

Thence S75°04'23"E, Along Said Right-Of-Way Line, A Distance Of 310.42 Feet;

Thence N04°29'47"W, 381.77 Feet;

Thence N09°51'36"W, 507.51 Feet;

Thence N89°59'22"W, 33.00 Feet To The Point Of Beginning.

Tract No. 2

Beginning At A Point On The Line Common To Said Sections 29 And 30, Which Point Bears N00°00'38"E, 2805.94 Feet From The Corner Common To Sections 29, 30, 31 And 32;

Thence N89°59'22"W, 33.00 Feet;

Thence N07°33'28"W, 888.33 Feet To The Existing Southerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway);

Thence S75°04'23"E, Along Said Right-Of-Way Line, A Distance Of 310.42 Feet;

Thence S08°19'27"W, 809.17 Feet;

Thence N89°59'22"W, 33.00 Feet To The Point Of Beginning; And

Except Therefrom Any Portion Lying Within The Following Described Parcel Of Land:

Beginning At The Northeast Corner Of Section 30;

Thence West Along The North Section Line 511 Feet;

Thence South 90 Feet;

Thence West 50 Feet;

Thence South 1098 Feet;

Thence East Along The Northerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway) To A Point Common To Sections 29 And 30, Township 2 North, Range 6 West;

Thence North Along The East Section Line To The Point Of Beginning.

**Parcel 24**

That Portion Of The Northeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona. Described As Follows:

Beginning At The Northeast Corner Of Section 30;

Thence West Along The North Section Line 511 Feet;

Thence South 90 Feet;  
Thence West 50 Feet;  
Thence South 1098 Feet;  
Thence East Along The Northerly Right-Of-Way Line Of Interstate 10 (Ehrenberg-Phoenix Highway) To A Point Common To Sections 29 And 30, Township 2 North, Range 6 West;  
Thence North Along The East Section Line To The Point Of Beginning,  
Except That Portion Lying Within The Following Described Parcel Of Land:  
Beginning At A Point On The Line Common To Said Sections 29 And 30, Which Point Bears S00°00'38"W, 476.85 Feet From The Corner Common To Sections 19, 20, 29 And 30;  
Thence N89°59'22"W, .33.00 Feet;  
Thence S08°19'27"W, 809.17 Feet To The Existing Northerly Right-Of-Way Line Of Interstate Highway 10 (Ehrenberg-Phoenix Highway);  
Thence S75°04'23"E, Along Said Right-Of-Way Line, A Distance Of 310.42 Feet,  
Thence N04°29'47"W, 381.77 Feet;  
Thence N09°51'36"W, 507.51 Feet;  
Thence N89°59'22"W, 33.00 Feet To The Point Of Beginning.

**Parcel 25**

The West Half Of The Northeast Quarter Of Section 30, Township 2 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona;  
Except Therefrom That Portion Which Lies Within A Strip Of Land 308 Feet In Width, Being 154 Feet Wide On Each Side Of The Following Described Line:  
Beginning At A Point On The West Line Of Section 30, Which Point Bears S00°00'05"W, 76.94 Feet From The Northwest Corner Of Said Section 30;  
Thence S75°07'10"E, 2990.74 Feet To A Bearing Equation Point, At Which Point S75°07'10"E = S75°04'23"E;  
Thence S75°04'23"E, 2445.44 Feet To A Point On The Line Common To Said Section 29 And 30, Township 2 North, Range 6 West, Which Point Bears S00°00'38"W, 1476.85 Feet From The Section Corner Common To Sections 19, 20, 29 And 30, Township 2 North, Range 6 West;  
Thence Continuing S75°04'23"E To The East Line Of Said West Half Of The Northwest Quarter Of Section 29.

**Parcel 26**

The South Half And The Northwest Quarter Of Section 31 Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 27**

The Northeast Quarter Of Section 31, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 28**

All Of Section 32, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**Parcel 29**

The Southwest Quarter Of Section 33, Township 2 North, Range 6 West Of The Gila And Salt River Meridian, Maricopa County, Arizona.

**TOWNSHIP 3 NORTH, RANGE 6 WEST, G&SRB&M, MARICOPA COUNTY, ARIZONA**

**Parcel 1**

Lot 3 Of Section 14, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 2**

The South Half Of The Northeast Quarter And The Southeast Quarter Of Section 22, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

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**Parcel 3**

Lots 1 Through 3, Inclusive; The Northeast Quarter Of The Northeast Quarter, The South Half Of The North Half And The South Half Of Section 23, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 4**

Lots 2 Through 4, Inclusive, The South Half Of The Northwest Quarter And The South Half Of Section 24, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 5**

All Of Section 25, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 6**

The East Half And The East Half Of The West Half Of Section 26, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 7**

The Southwest Quarter Of The Northwest Quarter Of Section 26, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

The East Half Of Section 27, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 9**

All Of Section 34, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 10**

All Of Section 35, Township 3 North, Range 6 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**TOWNSHIP 1 NORTH, RANGE 5 WEST, G&SRB&M, MARICOPA COUNTY, ARIZONA**

**Parcel 1**

Lots Three (3) And Four (4) And The Southwest Quarter Of The Northwest Quarter Of Section Five (5), Township One (1) North, Range Five (5) West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona,

Except That Portion Lying Within The Phoenix-Ehrenberg Highway (I-10) Described As Follows:  
Beginning At The Northeast Corner Of Said Lot 3;

Thence South 00 Degrees 08 Minutes 55 Seconds East 187.60 Feet (South 187.18 Feet Record)  
Along The East Line Of Said Lot 3 To The South Right-Of-Way Of Said Highway;

Thence North 75 Degrees 01 Minutes 17 Seconds West (North 75 Degrees 01 Minutes 36  
Seconds West 725.36 Feet Record) Along Said Right-Of-Way To The North Line Of Said Lot 3;

Thence South 89 Degrees 59 Minutes 34 Seconds East 700.57 Feet (East 700.80 Feet Record)  
To The Point Of Beginning.

**Parcel 2**

The West Half Of The Southwest Quarter And The Southeast Quarter Of The Southwest Quarter Of Section 5, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 3**

The Southeast Quarter Of The Northwest Quarter And The Southwest Quarter Of The Northeast Quarter Of Section 5, Township 1 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

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**Parcel 4**

The West Half Of The Northeast Quarter And The East Half Of The Northwest Quarter Of Section Eight (8), Township One (1) North, Range Five (5) West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 5**

The West Half Of The East Half Of The Southwest Quarter Of Section 8, Township 1 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona, Except The South 701.62 Feet Thereof.

**Parcel 6**

The South Half Of The North Half Of The Following Described Parcel:  
The East Half Of The East Half Of The Southwest Quarter Section 8, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 7**

The South Half Of The South Half Of The Following Described Parcel:  
The East Half Of The East Half Of The Southwest Quarter Of Section 8, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

The North Half Of The North Half Of The Following Described Parcel:  
The East Half Of The East Half Of The Southwest Quarter Of Section 8, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 9**

The North Half Of The South Half Of The Following Described Parcel:  
The East Half Of The East Half Of The Southwest Quarter Of Section 8, Township 1 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 10**

The North Half Of The Northwest Quarter Of Section 9, Township I North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**TOWNSHIP 2 NORTH, RANGE 5 WEST, G&SRB&M, MARICOPA COUNTY, ARIZONA**

**Parcel 1**

Lots 1 Through 4, Inclusive; The South Half Of The North Half And The South Half Of Section 3, Township 2 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 2**

Lots 1 Through 4, Inclusive; The South Half Of The North Half And The South Half Of Section 4, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 3**

Lots 1 Through 4, Inclusive, The South Half Of The North Half And The South Half Of Section 5, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 4**

Lots 1 Through 7, Inclusive; The South Half Of The Northeast Quarter, The Southeast Quarter Of The Northwest Quarter, The Southeast Quarter And The East Half Of The Southwest Quarter Of Section 6, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

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**Parcel 5**

Lots 1 Through 4, Inclusive; The East Half Of The West Half And The East Half Of Section 7, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 6**

All Of Section 8, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 7**

All Of Section 9, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

The West Half Of The East Half And The West Half Of Section 10, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 9**

All Of Section 15, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 10**

All Of Section 16, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona, Except The North Half Of The Northeast Quarter Of Said Section.

**Parcel 11**

The North Half Of The Northeast Quarter Of Section 16, Township 2 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 12**

The East Half Of Section 17, Township 2 North, Range 5 West. Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 13**

Lots 1 Through 4, Inclusive; The East Half Of The West Half And The East Half Of Section 18, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 14**

Lot 1, The East Half Of The Northwest Quarter And The East Half Of Section 19, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 15**

The East Half Of The Northeast Quarter, The Northwest Quarter Of The Northeast Quarter, The West Half, And The Southwest Quarter Of The Southeast Quarter Of Section 22, Township 2 North, Range 5 West, Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 16**

The West Half, The West Half Of The East Half, The Northeast Quarter Of The Northeast Quarter, The South Half Of The North Half Of The Southeast Quarter Of The Northeast Quarter And The South Half Of The Southeast Quarter Of The Northeast Quarter Of Section 29, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

Except Commencing At The Northeast Corner Of Said Northeast Quarter Of The Northeast Quarter Of Section 29; Thence South 00 Degrees 11 Minutes 16 Seconds West, Along The East Line Of Said Northeast Quarter Of The Northeast Quarter, 1291.13 Feet To The Point Of Beginning; Thence Continuing South 00 Degrees 11 Minutes 16 Seconds West, 26.41 Feet; Thence North 89 Degrees 25 Minutes 24 Seconds West, Along The South Line Of Said Northeast Quarter Of The Northeast Quarter, 808.80 Feet; Thence North 01 Degrees 25 Minutes 28

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Seconds West, 101.26 Feet; Thence South 84 Degrees 09 Minutes 42 Seconds East, 815.59 Feet To The Point Of Beginning.

**Parcel 17**

The Northeast Quarter, The Southeast Quarter Of The Northwest Quarter, The North Half Of The Southeast Quarter And The Southeast Quarter Of The Southeast Quarter Of Section 30, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 18**

Glo Lot (Fractional Southwest Quarter Of The Southwest Quarter) And The Southeast Quarter Of The Southwest Quarter And The Southwest Quarter Of The Southeast Quarter Of Section 30, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 19**

The East Half Of The East Half Of Section 31, Township 2 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**TOWNSHIP 3 NORTH, RANGE 5 WEST, G&SRB&M, MARICOPA COUNTY, ARIZONA**

**Parcel 1**

Lot 1, Lots 4 Through 7, Inclusive; The Southeast Quarter Of The Northeast Quarter, The South Half Of The Southwest Quarter And The Southeast Quarter Of Section 17, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 2**

Lots 9 And 10 Of Section 18, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 3**

Lots 2 Through 6, Inclusive; The Southeast Quarter Of The Northwest Quarter, The East Half Of The Southwest Quarter And The East Half Of Section 19, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 4**

All Of Section 20, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 5**

All Of Section 21, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 6**

All Of Section 28, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 7**

All Of Section 29, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 8**

Lots 1 Through 4, Inclusive; The East Half Of The West Half And The East Half Of Section 30, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 9**

Lots 1 Through 4, Inclusive; The East Half Of The West Half And The East Half Of Section 31, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

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**Parcel 10**

All Of Section 33, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

**Parcel 11**

The East Half Of Section 34, Township 3 North, Range 5 West Of The Gila And Salt River Base And Meridian, Maricopa County, Arizona.

Containing Approximately 26,411 Acres, More Or Less.

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 grant the said franchise as applied for and to impose such restrictions and limitations upon said applicant as to the use of such public highways, roads, alleys and thoroughfares as may be deemed best for the public safety and welfare and to include in such franchise the statutory provisions set forth in Title 40, Chapter 2, Article 4, A.R.S., 1956, requiring the grantee of said franchise to pay such expenses, damages and compensations, if any, as may result from the use and operation of said franchise and as in said statute specified. (C0608023701) (F23217)

**Transportation**

**7a. PUBLIC HEARING – ROAD FILE DECLARATION – ROAD FILE NO. A400**

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 approve, by resolution, 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. (C6408193000)

**RESOLUTION**  
**ROAD DECLARED (ROAD FILE NO. A400)**

**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 60 feet in width, together with all appurtenances and easements of record, lying within the South half of the Northwest quarter of Section Fourteen (14) in Township Four (4) North, Range One (1) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway being more particularly described as;  
The East 30 feet of the West half of the South half of the Northwest quarter and the West 30 feet of the East half of the South half of the Northwest quarter of said Section 14.  
(Said alignment is also known as 81<sup>st</sup> Avenue from Williams Road to Patrick Lane in Supervisor District No. 4 and in an unincorporated area.)

**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

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**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 4<sup>th</sup> day of June 2008.

/s/ Andrew Kunasek, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**7b. PUBLIC HEARING – ROAD FILE DECLARATION – ROAD FILE NO. A390**

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 approve, by resolution, 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. (C6408195000)

**RESOLUTION  
ROAD DECLARED (ROAD FILE NO. A390)**

**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 alignment, together with all appurtenant rights, being 60 feet in width and lying within the Northeast quarter of Section 30, Township 6 North, Range 3 East of the Gila

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and Salt River Base and Meridian, Maricopa County, Arizona, and being more particularly described as follows:

The East 30 feet of the West half of the Northeast quarter and the West 30 feet of the East half of the Northeast quarter of said Section 30.

(Said roadway also known as 11<sup>th</sup> Avenue from Irvine Road to Desert Hills Drive, located in Supervisor District No. 3 and in an unincorporated area).

**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 4<sup>th</sup> day of June 2008.

/s/ Andrew Kunasek, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**7c. PUBLIC HEARING – ROAD FILE DECLARATION – ROAD FILE NO. A401**

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 approve, by resolution, 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

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authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation. (C6408198000)

**RESOLUTION**  
**ROAD DECLARED (ROAD FILE NO. A401)**

**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 alignment, together with all appurtenant rights, being 50 feet in width and lying within the Northwest quarter of Section 33, Township 2 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more particularly described as follows:

The East 25 feet of the West half of the Northeast quarter of said Northwest quarter and the West 25 feet of the East half of the Northeast quarter of said Northwest quarter and the East 25 feet of the Northwest quarter of the Southeast quarter of said Northwest quarter and the West 25 feet of the Northeast quarter of the Southeast quarter of said Northwest quarter of said Section 33.

(Said roadway also known as 192<sup>nd</sup> Avenue from Lewis Avenue to Thomas Road, located in 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.

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**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 4<sup>th</sup> day of June 2008.

/s/ Andrew Kunasek, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**7d. PUBLIC HEARING – ROAD FILE DECLARATION – ROAD FILE NO. A402**

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 approve, by resolution, 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. (C6408199000)

**RESOLUTION**  
**ROAD DECLARED (ROAD FILE NO. A402)**

**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 alignment, together with all appurtenant rights, being 50 feet in width and lying within the Northwest quarter of Section 33, Township 2 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more particularly described as follows:

The South 25 feet of the Southwest quarter of the Northeast quarter of said Northwest quarter and the North 25 feet of the Northwest quarter of the Northeast quarter of said Northwest quarter of said Section 33.

(Said roadway also known as Virginia Avenue from 193<sup>rd</sup> Avenue to 192<sup>nd</sup> Avenue, located in 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

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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 4<sup>th</sup> day of June 2008.

/s/ Andrew Kunasek, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**7e. PUBLIC HEARING – ROAD FILE DECLARATION – ROAD FILE NO. A403**

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 approve, by resolution, 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. (C6408200000)

**RESOLUTION  
ROAD DECLARED (ROAD FILE NO. A 403)**

**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 alignment, together with all appurtenant rights, being 50 feet in width and lying within the Northwest quarter of Section 33, Township 2 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more particularly described as follows:

The South 25 feet of the North half of the Northeast quarter of said Northwest quarter and the North 25 feet of the South half of the Northeast quarter of said Northwest quarter and the South 40 feet of the North 65 feet of the East 100 feet of the West 490 feet of the Southeast quarter of the Northeast quarter of the Northwest quarter of said Section 33. (Said roadway also known as Windsor Avenue from 193<sup>rd</sup> Avenue to 191<sup>st</sup> Avenue, located in Supervisor District No. 4).

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**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 4<sup>th</sup> day of June 2008.

/s/ Andrew Kunasek, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**Clerk of the Superior Court**

**8. ESTABLISHMENT OF A NEW DOCKET FEE**

Item: Pursuant to A.R.S. §11-251.08, Chairman Kunasek convened the scheduled public hearing to solicit comments and consider authorizing the establishment of a new Docket Fee of \$5.00 to be assessed upon the filing of initial complaints, and answers or responses, in all civil, family, probate, and tax cases. The effective date of the fee increase will be decided by the Board of Supervisors at a future meeting and will not be sooner than July 1, 2008. The proposed fee proceeds will be collected and deposited by the Clerk of the Superior Court (160) in the General Fund (100) with the Maricopa County Treasurer for disbursement by the Clerk of the Superior Court. Monies collected will be used to defray the costs of personnel and related operating costs of the docketing function in non-criminal cases. (C1608004800) (ADM1005)

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Gordon Mulleneaux, Clerk of the Court's Office, was present to answer any questions, but there were none.

No protests having been received and no speakers coming forward to protest this item, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve this new docket fee.

**Solid Waste**

**9. REVISED SOLID WASTE MANAGEMENT DEPARTMENT FEE SCHEDULE FOR TRANSFER STATION SERVICES**

Chairman Kunasek convened the scheduled public hearing to consider the adoption of a revised Solid Waste Management (SWM) Department fee schedule for transfer station services to be effective July 1, 2008. Solid Waste Management transfer station fees have not been revised since May 1996. The expansion of transfer station operations in order to accept many categories of waste, in addition to bagged household trash, necessitates the update of fees charged at transfer station facilities. (C6708002M00) (ADM2077)

<u>ACCEPTED MATERIAL</u>	<u>FEE SCHEDULE</u>	<u>ITEMS NOT ACCEPTED</u>	
<b><u>TRASH AND BAGGED GARBAGE</u></b>			
•Passenger Car/Station Wagon	\$4.00/Load	<ul style="list-style-type: none"> <li>•Medical Waste</li> <li>•Explosives</li> <li>•Nuclear Waste</li> <li>•Hazardous Materials</li> <li>•Pesticides/Herbicides</li> <li>•Liquid Waste</li> <li>•Dead Animals</li> <li>•Construction Debris</li> <li>•Dirt</li> </ul>	
•Vans/Sport Utility Vehicles	\$6.00/Load		
•All Pickup Trucks (for loads below cab height and not extending beyond the end of the bed of the vehicle.)	\$8.00/Load		
•Trailers (10 feet long/2 feet high)	\$8.00/Load		
<b><u>GREEN WASTE</u></b>			
tree limbs/branches-must be cut in 3 foot lengths. -grass/leaves must be bagged			
•Passenger Car/Station Wagon	\$4.00/Load		
•Vans/Sport Utility Vehicles	\$6.00/Load		
•All Pickup Trucks (for loads below cab height and not extending beyond the end of the bed of the vehicle.)	\$12.00/Load		
•Trailers (10 feet long/2 feet high)	\$12.00/Load		
<b><u>OTHER MATERIALS</u></b>			
•Refrigerators/Air Conditioners (must be evacuated, tagged and	\$8.00/Each Item		

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compressor removed)

•Large Items  
(Furniture, Sofa/Chair,  
Mattress/Springs, Washer/Dryer) **\$8.00/Each  
Item**

**RECYCLABLES**

•Cardboard/Aluminum  
Cans/Metal **No Fee**  
•Paper/Plastics/Cans  
(unbagged) **No Fee**  
•Electronic Waste **No Fee**  
•1-5 Car Tires Only **No Fee**  
•Anti-freeze and Oil up to 5 gal. **No Fee**  
•Paint up to 5 gal. **No Fee**  
•Batteries **No Fee**

**EXAMPLES:**

1. A pickup truck carrying five (5) tires and no trash: **No fee**
2. Loads with "recyclable" materials in any combination: **No Fee**
3. A pickup truck with bagged garbage and three (3) tagged refrigerators: **\$8.00+\$24.00=\$32.00**
4. A van with "recyclable" materials pulling a trailer with bagged garbage/trash: **No Fee+\$8.00=\$8.00**
5. A pickup truck pulling a trailer both filled with green waste: **\$12.00+\$12.00=\$24.00**
6. A SUV with a sofa: **\$8.00**
7. A pickup with a mixed load of trash, garbage and green waste: **\$8.00+\$4.00=\$12.00**
8. A passenger car with 3 bags of trash/garbage and 1 bag of mixed recyclable: **\$4.00+No Fee=\$4.00**

No protests having been received and no speakers coming forward to protest this item, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve this fee schedule for Transfer Station Services.

**AGENCY ITEMS AND STATUTORY MATTERS**

**COUNTY OFFICERS**

**Clerk of the Board**

**10. FIREWORKS PERMIT APPLICATION**

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

- a. Pursuant to A.R.S. §36-1603, the application filed by Randy Reyman for an original Fireworks Display Application: (ADM665-72)

Organization: Any Pyro  
Location: 41130 N. Freedom Way, Anthem 85086  
Date/Time: July 3, 2008, 9:00pm

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- b. Pursuant to A.R.S. §36-1603, the application filed by John Teixeira for an original Fireworks Display Application: (ADM665-71)

Organization:	Tonopah Fire Department
Location:	38201 W. Indian School Road, Tonopah 85354
Date/Time:	July 4, 2008, 9:00pm

**Internal Audit**

**11. ANNUAL AUDIT PLAN FOR FISCAL YEAR 2009**

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the County Auditor's Annual Audit Plan for Fiscal Year 2009. (C2308003M00) (ADM2600)

**Maricopa County Internal Audit  
FY09 Audit Plan**

**Agency Audits**

Clerk of Superior Court  
Employee Health Initiatives  
Internal Audit Peer Review  
Public Defense Services  
Sheriff's Office (Detention)  
8 Justice Courts (Dreamy Draw, Kyrene, McDowell Mountain,  
Moon Valley, San Marcos, San Tan, University Lakes)

**Annual Projects**

Financial Condition  
Performance Measure Certification  
Single Audit  
Special Requests

**Countywide Audits**

Contracts  
Fleet  
Licenses, Fees, Permits  
Surprise Cash Counts  
Travel  
IT Continuous Monitoring  
IT Data Centers & Disaster Recovery  
IT Governance  
IT Network Review

**County Attorney**

**12. RECEIPT OF FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, SOUTHWEST BORDER INITIATIVE PROGRAM**

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the on-going receipt of grant funds from the United States Department of Justice, Bureau of Justice Assistance, Southwest Border Initiative Program, in the amount of \$505,134 (originally approved by the Board on August 27, 2003 C19040118). These funds are for cases that were investigated by federal law enforcement agencies and prosecuted by the Maricopa County Attorney's Office under state law and because the crimes were committed in Maricopa County. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$69,708.47. These cases have already been prosecuted and therefore there are no indirect costs to accepting this grant money. The federal government has funded this program through September 30, 2008 in accordance with Public Law 110-161. Continuing electronic applications for reimbursement are made on a quarter by quarter basis.

Also, authorize revenue and expenditure appropriation increase adjustments for the County Attorney (190) grant fund (219) in the amount of \$44,846.

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. (C1905001802)

**Sheriff**

**13. LICENSE AGREEMENT WITH LAKE PLEASANT MARINA PARTNERS, LLP FOR ACCESS AND USE OF DOCK SPACE AT SCORPION BAY MARINA**

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve and execute a License Agreement between Lake Pleasant Marina Partners, LLP, ("Licensor") and Maricopa County through the Sheriff's office for access to, and use of dock space at Scorpion Bay Marina located at Lake Pleasant. This agreement will provide the Sheriff's Office Lake patrol with mooring for a floating boat garage along with 24-hours per day, seven-day per week use of the licensed area. The term of the agreement is for a five year period commencing upon completion and certification of occupancy to Lake Pleasant Marina Partners and with mutual consent provides one five-year renewal term. The License cost is \$10.00 fee for the full term. Licensor will provide electrical and fresh water service to the garage at Licensor's cost. (C5008052100)

**14. AGREEMENT AND ACCEPT GRANT FUNDING FOR THE HIGH INTENSITY DRUG TRAFFICKING AREA**

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the agreement and acceptance of \$396,262 in continued grant funding from the Arizona Criminal Justice Commission (ACJC) for the High Intensity Drug Trafficking Area (HIDTA). The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%; the unrecoverable indirect cost associated with this grant is \$48,343.96. The term of this Agreement is October 1, 2007 through September 30, 2009. The Sheriff's Office has participated in HIDTA grants for approximately ten years.

Also, to approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-09 by \$123,730. 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. (C5008554300)

**15. AGREEMENT AND ACCEPT GRANT FUNDING FOR THE HIGH INTENSITY DRUG TRAFFICKING AREA ARIZONA DRUG INTELLIGENCE TASK FORCE**

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the agreement and acceptance of \$73,454 in continued grant funding from the Arizona Criminal Justice Commission (ACJC) for the High Intensity Drug Trafficking Area (HIDTA) Arizona Drug Intelligence Task Force. The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%; the unrecoverable indirect cost associated with this grant is \$8,961.39. The term of this agreement is October 1, 2007 through September 30, 2009. The Sheriff's Office has participated in HIDTA grants for approximately ten years.

Also, to approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-09 by \$35,831. 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. (C5008555300)

**16. RESOLUTION TO APPLY AND ACCEPT FUNDS FROM THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY**

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to adopt a Resolution approving application and acceptance of up to \$447,695 in reimbursable grant funding from the Governor's Office of Highway Safety (GOHS). This funding will be used for projects relating to all aspects of highway safety. The anticipated term of the funding is October 1, 2008 through September 30, 2010. The Sheriff's Office indirect cost rate is 12.2% for FY 2008-09. Unrecoverable indirect costs associated with this grant are estimated to be \$54,619. The Sheriff's Office has participated in GOHS grants for approximately 10 years.

Also, to approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-09 by \$223,848. 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. (C5008557300)

**Treasurer**

**17. COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT**

Pursuant to A.R.S. §11-501, motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to receive the Treasurer's Statement of Collections and Investment summary reports for April 2008 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (C4308021700) (ADM4006)

**TRIAL COURTS  
Justice Courts**

**18. IGA FOR CONTINUED USE OF FACILITY**

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to retroactively approve and execute an Intergovernmental Agreement (IGA) between the Town of Gila Bend and Maricopa County. The Ironwood Justice Court and the Gila Bend Municipal Court are currently located in a building owned and operated by Maricopa County located at 209 East Pima, Gila Bend, AZ, 85337-0648. The IGA will allow the continued use of the facility for the common administration and operation of the County Court and Town Court in the greatest extent possible under the laws of the State of Arizona. The term of the IGA shall run from July 1, 2007 to June 30, 2008, with an option to automatically renew and extend for an additional one year term unless previously terminated pursuant to the provisions of the IGA. (C2408004200)

**COUNTY MANAGER**

Office of the County Manager

19. **AMENDMENT IGA WITH ASU FOR ARIZONA ARRESTEE REPORTING INFORMATION NETWORK PROJECT**

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve Amendment No. 2 of the Intergovernmental Agreement (C200701500) between Maricopa County and the Arizona Board of Regents for and on behalf of Arizona State University for the AARIN (Arizona Arrestee Reporting Information Network) Project. The purpose of this renewal is to provide funding in the amount not-to-exceed \$263,563.41 for the period of July 1, 2008 through June 30, 2009, subject to availability of funds. Approval of this IGA will allow the Arizona State University Center for Violence Prevention and Community Safety to continue gathering data from inmates during booking, providing the Maricopa County Criminal Justice System with crucial information for decision making. The term of this agreement shall commence July 1, 2008 and shall terminate on June 30, 2009. Also, approve an adjustment to the FY 2008-09 budget, once adopted, transferring \$263,564 from the Non-Departmental (470) General Fund (100) Other Programs (4712) "Crime Prevention Grants" line to a new line in Non-Departmental (470) General Fund (100) Other Programs (4712) entitled "AARIN Project". This amount will be used to fund the AARIN IGA during FY 2008-09. (C2007015002)

20. **ECONOMIC DEVELOPMENT CONTRACT FOR THE WESTERN MARICOPA ENTERPRISE ZONE**

Item: Approve the FY 2007-08 nonprofit economic development contract for the Western Maricopa Enterprise Zone (WMEZ) for \$15,000 for purposes of promoting the enterprise zone to potential businesses and strengthening the employment base of the region. (C2008056100)

Jack Lundsford, CEO of Westmarc, said that some provisions of this contract required an annual audited financial statement. It was recently found that this annual audit would cost between \$8,000 and \$16,000, which would produce a constraint on their budget. Their Board determined to conduct a financial review every two years and an audit in the third year and inquired if this would be acceptable to the Board. He said it was felt that the yearly audit requirement "just for this \$15,000 contract was a little out of line" although he had signed the contract, hoping it would be ratified later. He requested the Board to approve the contract with that particular requirement amended out. He said they would work with OMB to modify the County's current policy so the yearly audit requirement could be eliminated for very small contracts.

Discussion ensued that elicited the following information:

- The 2006-07 and 2007-08 contract with Western Maricopa Enterprise Zone (WMEZ) calls for a yearly audit.
- The cost for these two audits could necessitate a special personal "donation" from board advisory group members to pay for it.
- Board recommended a policy review of the yearly audit requirement for small contracts with a possible change in policy.
- OMB reported that the WMEZ contract agreeing to a yearly audit had been agreed to and signed by all parties and the question of fairness to all contractees was raised.
- The fact that most County departments are audited no oftener than every 2-5 years because of the expense and man hours required.
- The County's mandate of responsible and transparent management of taxpayer monies in a fair and balanced manner.

- WMEZ agreement to honor their contract and work with County management on a policy amendment that would be more friendly to small enterprises.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve this contract as written.

### **Justice System Planning**

#### **21. DONATION FOR THE AZ METH PROJECT**

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

- o Accept donation of \$10,000 from Arizona Dental Association for the AZ METH PROJECT.
- o Accept donation of \$10,000 from Delta Dental of Arizona Foundation for the AZ METH PROJECT.

These actions will require an appropriation adjustment to General Fund (100) Appropriated Fund Balance (480) Other Programs (4812) line item titled "Meth Project," increasing the FY 2007-08 revenue and expenditure budgets by \$20,000. Donation revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C4208021M00) (ADM639-006)

### **Public Defender**

#### **22. TRANSFER EXPENDITURE AUTHORITY**

Pursuant to A.R.S. §42-17106, motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to transfer expenditure authority of \$4,500,000 from Non-Departmental (470) General Fund (100) Unreserved Contingency (4711) to a new line in Non-Departmental (470) General Fund (100) Other Programs (4712) entitled, "Indigent Representation". Also approve the transfer of expenditure authority in an amount not-to-exceed \$4,500,000 from the Non-Departmental (470) General Fund (100) Other Programs (4712) line entitled, "Indigent Representation" to the Office of Public Defense Services (560) General Fund (100) at the end of Fiscal Year 2007-08 to cover increased case representation costs. The transfers will only be used if, following a County Manager-Authorized transfer of year-end General Fund savings from the Offices of the Public Defender (520), Legal Defender (540) and Legal Advocate (550), the Office of Public Defense Services (560) is unable to cover remaining General Fund expenditures within its current appropriation. (C5608001800) (ADM540)

### **DEPUTY COUNTY MANAGER Correctional Health**

#### **23. AGREEMENT FOR EDUCATIONAL OPPORTUNITY**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an Affiliation Agreement between Correctional Health Services and Arizona State University. Approval would provide Registered Nurses and Nurse Practitioner students the educational opportunity to work in a supervised, clinical environment within the Maricopa County jail and detention facilities. This

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agreement period is for five years from the date of approval by the Maricopa County Board. There is no financial impact. (C2608008000)

**24. EXECUTIVE COMPENSATION PACKAGE**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an Executive Compensation Package (ECP) for Dawn Noggle, an unclassified Director of Mental Health in the Correctional Health Services department, authorizing a deposit of 40 hours of PTO to her leave balance effective July 1, 2008. (C2608010000) (ADM3308-002)

**Office of Enterprise Technology**

**25. INCREASE IN REVENUE AND EXPENDITURES FOR THE OFFICE OF ENTERPRISE TECHNOLOGY**

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an increase in revenue and expenditures for the Office of Enterprise Technology (410) Telecommunications Fund (681) for FY 2007-08 in an amount not-to-exceed \$3,965,327. This increase is due to the increased demand in customer driven work orders and carrier provided services. Revenue from charges for parts and services will offset the increased expense. This adjustment will require offsetting revenue and expenditure adjustments to Elimination Department (980), Eliminations Fund (900) in the amount not-to-exceed \$3,965,327. These adjustments will result in a countywide net impact of zero. (C4108014800) (ADM2700-003)

**Public Health**

**26. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve Amendment No. 9 to the Intergovernmental Agreement (IGA) between the Arizona Department of Health Services (HG354361) and Maricopa County through its Department of Public Health, Tobacco Use Prevention Program for FY 2008-09. This amendment reduces the tentatively-adopted budget for FY2008-09 from \$4,307,764 to a total amount of \$2,061,122 for contract term July 1, 2008 through June 30, 2009.

This IGA is amended as follows:

1. Special Terms and Conditions, pg. 10, adds provision #4 Extended Term of Contract (1 Year) as stated: 4. Extended term of contract (1 Year) The term of this contract has been extended and will begin July 1, 2008 effective through June 30, 2009.
2. Amendment 7, Scope of Work, pg. 2, items 1-7 are replaced by Scope of Work, pg. 2, of Amendment 9.
3. Price Sheet, pg. 9 of Amendment 7 is replaced by Price Sheet, pg. 3 of Amendment 9 to add funding for the new contract term of July 1, 2008 through June 30, 2009 to pay for the new Scope of Work during the same period.

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The Department of Public Health's indirect rate for FY 2008-09 is 18%. Arizona Department of Health Services only allows for 15% of Personnel Services and Employee Related Expenses. The full indirect costs are estimated at \$233,714, of which \$184,024 is recoverable and \$49,690 is not recoverable. The \$529,000 amount is a pass-through expense which is not eligible for indirect charges.

Also, to approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant reducing the tentatively approved budget from \$4,307,764 to \$2,061,122 for FY 2008-09. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funds for this IGA are provided by ADHS and do not increase the County's general fund. (C8603159209)

**27. AMENDMENT TO IGA WITH ADHS**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve a price sheet correction and replacement to Amendment No. 6, Intergovernmental Agreement (IGA) Contract No. HG454008, between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health, Tuberculosis (TB) Control Program. C8603160207. Amendment No. 6 was approved by the Board on March 6, 2008. ADHS is requesting replacement of the price sheet. It corrects the Personnel Services and ERE budget line from \$449,409 to \$449,404. The total contract amount for Amendment No. 6 did not change. All other terms and conditions of this Intergovernmental Agreement shall remain unchanged. (C8603160208)

**28. AMENDMENT TO CONTRACT WITH ST. JOSEPH'S HOSPITAL & MEDICAL CENTER – CONTINUED**

Item: Approve Amendment No. 7 to Contract No. C86060281 between Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center and Maricopa County through its Department of Public Health to provide Well Woman Healthcheck services to uninsured or underinsured women. This amendment extends the contract period to June 30, 2009, in an amount not-to-exceed \$100,000. All other terms and conditions of the original Contract shall remain in full force and effect. This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS. Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C8606028107)

**This item was continued to the June 18, 2008, meeting.**

**29. RESCIND PREVIOUS BOARD ACTION RELATED TO IGA WITH ARIZONA BOARD OF REGENTS**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to rescind the action taken by the Board of Supervisors on February 6, 2008 (C8608055200) wherein the Board approved the Intergovernmental Agreement (IGA) between Arizona Board of Regents for and on behalf of University of Arizona, College of Medicine (U of A) and Maricopa County's Department of Public Health. U of A requested changes to the IGA after Board execution.

Also, to approve the revised Intergovernmental Agreement (IGA) with the Arizona Board of Regents by and on behalf of the University of Arizona, College of Medicine (U of A) to allow a contracted Physician to provide medical expertise to Maricopa County's Department of Public Health (MCDPH). The term of this IGA is from June 1, 2008 through May 31, 2011. MCDPH will compensate U of A for this IGA in the amount not-to-exceed \$105,000 per year, and \$315,000 for the duration of the IGA. (C8608055201) (Clerk's Note, not part of the regular minutes: This action truly rescinds the action taken on February 20, 2008, not February 6, 2008.)

**30. RESCIND PREVIOUS BOARD ACTION RELATED TO IGA WITH ARIZONA BOARD OF REGENTS**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to rescind the action taken by the Board of Supervisors on April 9, 2008 (C8608072200) wherein the Board approved the Intergovernmental Agreement (IGA) between Arizona Board of Regents for and on behalf of Arizona State University (ASU) and Maricopa County Department of Public Health's Emergency Management Program (PHEM). ASU requested changes to the IGA after Board execution.

Also, to approve the revised IGA between Arizona Board of Regents for and on behalf of Arizona State University (ASU) and Maricopa County Department of Public Health's Emergency Management Program (PHEM). This IGA will provide funding to ASU to develop a prototype multi-agency simulation modeling environment that will enable PHEM to model the spatial aspects of the outbreak region, resource availability-attribute-behaviors, and the population characteristics. This IGA in the amount not-to-exceed \$50,000 will begin upon Board approval to September 20, 2008. (C8608072201)

**31. MOU FOR HIV COUNSELING, ANTI-BODY TESTING, PARTNER COUNSELING AND HEALTH CARE REFERRAL SERVICES**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve a non-financial Memorandum of Understanding (MOU) between Maricopa County Department of Public Health (MCDPH), HIV/HCV Infection Control and Surveillance and Southwest Center for HIV/AIDS, Inc. (SCHA), for the outstationing of MCDPH personnel to provide HIV counseling, anti-body testing, partner counseling and health care referral services in a room provided, rent-free, at SCHA's Central Phoenix office, co-located with Maricopa Integrated Health System (MIHS), McDowell Clinic. This agreement will be in effect from June 1, 2008 to December 31, 2009, and is renewable for an additional two years by mutual agreement. (C8608080000)

**32. AGREEMENT FOR LABORATORY TESTS**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve an Inter-Institution Affiliation Agreement (IIAA) between the Maricopa County Department of Public Health (MCDPH) and the State of Arizona d.b.a. Maricopa County Juvenile Probation Department for MCDPH to provide laboratory tests on a unit fee basis. The IIAA term shall be from July 1, 2008 through June 30, 2011. The budget amount is dependent upon the number of tests performed. The amount for the budget period July 1, 2008 through June 30, 2009 is \$20,000. The three year term, at \$20,000 annually, is for a total amount of not-to-exceed \$60,000. (C8608081100)

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**33. SUBLEASE FOR OFFICE/CLINIC SPACE**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve and execute full service sublease No. L7405 with Prehab of Arizona, Inc., d.b.a. A New Leaf, Sublandlord, for 5,000 square feet of office/clinic space located at 635 E. Broadway Road, Mesa, AZ. The facility is owned by the City of Mesa and is being leased to Prehab of Arizona, an Arizona not-for-profit corporation, d.b.a. A New Leaf. A New Leaf has agreed to sublease 5,000 square feet of office/clinic space in the facility to the County for use as a Women, Infants and Children (WIC) facility. The Sublandlord will construct the premises at a cost not-to-exceed \$300,000. The term of this Sublease is for five years and shall commence upon delivery of the premises to the Subtenant and shall be documented at Exhibit "C" Commencement Date Conformation. The annual rental rate is \$50,000 or a monthly payment of \$4,166.67 plus rental tax. The Sublease contains a 90-day termination provision and a six-month holdover provision. This Sublease Agreement was endorsed by the Facility Review Committee on October 25, 2007. (C8609001400)

**ASSISTANT COUNTY MANAGER – COMMUNITY COLLABORATION  
Animal Care & Control**

**34. AGREEMENT WITH ARIZONA RETRIEVER RESCUE TO RESCUE ANIMALS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve an agreement between Arizona Retriever Rescue, a 501(c)(3) non-profit corporation, 8602 E. Heatherbrae Avenue, Scottsdale, AZ, and Maricopa County to allow Arizona Retriever Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 36 new hope rescues over the term of the agreement, for a total of \$1,440. The term of this agreement is from June 4, 2008 through June 30, 2011. (C7908120100)

**35. ANIMAL CARE AND CONTROL EMPLOYEE SPOT AWARD PROGRAM**

In accordance with Section X of the Maricopa County Compensation Plan, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the Animal Care and Control Employee Spot Award Program as an employee recognition program in addition to the American Express Card Peak Performer Program (02059-RFP) for Animal Care and Control. Estimated annual cost of the Employee Spot Award Program is \$4,750 and will be absorbed from current Fund (572) Department funds. The Program will cover the period from July 1, 2008 through December 31, 2008. (C7908121M00) (ADM2300-001)

**36. AGREEMENT WITH SAVE ANIMALS FROM EUTHANASIA, INC. TO RESCUE ANIMALS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve an agreement between Save Animals From Euthanasia, Inc., a 501(c)(3) non-profit corporation, P.O. Box 6829, Apache Junction, AZ, and Maricopa County to allow Save Animals From Euthanasia, Inc. under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates

25 new hope rescues over the term of the agreement, for a total of \$1,000. The term of this agreement is from June 4, 2008 through June 30, 2009. (C7908122100)

**37. KENNEL PERMIT**

Pursuant to A.R.S. §11-1009, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the following kennel permits for the term of June 4, 2008 through June 3, 2009. The cost of each kennel permit is \$328:

- a. **Lue Jean Brooks, d.b.a. Springbrook Kennels**, located at 36614 N. 23rd Street, Phoenix, AZ 85086. Permit #294. (C7908118C00) (ADM2304)
- b. **Marilyn Pauly, d.b.a. Evanz Kennels**, located at 16853 N. 39th Drive, Phoenix, AZ 85053. Permit #352. (C7908118C00) (ADM2304)
- c. **Blanca Hernandez, d.b.a. Hernandez Kennels**, located at 6910 W. Rancho Drive, Glendale AZ 85303. Permit #426. (C7908118C00) (ADM2304)
- d. **Marie Hamilton, d.b.a. Hamilton Kennels**, located at 435 S. Pasadena Street, Mesa, AZ 85210. Permit #381. The cost of a kennel permit is \$328, plus a return trip charge of \$49, totaling \$377. (C7908124C00) (ADM2304)

**38. DONATIONS**

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

- a. Accept the monetary donation from Iguana Mack's of Chandler, AZ in the amount of \$1,200 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. (C7908119700) (ADM2300-006)
- b. Accept the monetary donation from the Lakes Women's Club of Tempe, AZ in the amount of \$322; and an anonymous donation of \$250.06 received in Phoenix, AZ for the care of the animals. In addition, accept non-cash donations from the Lakes Women's Club estimated to be 3,650 lbs pet food, 500 lbs. treats, 160 lbs cat litter, plus toys, leashes, and cleaning supplies. 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. (C7908123700) (ADM2300-006)

**Human Services**

**39. AMENDMENT TO CONTRACT WITH RIGHT MANAGEMENT CONSULTANTS, INC.**

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Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve Amendment No. 3 to Contract C2205146102, between Right Management Consultants, Inc. and Maricopa County Human Services Department, for workshop and participant training in the amount of \$100,000. This amendment is effective from July 1, 2008 until June 30, 2009. (C2205146103)

**40. AMENDMENT TO CONTRACT WITH LEATHERS, MILLIGAN AND ASSOCIATES, INC.**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve Amendment No. 3 to Contract C2205151102, between Leathers, Milligan and Associates, Inc. and Maricopa County Human Services Department, for workshop and participant training in the amount of \$50,000. This amendment is effective from July 1, 2008 until June 30, 2009. (C2205151103)

**41. AMENDMENT TO CONTRACT WITH SUBSTITUTE TEACHERS UNLIMITED**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve Amendment No. 1 to contract C22080961, between Substitute Teachers Unlimited and the Maricopa County Human Services Department for the provision of Substitute Teacher and Teacher's Aide services in support of the Early Head Start and Head Start Programs in Maricopa County. The total contract value will not exceed \$50,000. The contract term is from July 1, 2008, to June 30, 2009. This contract does not include any County general funds. C2208096101

**42. IGA FOR SERVICES TO PRESCHOOL CHILDREN WITH DISABILITIES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the non-financial intergovernmental agreement (IGA) between Mesa Unified School District and Maricopa County Human Services Department to collaboratively provide the Maricopa County Head Start program with services to preschool children with disabilities, as defined in A.R.S. §15-761, who are enrolled in the Head Start program. Mesa Unified School District will provide classroom and playground facilities as well as services for preschool children with disabilities, who are enrolled in the Head Start program. The Agreement is effective from July 1, 2008 through June 30, 2011. (C2209061200)

**43. LEASE FOR OFFICE SPACE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve and execute full service lease No. L7406 with Dysart Community Center, a not for profit organization, Lessor, for 132 square feet of office space located at 14414 N. El Mirage Road, El Mirage, AZ 85335. This lease will allow the County the opportunity to provide community services in the Town of El Mirage and the surrounding area. The term of the lease will commence on July 1, 2008 and will terminate on June 30, 2009, with an option to hold over for six months. Either Lessor or Lessee may terminate this Lease by giving the other party 90 days written notice. (C2209062400)

**Medical Examiner**

**44. REVENUE AND EXPENDITURE APPROPRIATION ADJUSTMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve revenue and expenditure appropriation adjustments to the Medical Examiner Grant Fund (224) associated with grant award #2006-DN-BX-0058 in the amount of \$2,960. The adjustments are

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necessary because the funds were not included in the FY07/08 budget. This adjustment relates to the action taken by the Board on October 4, 2006 (C2907004300) regarding the Office of the Medical Examiner (OME) grant from the Paul Coverdell Forensic Science Improvement Grants Program to purchase and have installed a new gas chromatograph mass spectrometer including application consultation fees. Grant Revenues are not local revenues for purposes of constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. Approval of this budget adjustment does not alter the budget constraining expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2907004301)

**CHIEF FINANCIAL OFFICER**  
**Finance**

**45. FUND TRANSFERS; WARRANTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, 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.

**Materials Management**

**46. SOLICITATION SERIALS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, 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**

- 08001-RFP      Air Quality Monitoring Vehicle** (\$1,066,900 estimate/one year with five one-year renewal options) Contract to purchase a fully constructed mobile air monitoring laboratory for use by the Maricopa County Air Quality Department.
- Providence Engineering
- 08002-S      Stop Loss Insurance, Employee Benefits Plan** (\$10,000,000 estimate/three years with three one-year renewal options) Contract to provide Stop Loss Insurance for the County's Self Insured Trust to cover large claims as required.
- Symetra Life Insurance Company
- 08007-RFP      Youth Programs, Workforce Investment Act Of 1998** (\$1,500,000 estimate/one year with four one-year renewal options) Contract to provide (under the Workforce Investment Act of 1998) workforce investment activities through statewide and local workforce investment systems.
- Arizona Call-A-Teen Youth
  - Goodwill Of Central Arizona
  - Valley Of The Sun United Way

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- 08033-LOI Occupational Health Services** (\$2,000,000 estimate/five years with five one-year renewal options) Contract to provide a source for occupational medical services (i.e. physical examinations etc.) for Maricopa County employees.
- Concentra Medical Centers

**Renewals/Extensions:**

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

**Until August 31, 2011**

- 05087-ROQ Psychiatric Services Providers – CHS** (\$2,100,000 estimate/three years) Contract renewal to provide psychiatric services to incarcerated individuals in the custody of Correctional Health Services.
- M. Akram Bhatti M.D.
  - Leonardo Garcia-Bunuel
  - D. Raikhelkar
  - John Lee
  - Amanda T. Troutman, DO
  - Eddy De Los Santos
  - Naveen Maddineni MD

**Parks and Recreation**

**47. TRANSFER OF REVENUE AND EXPENDITURE AUTHORITY**

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the transfer of revenue and expenditure authority between Non-Departmental (470) General Grants Fund (249) and the Park's and Recreation Department (300) Souvenir Fund (241). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) General Grants Fund (249) by \$15,000 and increasing the FY 2007-08 Park's and Recreation Department (300) Souvenir Fund (241) by \$15,000. These adjustments will result in a countywide net impact of zero. A.R.S. §11-941.B and D provide that a county, through its Board of Supervisors, may establish a county parks publication and souvenir revolving fund consisting of monies received from the sale of county parks oriented services, souvenirs, sundry items or informational publications that are uniquely prepared for use in county parks by the public. During the past two fiscal years, the Parks & Recreation Department showed tremendous success in its ability to generate revenue through this fund. The department has encouraged this program and demand is increasing. Due to this increase in demand, Parks is requiring a larger inventory for the summer months at Lake Pleasant Regional Park. The FY 2007-08 revenue and expenditure projections exceed the budget by \$15,000. (C3008028800) (ADM3200-003)

**48. TRANSFER OF REVENUE AND EXPENDITURE AUTHORITY**

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the transfer of revenue and expenditure authority

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between Non-Departmental (470) General Grants Fund (249) and the Park's and Recreation Department (300) Lake Pleasant Fund (240). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) General Grants Fund (249) by not-to-exceed \$50,000 and increasing the FY 2007-08 Park's and Recreation Department (300) Lake Pleasant Fund (240) by not-to-exceed \$50,000. During the past two fiscal years, the Parks & Recreation Department showed tremendous growth in the revenues of the Lake Pleasant Regional Park which have been able to allow for increased capital development and the addition of temporary staffing, in order to collect these revenues. The FY 2007-08 budget is currently projecting revenues and expenditures in excess of its budgetary allocation and it may be required to increase this fiscal year's budget to cover some of these costs in this year. These adjustments will result in a countywide net impact of zero. (C3008030800) (ADM3200-003)

**ASSISTANT COUNTY MANAGER – REGIONAL DEVELOPMENT SERVICES**  
**Emergency Management**

**49. IGA WITH ARIZONA STATE LAND DEPARTMENT FOR MUTUAL ASSISTANCE IN EMERGENCIES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve a Cooperative Intergovernmental Agreement (IGA) between Arizona State Land Department, State Forester, Forestry Division, and Maricopa County by & through the Emergency Management Department for mutual assistance in responding to emergencies. This agreement shall be effective as of the date it is filed with the Secretary of State and remain in full force and effect for five (5) years. This agreement will enable the county to recover 100% of costs incurred in responding to an emergency if that response has been requested by the State Land Department, rather than the 75% reimbursement we normally receive through the Arizona Division of Emergency Management. There is no cost to the county for participating in the agreement. (C1508003200)

**50. APPLY AND ACCEPT GRANT FUNDS FROM ARIZONA EMERGENCY RESPONSE COMMISSION, GRANT HMEP**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the application and acceptance of grant funds from Arizona Emergency Response Commission, Grant HMEP FY 2007-08, in the amount of \$2,780.00. These grant funds are for the Administrative Support of the Local Emergency Planning Committee. The grant funds may be expended for indirect costs by Emergency Management or Maricopa County for the administration of this grant. Indirect costs of \$316.55 are allowable and recoverable. This cost will be fully absorbed in the MCDEM budget. The Maricopa County Department of Finance has calculated the Emergency Management's composite indirect cost rate at 12.85%. (C1508010300)

**51. DONATION FROM DPC ENTERPRISES, L.P**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve and accept a donation of \$250 from DPC Enterprises, L.P. This donation will be used to purchase materials and to support future meetings on behalf of the Local Emergency Planning Committee (LEPC), for which the Department of Emergency Management provides the administrative support.

Also, to approve an appropriation adjustment to Emergency Management (150), Emergency Management Grant Fund (215), increasing the FY 2007-08 revenue and expenditure budgets by \$250.

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Donation funds are not local revenues for the purpose of the constitutional expenditure limitation; therefore, expenditure of these donations is not prohibited by the budget law. (C1508011M00) (ADM900-006)

#### Equipment Services

**52. INCREASE REVENUE AND EXPENDITURES DUE TO INCREASED COST OF FUEL AND PARTS**

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve an increase in revenue and expenditures for the Equipment Services Department (740) Equipment Services Fund (654) for FY 2007-08 in the amount not-to-exceed \$3,988,415. This increase is due to the increased cost of fuel and parts. Revenue from charges for fuel and parts will offset the increased expense. This adjustment will require offsetting revenue and expenditure adjustments to Elimination Department (980), Eliminations Fund (900) in the amount not-to-exceed \$3,988,415. These adjustments will result in a countywide net impact of zero. (C7408008800) (ADM3100-003)

**53. IGA WITH TOWN OF YOUNGTOWN FOR FUEL SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve an Intergovernmental Agreement (IGA) between Maricopa County through Maricopa County Equipment Services and the Town of Youngtown for fuel services from the County Fueling Stations. The fuel quantity is estimated at 6,000 gallons and \$20,000 annually. This IGA is effective from May 1, 2008, until terminated by either party upon 30 days written notice. Authorize the Chairman to sign all documents related to this intergovernmental agreement. (C7408009200)

#### Planning and Development

**54. MARICOPA COUNTY GREEN GOVERNMENT PROGRAM**

Item: Approve the Maricopa County Green Government Program as presented to the Board at its June 2, 2008 meeting. A number of the actions and measures contained in this program are funded through current operating budgets. For those that are not, separate funding requests will need to be made and individually approved by the Board of Supervisors. (C4408013000)

Supervisor Brock thanked County staff who worked hard to put together this program the Board hopes will not only lead the region but lead the nation's municipal governments to join and participate in a similar manner.

Supervisor Wilson remarked that he is amazed at how relatively simple and inexpensive it is to implement some good ideas, as exemplified by this new government program. He admitted that his family is beginning to implement some of the suggested changes around his house.

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the Maricopa County Green Government Program as presented to the Board at its June 2, 2008 meeting.

**GREEN GOVERNMENT PROGRAM**

**Introduction**

Maricopa County's significant population growth is historic and well-known. After adding approximately one million people in the 1990s, the County will again add another one million people in the first decade of this century. With a current population approaching four million and long-term projections showing the population nearly doubling again in less than 40 years, it is clear that strategies to help maintain a vibrant quality of life will be even more important in the future. An important part of these strategies will be maintaining a healthy and sustainable environment. Recognizing the relationship between a healthy environment and the County's long-term success, the Maricopa County Board of Supervisors directed County departments to prepare and implement a long-term strategy whereby the County will reduce its carbon footprint, help save money, and enhance the region's environment. Several months of collaboration and coordination between its departments and community stakeholders has resulted in a new and innovative plan known as the Maricopa County Green Government program.

**Purpose**

The Board of Supervisors recognizes the impacts that significant growth will continue to have on the region's environment. The Board of Supervisors also recognizes that it can and should be a regional leader in maintaining a healthy and sustainable community. Leadership is a fundamental part of the Green Government program because the identified actions will be implemented by County departments to demonstrate that environmental stewardship and cost savings can be achieved. This "Lead by Example" approach directs County departments to implement identified actions to help improve the region's air quality; improve water quality and quantity; increase material reuse and recycling; reduce energy use; make better informed decisions about efficient, economical, and environmentally sensitive land use and development patterns; and build long-lasting partnerships with the broader community. While sustainability is often a misunderstood cliché, its most commonly identified when environmental, economic, and social benefits overlap to achieve a positive outcome. Although achieving sustainability is difficult, Maricopa County believes the Green Government program is an important step in a long-term approach to addressing regional environmental issues.

**55. SOLE SOURCE CONTRACT FOR SOFTWARE SITE LICENSE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve a sole source contract with Accela, Inc. for an amount of \$4,751,637 for the purpose of purchasing a software site license, professional services related to database conversion and business rule/workflow analysis, implementation, and five years of maintenance of the Accela product. Accela is currently utilized by the Planning and Development Department and will be expanded to be used by the following Departments: Air Quality, Emergency Management, Environmental Services, Facilities Management, Materials Management, Parks and Recreation and Public Works. The County is not aware of any other providers of this service or compatible software for this need. (C4408016100)

**ASSISTANT COUNTY MANAGER – PUBLIC WORKS  
Transportation**

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

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, 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)

- A344.003 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Warranty Deed – Parcel No.: 201-15-004X (a portion of) – Joseph Vacirca and Ellen S. Vacirca – for the sum of \$29,410.00.
- A344.003 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Purchase Agreement and Escrow Instructions – Parcel No.: 201-15-004X (a portion of) – Joseph Vacirca and Ellen S. Vacirca.
- A344.005 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Warranty Deed – Parcel No.: 201-15-216 (a portion of) – Jeffery A. Swanson and Wendy Avery-Swanson – for the sum of \$25,570.00.
- A344.005 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Purchase Agreement and Escrow Instructions – Jeffery A. Swanson and Wendy Avery-Swanson.
- A344.011 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Warranty Deed – Parcel No.: 201-15-179A (a portion of) – John Imbriale and Dawn Imbriale – for the sum of \$30,100.00.
- A344.011 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Purchase Agreement and Escrow Instructions – John Imbriale and Dawn Imbriale.
- A344.012 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Warranty Deed – Parcel No.: 201-15-174 (a portion of) – Robert Q. Spoon and Tracy Spoon – for the sum of \$30,960.00.
- A344.012 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Purchase Agreement and Escrow Instructions – Robert Q. Spoon and Tracy Spoon.
- A344.015 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Warranty Deed – Parcel No.: 201-15-170 (a portion of) – Vincent P. Dellaire and Deanna Lynn Dellaire – for the sum of \$28,930.00.
- A344.015 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Purchase Agreement and Escrow Instructions – Vincent P. Dellaire and Deanna Lynn Dellaire.
- A344.020 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Warranty Deed – Parcel No.: 201-15-000 (a portion of) – Vivian L. Limburg, Trustee – for the sum of \$1,990.00.
- A344.020 (DK) Project No.: TT176 – Avenida Del Sol (89<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.) – Purchase Agreement and Escrow Instructions – Vivian L. Limburg, Trustee.

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**57. AMENDMENT TO IGA TO ALLOW AREA AGENCY ON AGING TO UTILIZE THE EMERGENCY ACCESS GATE LOCATED BETWEEN DESERT HILLS DRIVE AND MERIDIAN DRIVE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve Amendment No. 2 to the existing Intergovernmental Agreement (IGA) (C6405280200) among Pulte Home Corporation, Daisy Mountain Fire District, Deer Valley Unified School District, Area Agency on Aging and Maricopa County to allow the Area Agency on Aging to utilize the emergency access gate located between Desert Hills Drive and Meridian Drive at a location approximately 900 east of 19th Avenue to transport individuals approximately twice a day. There is no cost to the County. This amendment shall become effective upon approval by the Maricopa County Board of Supervisors and all other conditions of the Agreement shall remain in full force and effect. (C6405280201)

**58. ADDITION OF PROJECTS AND INCREASE CORRESPONDING EXPENDITURE BUDGETS TO TIP**

Pursuant to A.R.S. §42-17106 (B), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the addition of the following projects and increase corresponding expenditure budgets to the FY 2008-2012 five-year Transportation Improvements Program (TIP) in the Department of Transportation (640) Transportation Capital Projects Fund (234), Year 1 (FY 2007-08):

<b>PROJECT NO.</b>	<b>PROJECT</b>	<b>CAPITAL BUDGET</b>
T215	Peoria Avenue and Litchfield Road	\$5,000
T277	Indian School Road at Beardsley Canal	\$35,000
T285	Gilbert Road LWC Flood Repair	\$100,000

And, to approve an amendment to the current FY 2008-2012 five-year TIP in the Department of Transportation (640) Transportation Capital Projects Fund (234) by decreasing the Year 1 (FY2007-2008) expenditure budget for the following projects:

<b>PROJECT NO.</b>	<b>PROJECT</b>	<b>CAPITAL BUDGET</b>
T006	Unallocated Force Account	\$35,000
T144	Val Vista: Thomas - Southern	\$105,000

The requested adjustment is necessary to realign project budgets to more closely match year-end projected expenditure amount, and results in a net impact of zero. (C6408214800) (ADM2000-006)

**59. BID AND AWARD FOR GAVILAN PEAK PARKWAY FROM NORTH VALLEY PARKWAY TO JOY RANCH ROAD, AND CLOUD ROAD FROM GAVILAN PEAK PARKWAY TO 34TH LANE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the solicitation of bids for Gavilan Peak Parkway (I-17 Frontage Road) from North Valley Parkway to Joy Ranch Road, and Cloud Road from Gavilan Peak Parkway to 34th Lane, MCDOT Project County Arterials (ARTS), Job No. T243; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10 percent. FY 2008-09 expenditures are contingent upon the Board approving the recommended FY 2008-09 budget. (C6408215500)

**60. IGA FOR SIGNALIZATION OF THE INTERSECTION OF BROADWAY ROAD AND HAWES ROAD**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the intergovernmental agreement (IGA) between Maricopa County acting through the Maricopa County Department of Transportation and the City of Mesa for the signalization of the intersection of Broadway Road and Hawes Road, MCDOT Project Partnering Support (PSUP), Job Number T298. The County's financial contribution is estimated at \$32,500 and will be invoiced after July 1, 2008. FY 2008-09 expenditures are contingent upon the Board approving the recommended FY 2008-2009 budget. (C6408216200)

**61. BID AND AWARD FOR MC 85 EXTENSION: SR 85 TO TURNER ROAD**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the solicitation of bids for MC 85 Extension: SR 85 to Turner Road, MCDOT Project County Arterials (ARTS), Job No. T171 – Phase 2; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10 percent. FY 2008-09 expenditures are contingent upon the Board approving the recommended FY 2008-2009 budget. (C6408217500)

**62. ANNEXATION BY THE CITY OF PEORIA**

Pursuant to A.R.S. §9-471(N), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the annexation by the City of Peoria of County right-of-way within: 67th Avenue from Pinnacle Peak Road to Happy Valley Road, in accordance with Ordinance No. 07-31. (C6408218000) (ADM4212-002)

**CITY OF PEORIA ANNEXATION  
ORDINANCE # 07-31**

**EXHIBIT "A"**

That part of Sections 1 and 12, Township 4 North, Range 1 East; and also that part of Section 7, Township 4 North, Range 2 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows

BEGINNING at the Southwest corner of said Section 7;

Thence East along the South line of said Section 7 to a point 65 feet East of the West line of said Section 7;

Thence North on a line 65 feet East of and parallel to said West line of Section 7 a distance of one mile, more or less, to a point on a line 65 feet South of and parallel to the North line of said Section 7;

Thence West along said line being 65 feet South of and parallel to the North line of said Section 7 a distance of 65 feet to the West line said Section 7, which is common to the East line of Section 1, Township 4 North, Range 1 East;

Thence West to a point 65 feet West of and parallel to the East line of said Section 1, said point also being 65 feet South of the centerline of Happy Valley Road, as shown on final plat recorded in Book 584, Page 37, M.C.R.;

Thence South, a distance of 382 feet, more or less, on said parallel line 65 feet West of the East line of said Section 1, to a point 65 feet North of the South line of said Section 1;

Thence East, a distance of 10 feet, more or less, on a line 65 feet North of and parallel to the South line of Section 1, to a point on a parallel line 55 feet West of the East line of said Section 1;

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Thence South along said parallel line 55 feet West of the East line of said Section 1, a distance of 65 feet, more or less, to the North line of Section 12;  
Thence South along a line 55 feet West of and parallel to the East line of said Section 12, a distance of one mile, more or less, to a point on a line 40 feet North of the South line of said Section 12;  
Thence East along a line 40 feet North of and parallel to the South line of said Section 12, a distance of 15 feet, more or less, to a point which is 40 feet West of the East line of said Section 12;  
Thence South along a line 40 feet West of and parallel to the East line of said Section 12, a distance of 40 feet, more or less, to the South line of said Section 12;  
Thence East along the South line of said Section 12, a distance of 40 feet, more or less, to the Southeast corner of said Section 12;  
Thence North along the East line of said Section 12, a distance of 473.48 feet, more or less, to the Southwest corner of said Section 7, to the POINT OF BEGINNING and the end of this description.

**63. IGA FOR IMPROVEMENTS TO UNION HILLS DRIVE FROM 115TH AVENUE TO PARADISE RV RESORT – CONTINUED**

Item: Approve the Intergovernmental Agreement (IGA) between Maricopa County, through the Maricopa County Department of Transportation, (MCDOT) and the City of Surprise for improvements to Union Hills Drive from 115th Avenue to Paradise RV Resort (approximately 1,100 feet east of 111th Avenue) (Project). The estimated total cost of the Project is \$725,000. Surprise is providing \$625,000 and MCDOT is providing \$100,000 through the Transportation Advisory Board (TAB) Special Project Fund (SPF). (C6408219200)

This item was continued to the June 18, 2008, meeting.

**BOARD OF SUPERVISORS**

**Clerk of the Board**

**64. APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS**

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

- a. **Community Development Advisory Committee** – Reappoint the following individuals: (ADM1501-001)
  - o **Doris Heisler** and **Edward Kientz**, representing Supervisorial District 4, whose terms are effective from July 1, 2008 through June 30, 2009. (C0608090900)
  - o **Carlos Ontiveros**, representing Supervisorial District 5, whose term is effective July 1, 2008 through June 30, 2009. (C0608097900)
  
- b. **Aggregate Mining Operations Zoning District #1 Recommendation Committee** – Pursuant to A.R.S. §11-830(D), appoint the following alternates, representing Industry members: (ADM3441-001)
  - Janet Krolczyk, CEMEX alternate for Frank Mendola

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- Mark Reardon, Vulcan Materials alternate for Tom Lowry
- Mark Higgins, LaFarge NA alternate for C.R. Herro
- Pat Kuehner, Hanson Aggregates alternate for Jim Schroeder
- Agustin Figueroa, CEMEX alternate for Roger VanCamp

Alternate member terms coincide with those of their respective primary representative. (C0608092900)

- c. **Parks and Recreation Advisory Commission** – Accept the resignation of Randy Virden, Director and Associate Professor, with the School of Community Resources and Development with Arizona State University effective June 30, 2008, and appoint Carlton Yoshioka, Director, Professor and Graduate Coordinator with Arizona State University, as recommended by the department director, R.J. Cardin. Mr. Yoshioka will fill the unexpired term of Mr. Virden effective July 1, 2008 through December 31, 2008. (C3008029900) (ADM3203-001)

Item No. 65 was moved and heard at the beginning of this meeting.

**66. INDUSTRIAL DEVELOPMENT AUTHORITY**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, 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 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.

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA RATIFYING THE CONDUCTING, BY TOM MANOS OR HIS DESIGNEE, OF A PUBLIC HEARING AS REQUIRED BY THE PROVISIONS OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED AND AUTHORIZING THE CHAIRMAN OF THE MARICOPA COUNTY BOARD OF SUPERVISORS, ON BEHALF OF THE BOARD, TO APPROVE THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF PIMA, ARIZONA TO ISSUE NOT-TO-EXCEED \$4,000,000 AGGREGATE PRINCIPAL AMOUNT OF ITS INDUSTRIAL DEVELOPMENT REVENUE BONDS AT THE REQUEST OF FAMILY LIFE BROADCASTING, INC. (C1808052A00) (ADM4805)**

**67. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS**

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 Supervisors may hear

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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)

Motion was made by Supervisor Stapley, seconded by Supervisor Brock and unanimously carried (4-0-1) regarding action on the following voucher:

Ratify Voucher No. 7034                      \$174,531.58

**SETTING OF HEARINGS**

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

**Clerk of the Board**

**68.     HEARING SCHEDULED – RECEIVE SIGNED FORMATION PETITIONS FOR PROPOSED SCOTTSDALE COUNTY ISLAND FIRE DISTRICT AND SET HEARING**

Pursuant to A.R.S. § 48-851, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to receive the signed formation petitions for the proposed Scottsdale County Island Fire District located in the City of Scottsdale municipal planning area and set a hearing on the petition for 9:00 a.m., Wednesday, June 18, 2008.

At the hearing on June 18th, the Board will order the formation of the district if the petitions are valid and appoint the three members of the organizing board of directors of the district. The order of the Board shall be final and the proposed district will be formed 30 days from the date of the Board's vote. The signed petitions are on file in the Office of the Clerk of the Board. (C0608095700) (ADM4454)

**Trial Courts**

**69.     HEARING SCHEDULED – POST DECREE MEDIATION FEE**

Pursuant to ARS §11-251.08, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to set a public hearing for Wednesday, July 23, 2008, to authorize and approve the Trial Courts in Maricopa County to establish a new Post Decree Mediation fee. The proposed establishment of a \$100 per person will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with Post Decree Mediation for this request is based on A.R.S. §11-251.08. The fee will be assessed when the request for mediation is sought following dissolution of marriage and a parenting plan is issued for judicial review. There is a substantial number of staff hours dedicated to these services. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. (C3808019800) (ADM1005)

**70. HEARING SCHEDULED – FAMILY COURT SERVICES NO SHOW FEE**

Pursuant to ARS §11-251.08, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to set a public hearing for Wednesday, July 23, 2008, to authorize and approve the Trial Courts in Maricopa County to establish a new No Show fee. The proposed establishment of a \$100 per person will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with No Show for this request is based on A.R.S. 11-251.08. The fee will be assessed when Family Court cases that require a court ordered parenting conference, evaluations, open negotiation, child interview, early resolution conference, child support conference or counseling appointment do not show. There is a substantial number of staff hours dedicated to these services. The Mediation No Show Fee was established in 2004 by the Board of Supervisors in agenda number C38040088 and is assessed upon failure of litigants to appear for mediation only. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. (C3808020800)

**71. HEARING SCHEDULED – PARENTING CONFERENCE FEE**

Pursuant to ARS §11-251.08, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to set a public hearing for Wednesday, July 23, 2008, to authorize and approve the Trial Courts in Maricopa County to establish a new Parenting Conference fee. The proposed establishment of a \$200 charge per party will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with parenting conferences. Authority for this request is based on A.R.S. §11-251.08. Parenting conferences address a vital component of any family relationship between the child and their parent and the ongoing dynamic between the parents when dealing with their child (ren)'s issues and needs. There is a substantial number of staff hours dedicated to these services. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. (C3808021800)

**72. HEARING SCHEDULED – PARENTAL CONFLICT RESOLUTION (PCR) CLASS FEE**

Pursuant to ARS §11-251.08, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to set a public hearing for Wednesday, July 23, 2008, to authorize and approve the Trial Courts in Maricopa County to establish a new Sanction Attendance fee. The proposed establishment of a \$50.00 per person will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with Parental Conflict Resolution Class (PCR) for this request is based on A.R.S. §11-251.08. The PCR class addresses severe chronic parental conflict, parental access disputes and the risks and effects of parental alienation. The

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class addresses specific strategies that parents can use to reduce the conflict. Parents are required to attend separate classes. There is a substantial number of staff hours dedicated to these services. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. (C3808022800)

**Planning and Development**

**73. HEARING SCHEDULED – PLANNING AND DEVELOPMENT CASES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to schedule Planning and Development public hearings on zoning cases and other matters for the June 18, 2008 meeting. (F23260)

DMP2007009 Belmont - Development Master Plan Amendment - continued from the 6/4 BOS  
DMP207004 Desert Whisper - Development Master Plan Amendment  
CPA200804 Carefree Highway Scenic Corridor Study Update - Area Plan Scenic Corridor  
Z2007135 Storage West Arizona Avenue - Special Use Permit  
Z2007133 American Outdoor Advertising - Plan of Development  
Z2008005 Hassayampa Ranch Zone Change

**CONSENT AGENDA**

**Clerk of the Board**

**74. ASRS CLAIMS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (ADM3309-001)

Jennifer Olson \$4,694.50

**75. APPOINTMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the Official Appointments of Leticia Maria Gandarilla, Gloria Jean Nichols, Tabion B. Johnson, Brett S. Lansing, Donna McNamara, and Nora Chee, as Deputy Recorders.

**76. CANVASS OF ELECTIONS**

No canvasses of elections were submitted by special districts for this meeting. (ADM4300)

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**77. CLASSIFICATION CHANGES**

No request for changes to classification and/or valuation of properties was received for this meeting. (ADM723)

**78. DUPLICATE WARRANTS**

Necessary affidavits having been filed pursuant to A.R.S. §11-632, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve and/or ratify duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

**COUNTY**

<b>NAME</b>	<b>WARRANT</b>	<b>FUND</b>	<b>AMOUNT</b>
Joshua Amobi	280034093	Payroll	\$1,102.11
Shirley Jones	280030717	Payroll	\$115.00
Leslie Foldy	370056954	Expense	\$303.50
Tolleson Municipal Court	380028042	Expense	\$1,000.00
Kevin Breger	380043067	Expense	\$2,000.00
Sabrina Ayers-Fisher	380035309	Expense	\$3,800.00
Buckeye Valley News	380045051	Expense	\$188.93

**SCHOOLS**

<b>NAME</b>	<b>SCHOOL</b>	<b>WARRANT</b>	<b>AMOUNT</b>
Wendi Egnen	Balsz SD #31	170118264	\$315.59
Michael Smith	Balsz SD #31	170118368	\$16.65
Dottie Hedrick	Roosevelt SD #66	480113404	\$202.00
Marla Wing	Treasurer	180154373	\$351.00
Alka Chhabra	Roosevelt SD #66	180058128	\$296.19
Unisource	Phoenix Elem SD #1	480103863	\$47,123.50
Sharon Marine	Liberty SD #25	480104197	\$1,956.00
Home Depot	Roosevelt SD #66	480080698	\$300.62
Judy Soto	Nadaburg SD #81	180094812	\$853.70

**79. MINUTES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the minutes of the Board of Supervisors meetings held February 20, 2008, February 28, 2008, March 12, 2008 and March 20, 2008.

**80. PRECINCT COMMITTEEMEN**

There were no requests to approve the appointment or removal of precinct committeemen at this meeting. (ADM1701)

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**81. SECURED TAX ROLL CORRECTIONS**

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

<b>YEAR</b>	<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
2003	28246	28246	\$0.00
2004	16584	16587	-\$2,840.36
2005	20416	20946	-\$4,211.28
2006	15626	16307	-\$70,266.40
2007	33290	35398	-\$417,033.50
2003	28206	28208	-\$1,003.62
2004	16564	16685	-\$5,850.74
2005	20363	21011	-\$44,328.24
2006	15152	16391	-\$145,126.16
2007	32603	35601	-\$410,618.32

**82. SETTLEMENT OF PROPERTY TAX CASES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve the settlement of tax cases dated June 4, 2008. (ADM704)

**2005**

TX2004-000916

**2008**

ST2007-000118  
ST2007-000133  
ST2007-000139  
ST2007-000146  
ST2007-000171  
ST2007-000185  
ST2007-000222  
ST2008-000003  
TX2007-000429

**83. STALE DATED WARRANTS**

No claims were presented for this meeting. (ADM1816)

**84. TAX ABATEMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. (ADM708)

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<b>PARCEL NO.</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>PARCEL NO.</b>	<b>YEAR</b>	<b>AMOUNT</b>
203-07-496	2001	\$8.48	114-08-075	2003	\$1,860.84
203-07-496	2002	\$8.34	203-07-495	2001	\$8.48
203-07-496	2003	\$10.10	203-07-495	2002	\$8.34
203-07-496	2004	\$10.26	203-07-495	2003	\$10.10
203-07-496	2005	\$10.30	203-07-495	2004	\$10.26
203-07-496	2006	\$1,335.06	203-07-495	2005	\$10.30
203-07-496	2007	\$9.25	203-07-495	2006	\$431.28
201-36-586	2007	\$1,674.02	203-07-495	2007	\$9.25
201-36-598	2007	\$6,742.07	203-07-494	2001	\$8.48
201-36-592	2007	\$7,264.80	203-07-494	2002	\$8.34
201-36-584	2007	\$374.01	203-07-494	2003	\$10.10
201-36-583	2007	\$2,885.86	203-07-494	2004	\$10.26
201-36-582	2007	\$2,752.64	203-07-494	2005	\$10.30
201-36-581	2007	\$8,644.06	203-07-494	2006	\$449.36
201-36-580	2007	\$393.18	203-07-494	2007	\$9.25
201-36-579	2007	\$511.63	201-36-585	2007	\$1,727.47
201-36-578B	2007	\$16,572.25	102-21-018C	2001	\$969.54
201-36-655	2007	\$306.95	102-21-018C	2002	\$8,026.66
201-36-653	2007	\$249.29	102-21-018C	2003	\$9,252.97
201-36-654	2007	\$573.41	102-21-018C	2004	\$4,367.19
301-36-652	2007	\$449.13	102-21-018C	2005	\$4,305.31
201-36-375	2007	\$928.93	102-21-018C	2006	\$3,723.72

**SUPPLEMENTAL**

**Clerk of the Board**

**S-1. REAPPOINTMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the reappointment of Richard Painchaud and Horst Kraus to the Community Development Advisory Committee representing Supervisorial District 3. The term of the appointment will be effective July 1, 2008 through June 30, 2009. (C0608098900)

**County Attorney**

**S-2. APPEAL DECISION IN MARGARET MA TAM V. MARICOPA COUNTY**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to authorize the County Attorney to appeal to the Arizona Tax Court the decision rendered by the State Board of Equalization in Margaret Ma Tam v. Maricopa County, #00113-07-08. This item was discussed in Executive Session on June 2, 2008. (C1908055M00)

**Office of Enterprise Technology**

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**S-3. ADMINISTRATIVE CORRECTION REGARDING ACCEPTANCE OF A DONATION FROM MICROSOFT CORPORATION OF PROFESSIONAL SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve an Administrative Correction to the action taken on June 2, 2008 (C4108013000) regarding the acceptance of a \$10,000 donation from Microsoft Corporation of professional services to be performed by Converter Technologies to assess previous versions of Microsoft ACCESS application within a selected group of Maricopa County departments.

This correction changes the name of the donors, the description of the project and the value of the donation to: a combined donation from Microsoft Corporation and Converter Technology, Inc., for the File Migration Assessment project, in the amount of \$25,000. In addition to the professional services to be provided, this donation includes \$5,000 in travel and lodging expense being donated by Converter Technology, Inc. This donation does not commit Maricopa County for any future encumbrances for business with Microsoft or Converter Technology, Inc.

Also, authorize the execution of the Work Statement and Non-Disclosure Agreement with Converter Technology, Inc. Services to be provided between June 2, 2008 and June 30, 2008. (C4108013001)

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

**85. PUBLIC COMMENT**

Ed Mitchell, citizen, offered four changes he would like to request Correctional Health Services to apply to prisoners in the system who have chronic and severe illnesses.

1. Compliance with correctional guidelines by organizations having special expertise in a field, i.e. American Diabetic Assn.
2. Correct food supplied for each special diet.
3. Publish phone and contact numbers of Correctional Health Services.
4. Change role of the liaison to facilitate information exchange to improve the health of the inmate.

He also requested a way to deal with HIPPA restrictions by using guidelines developed by the Attorney General to share information on prisoners in need of special care. He asked that dysfunctions in the system be corrected, otherwise incarceration becomes punitive beyond the usual scope. (ADM605)

**86. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

Supervisor Brock said the level I women's softball team at ASU won the national level I softball crown recently and he congratulated them on their success. (ADM606)

**PLANNING AND DEVELOPMENT ITEMS**

Victoria Mangiapane left the meeting at the end of this portion of the Board meeting. All Board Members, as listed above, and Joy Rich remained in session. Lynn Favour, Deputy Director, Planning and

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Development, 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).

THE CHAIRMAN ANNOUNCED THAT THE BOARD WOULD CONSIDER THE PLANNING AND DEVELOPMENT AGENDA PRIOR TO THE CODE ENFORCEMENT REVIEW.

**PLANNING AND DEVELOPMENT AGENDA**

**CONSENT AGENDA**

1.     **Z 99-78**           **District 2**  
      **Applicant:**     Snell & Wilmer, LLP for Dr. Otto Stanislaw, Jr.  
      **Location:**     Southwest corner of Lone Mountain Road & 152nd Street (in the Rio Verde area)  
      **Request:**       Partial removal of an approved Special Use Permit (SUP) for a Public Riding and Boarding Facility in the Rural-190 zoning district (approximately 10.0 acres) – Casa de los Caballos

**COMMISSION ACTION:** Commissioner Barney moved to recommend partial removal of the SUP previously approved under case Z 99-78. Commissioner Pugmire seconded the motion, which passed with a unanimous vote of 6-0.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to concur with the recommendation of the Planning Commission to approve the partial removal of an approved SUP for this facility.

2.     **Z2007-143**       **District 3**  
      **Applicant:**     Earl, Curley, & Lagarde, PC for MCT Investments Properties II, LLC  
      **Location:**     North of Chauncey Lane and west of Scottsdale Road (in the northeast Phoenix/north Scottsdale area)  
      **Request:**       Major Amendment to a precise Plan of Development for an Outdoor Automobile Storage and Sales in the C-2 CUPD zoning district (approximately 2.3 acres site) – Schumacher European, LTD

**COMMISSION ACTION:** Commissioner Aster moved to recommend approval of Z2007-143, subject to stipulations “a” through “o”. Commissioner Jones seconded the motion, which passed with a unanimous vote of 7-0.

- a.     Development and use of the site shall be in substantial conformance with the site plan entitled "Precise Plan Amendment to Add 264 Space Parking Lot for Schumacher European, LTD", consisting of nine (9) full-size sheets, dated revised January 17, 2008, and stamped received January 29, 2008, except as modified by the following stipulations.
- b.     Development and use of the site shall be in substantial conformance with the narrative report entitled "Additional 264 Parking Spaces for Inventory Storage", consisting of 15 pages, dated revised January 22, 2008 and stamped received January 29, 2008, except as modified by the following stipulations.
- c.     The following Flood Control District stipulation shall apply:

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- A Flood Plain Use Permit must be obtained prior to construction.
- d. No loading or unloading of vehicles shall occur within the Scottsdale Road or Chauncey Lane right-of-way.
- e. Landscaping plantings within the Chauncey Ln frontage shall be limited to plant species indigenous to the Upper Sonoran Desert and be consistent with existing plants to the east.
- f. All trees shall be double-staked when installed.
- g. Development of the site shall remain in compliance with all applicable stipulations of Z2003033.
- h. Major changes to this precise plan (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- i. Parking shall comply with the Maricopa County Zoning Ordinance, unless a Variance is granted by the Board of Adjustment.
- j. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- k. 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.
- l. 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.
- m. 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.
- n. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- o. Property owner and his successor waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

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Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to concur with the recommendation of the Planning Commission to amend this Precise Plan of Development.

**REGULAR AGENDA DETAIL:**

**3. DMP2007-009 Districts 4 & 5 - CONTINUED**

**Applicant:** Beus Gilbert, PLLC for LKY Development  
**Location:** North of McDowell Road alignment, south of Central Arizona Project Canal, west of Hassayampa River, and east of Wintersburg Road alignment (in west-central Maricopa County)  
**Request:** Major Amendment to the Belmont Development Master Plan as a protected development right plan (approximately 24, 800 acres site) – Belmont

**COMMISSION ACTION:** Commissioner Barney moved to recommend approval of DMP2007-009, subject to stipulations “a” through “ww”. Commissioner Bowers seconded the motion, which passed with a majority vote of 4-2-1, with Commissioner Jones abstaining.

Commissioner Jones – abstained

Commissioner Pugmire - yes	Commissioner Aster - no
Commissioner Barney - yes	Chairman Smith - no
Commissioner Makula - yes	
Commissioner Bowers - yes	

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to continue this item to the June 18, 2008 meeting at the request of the applicant.

**4. Z2003-005 District 1**

**Applicant:** Robert Villalobos for Fredrick W. Sogland  
**Location:** South of Warner Road and west of Power Road (in the Gilbert area)  
**Request:** Special Use Permit (SUP) for a Construction Storage Yard in the AD-2 zoning district (approximately 4.7 acres) – Niquel, Inc.

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend denial of Z2003-005. Commissioner Jones seconded the motion, which passed with a unanimous vote of 6-0.

Lynn Favour gave a background report on this item and said this item is not consistent with the Gilbert General Plan and Gilbert has said there are violations on the property. Mesa recommended denial because it is not consistent with their general plan. She said this operation has been operating illegally since 2004 and the applicant has not made significant effort to resolve this or the violations. The recommendation is for denial which the applicant accepts but did ask for 90 days to address the violation.

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to concur with the recommendation of the Planning Commission for denial with a 90-day time extension to allow for clean-up before a violation of the property is effected.

**5. Z2006-101 District 4**

**Applicant:** Hassayampa Utilities Company, Inc.

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**Location:** North of Indian School Road between the 323rd Avenue and 339th Avenue alignments (in the Tonopah area)  
**Request:** Special Use Permit (SUP) for a Water Reclamation Facility in the Rural-43 zoning district (approximately 8.9 acres) – Hassayampa Ranch Water Reclamation Facility

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2006-101, subject to stipulations “a” through “v”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall comply with the site plan entitled, “Global Water - Hassayampa Utility Company, Inc. Campus 1 Water Reclamation Facility”, consisting of (2) two full size sheets, dated revised March 11, 2008, and stamped received April 11, 2008, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled, “Hassayampa Utility Company, Inc. Campus 1 WRF Site Special Use Permit Zoning Case #Z2006101”, consisting of 67 pages, dated revised November 13, 2006, and stamped received November 17, 2006 except as modified by the following stipulations.
- c. The applicant shall combine parcels 504-09-004D and 504-09-004E which consist of 29.84 acres into a single parcel prior to issuance of building permits for construction of phases 2 – 6 of the WRF.
- d. All trees shall be double-staked when installed.
- e. A continuous parapet shall screen all roof-mounted equipment.
- f. 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.
- g. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
  1. Provide a total half-width of 65’ right-of-way on Indian School Road.
  2. Recommended access roadway be paved.
  3. Bond ultimate improvements on Indian School Road.
- h. The following Maricopa County Environmental Services Department (MCESD) stipulations shall apply:
  1. This approval of the SUP cannot be construed as MCESD approval of the MAG 208 amendment, or construction plans for the proposed Water Reclamation Facility.

2. No construction of the facility can begin prior to MCESD issuing an Approval to Construct for the facility.
3. This approval for the SUP is for the SUP only.
- i. The following Drainage Review 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 further designs that are not in conformance with the Drainage Regulation and design policies and standards.
- j. The following Flood Control District (FCD) stipulation shall apply:
  - Prior to any construction or development, a Floodplain Clearance will need to be obtained from the Floodplain Management & Services Division of the Flood Control District as part of the building permit process.
- k. 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.
- l. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- m. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a Grading Permit. The applicant must contact the State office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- n. 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.
- o. 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.
- p. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshall prior to any construction.

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- q. This Special Use Permit shall expire 50 years from the date of approval by the Board of Supervisors, or until expiration of the lease to the applicant, 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.
- r. The applicant shall submit a written report outlining the status of the development at the end of five (5) years and every 10 years thereafter 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.
- s. 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.
- t. 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.
- u. 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 Special use Permit as set forth in the Maricopa County Zoning Ordinance.
- v. Property owner and his successor waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

Lynn Favour reported on background information for this case.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to concur with the recommendation of the Planning Commission for approval of Z2006-101 with stipulations "a" through "v."

- 6.      Z2007-070      District 1**  
**Applicant:**      Withey Morris, PLC for Robert Kerley  
**Location:**      Southeast corner of Riggs Road & Recker Road (in the Gilbert/Queen Creek area)  
**Request:**      Special Use Permit (SUP) for a Mini-Storage Facility in the R-4 zoning district (approximately 8.97 acres) – Riggs and Recker Self Storage

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend approval of Z2007-070, subject to stipulations "a" through "r". Commissioner Bowers seconded the motion, which passed with a unanimous vote of 7-0.

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- a. Development of the site shall comply with the site plan entitled "Riggs and Recker Self Storage", consisting of three (3) full-size sheets, dated revised March 7, 2008, and stamped received March 15, 2008, except as modified by the following stipulations.
- b. Development shall be in conformance with the narrative report entitled "Riggs and Recker Self Storage", consisting of fifteen (15) pages, dated revised March 14, 2008, and stamped received March 15, 2008, except as modified by the following stipulations.
- c. This Special Use Permit (SUP) shall expire 30 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.
- d. The mini-storage facility shall be accessible to customers seven (7) days a week twenty-four (24) hours a day. The office hours of the facility shall be 7:00 a.m. to 5:30 p.m. Monday through Saturday, and 10:00 a.m. to 4:00 p.m. on Sunday.
- e. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
  - Dedication of additional right(s)-of-way to bring the total half-width dedication to 65' for Riggs Road and 40' for Recker Road shall occur within six (6) months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
  - Bond for ultimate half-width improvements on perimeter roadways.
  - Upon full improvements of Riggs Road by Maricopa County Department of Transportation (MCDOT), entrance off of Riggs Road shall become right-in/right out.
  - 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. Any landscaping in the County right-of-way must meet Chapter 9 (Roadway Design Manual).
- f. All trees shall be double-staked when installed.
- g. A continuous parapet shall screen all roof-mounted equipment.
- h. 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 screened.
- i. The following Drainage Review stipulations shall apply:
  - The channel along the south side of the property will need to be re-evaluated to ensure that the water surface is one foot below the finished floor of the adjacent buildings.

- 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.
  - 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 Drainage Regulation and design policies and standards.
- j. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- k. 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.
- l. 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.
- m. 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.
- n. The applicant shall submit a written report outlining the status of the development at the end of one (1) and twenty (20) 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.
- o. 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.
- p. 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.
- q. 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.

- r. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

Lynn Favour reported on this self-storage facility request. She said it is not in concert with the Queen Creek County Area Plan or the Queen Creek General Plan but the town is currently supportive of the plan. Seventeen letters of opposition have been received, mostly from the nearby Cordova subdivision, while approval has been given by property owners in closer proximity. Staff recommends approval since the Town of Queen Creek has had any earlier reservations resolved.

Bill Lally, representing the applicant, showed slides to illustrate planned landscaping and some of the architectural designs that have been incorporated to reassure and appease nearby high-end property owners who express disfavor of a storage facility. There are several master planned communities in the area and he believed that outside storage may be desirable to residents of the smaller properties. He said all structures are well within the zoning specifications for the area. Traffic volumes for this facility are minimal. He added that the developer made an effort to hold several neighborhood meetings and to meet and often exceed all County planning requirements. Neighbors living adjacent to the site are in favor of the project.

Supervisor Brock commented on the quality of the work put into the project and efforts to meet with residents. He explored neighborhood opposition and learned from Mr. Lally that no one had attended any Planning Commission meeting – the Planning Commission's approval vote was unanimous. He asked Mr. Lally what he believed was the biggest area of complaint from neighbors. Mr. Lally reported that concerns mainly had to do with a narrow parcel of land retained by the developer because of irrigation issues but was not planned for building uses, and the assumption is that it will be zoned commercial and this project would facilitate that move. The concern being that it would increase crime and traffic for the area as often happens around other storage facilities and commercial areas

Supervisor Stapley asked how water would be supplied to the facility, believing that Queen Creek would not agree to provide it. Mr. Lally said they have a will-serve letter on file from the Chandler Irrigation District that agrees to supply water to the manager's residence and added that water pressure for the fire system has also been addressed with the irrigation company.

Supervisor Stapley questioned the 25-year use in the request and the fact that residents are in opposition, which is a heavy consideration with Special Use Permits (SUP). He added that the SUP is designed to be temporary and this is for 25 years. He asked Mr. Lally to relate how this type of facility fits into an area zoned for single family use.

Mr. Lally said it is a difficult use in a primarily residential area but with two corners of major arterials it is an appropriate place for either commercial, retail, or higher density residential.

Alan J. Parisian, citizen, said this is not a new protest by the residents of Cordoba - they have disagreed with it from the beginning. He said that contrary to information given out, residents of Cordoba were never informed that this site would be zoned commercial when they bought their land. He listed several areas of concern, including:

- A letter from the developer's attorney saying the intent is to develop the adjacent area as commercial property.
- A 25-year SUP is hardly the limited use that was promised.

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
June 4, 2008**

- Cordoba will have the noise and traffic impact from 6:00 a.m. to 10:00 p.m. A Heavy impact for a residential area.
- Increased crime expectation in an area where crime has already increased.

Discussion ensued on inconvenient zoning placed years ago in different County areas that now creates issues for development ideas and needs.

Joan Upton, citizen, said Cordoba is a small community of around twenty-five \$1 million plus homes and 17 letters were sent from Cordoba residents in opposition to this project. These custom homes contain between 4,000 and 8,000 sq. ft. and she doesn't believe a storage facility is needed in the area. She said a letter from Mr. Lally sent last July on the strip of property, said, "the owners of this property intend to develop this site for a future neighborhood commercial center." She said this doesn't fit the character of the neighborhood.

Discussion ensued on future plans for Riggs and Recker Roads but no one was certain of Queen Creek's plans for the area.

Scott Ward, citizen, said he was the original developer of the Seville Master Plan that has 2,000 smaller lots with homes that do have a need for additional storage capability. He also developed Cordoba and said it had been noticed in the public report that it was R-4 zoning and people were told to check with the County on this zoning. He said his real estate company handled all the initial sales in Cordoba and at the time there was a commercial builder showing interest in the corner, and he had personally told buyers about the R-4 zoning and the commercial potential. He said the architectural plans for this project mirror what was done in Seville and Cordoba, and the gatekeeper's house has the appearance of a custom home. He said they had made several efforts to work with the neighbors to plan for a compatible land use.

Supervisor Stapley congratulated Mr. Ward on the spectacular homes he had built in Cordoba and said he considered it the premier subdivision in the Southeast Valley. He referenced adjoining acreage that Chandler has stated they will only service if it is sub-divided into one-acre lots. He said that Queen Creek has taken this into their planning area but has not annexed it. He speculated that Riggs Road will become a major east-west arterial and questioned what would be appropriate use for new development along Riggs. He said Gilbert owns the sewer that is installed at Riggs and Recker, and they will not allow any hook-ups that are located in the Queen Creek planning area. He felt this request should be a C-3 zoning request instead of for a SUP, allowing that rezoning could also present problems for the neighbors. He said he was ready to support Supervisor Brock's decision on this project, which is in his district.

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "r."

**CODE ENFORCEMENT REVIEW**

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

**CODE ENFORCEMENT REVIEW – DANIEL AND KATHERINE GOODHART**

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
June 4, 2008**

**PZ-1.** Daniel and Katherine Goodhart – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2007-00129, Daniel and Katherine Goodhart. (ADM3417-061)

Lynn Favour gave background information on this case which involves building greenhouses without building permits. Two citizen complaints were filed against Mr. and Mrs. Goodhart in 2007 alleging a possible plant factory in the unpermitted greenhouses, selling plants, advertising signs in the neighborhood. Inspection found three greenhouses on the property that were unpermitted. Permit applications were submitted by applicant in June 2007 and these are pending the submission of requested revisions. The zoning clearance cannot be approved until a variance is granted because some structures are too close to the side property lines. A final hearing was held April 15, 2008, where respondent was found responsible and a fine ordered of \$300 plus \$30 per diem with a suspension date of September 29, 2008 if compliance is verified. A variance case is scheduled for July 9, 2008, to consider the setbacks issue. If the variance is approved the building permits could be approved as the only outstanding issues. Otherwise the buildings would have to be moved to meet zoning requirements.

Mrs. Goodhart did not agree with the assessment given by Ms. Favour, and said she had only a few months prior to the hearing and not more than a year, as stated. She explained that when she had submitted her plan to P&D in 2007 for shade structures that have posts set in cement every six-feet but no walls and no roof she was told, "These are not permanent structures, you don't need a permit." The person at the P&D window also told her she could have as many of these as she wanted because these are not structures. He had added, "just as long as they do not exceed ten feet." Later, Mr. Noie basically told her the same thing, not necessary, not a structure. Mrs. Goodhart gave several other arguments, including issues on whether she was or was not a wholesaler and could or could not receive a variance; and also the fact that other sites in the neighborhood had similar shade devices with no charges brought.

Terry Eckhardt interrupted to point out that the statement being given was going far afield from the purpose of this hearing, which was for the Board to determine whether the Hearing Officer had the necessary evidence to make his determination and whether to uphold his decision and order of judgment.

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (4-0-1) to uphold the Hearing Officer's Order of Judgment in Zoning Code Violation Case V2007-00129.

**MEETING ADJOURNED**

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

\_\_\_\_\_  
Andrew Kunasek, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board