

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Special Session at 10:00 a.m., June 19, 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; Don Stapley, District 2 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; Sandi Wilson, Deputy County Manager and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**1. TRUTH-IN-TAXATION HEARING**

Item: Convene a Truth-in-Taxation hearing, pursuant to A.R.S. §42-17107, to hear taxpayers in favor of or against the proposed tax levy.

- Approve the proposed primary tax levy increase of \$9,066,084. THIS ACTION REQUIRES A ROLL CALL VOTE OF THE BOARD.
- Direct the Clerk of the Board to mail a copy of the truth in taxation notice, a statement of its publication and the result of the governing body's vote to the property tax oversight commission within three days of this hearing pursuant to A.R.S. §42-17107(A)(5). (C4908045800) (ADM1801-001)

Chairman Kunasek, in accordance with A.R.S. §42-17107, convened the Truth-in-Taxation Hearing in conjunction with the FY 2007-2008 final budget hearing set per A.R.S. §42-17104, to hear taxpayers in favor of or against the proposed tax levy.

Chairman Kunasek asked the Clerk if any speaker's request forms had been submitted for this hearing. Ms. McCarroll responded that one request had been submitted by Lawrrie Fitzhugh. Ms. Fitzhugh expressed support of the Budget being presented but was concerned about increasing property taxes. Supervisor Stapley commented that the increase in property taxes does not exceed the statutory limit and is lower than the rate of inflation. Chairman Kunasek remarked that only 15 percent of the payment goes to the County; the other 85 percent goes to other jurisdictions. There being no further speakers, motion was made by Supervisor Stapley, and seconded by Supervisor Brock to approve the proposed primary tax levy increase of \$9,066,084, and direct the Clerk of the Board to mail a copy of the Truth-in-Taxation Notice, a statement of its publication, and the result of the governing body's vote to the Property Tax Oversight Commission within three days of this hearing pursuant to A.R.S. §42-17107(A)(5). Motion carried by a unanimous roll call vote (5-0), with Supervisors Kunasek, Wilson, Stapley, Brock and Wilcox voting "aye".

**2. FY 2008-09 MARICOPA COUNTY BUDGET**

Item: Convene a public hearing, pursuant to A.R.S. §42-17104 and §42-17105, to consider and adopt the following:

- The FY 2008-09 Budget in the amount of \$2,258,887,593 by total appropriation for each department, fund and function. This represents no change from the Tentative Adopted budget of \$2,258,887,593.
- Approve the allocations for Economic Development Agencies, Non-Profit Organizations and Agricultural Extension as specified in the Final Adopted Package.

- Notwithstanding the Budgeting for Results Accountability Policy, approve the following:
  1. Adult Probation, Juvenile Probation and Superior Court are collectively known as the Judicial Branch, and considered as one appropriation. Any and all appropriations within the Judicial Branch can be transferred between any and all Judicial Branch departments by fund and function, as requested and approved by the Presiding Judge, without any further Board approval.
  2. Public Defense Services, Legal Advocate, Legal Defender, Public Defender and Juvenile Defender are known as Indigent Representation, and are considered as one appropriation. Any and all appropriations within Indigent Representation can be transferred between any and all Indigent Representation departments by fund and function, as requested and approved by the County Manager, without any further Board approval.
  3. The appropriated budgets for all internal service funds administered by the Employee Health Initiatives department are considered one appropriation. Any and all internal service fund appropriations within Employee Health Initiatives can be transferred between any and all funds by function as requested, upon review and recommendation of the Office of Management and Budget and approval by the County Manager, without any further approval by the Board of Supervisors.
- Pursuant to A.R.S. §11-275, the Board of Supervisors authorizes the transfer of any monies received in the General Obligation - Debt Service Fund (312) to be reported in the General Fund (100). (C4908046800) (ADM1801)

Sandi Wilson, Deputy County Manager, presented a summary of the tentative budget. She said the total budget, including districts, is \$2,352,919,592. The total County budget is proposed to be \$2,258,887,593, which is a 0.4 percent increase over last year. Ms. Wilson stated that the budget is very frugal, with approximately \$115 million in expenditure reductions.

Chris Bradley, Deputy Budget Director, reviewed revenue trends in the local economy. Lee Ann Bohn, Deputy Budget Director, outlined budget balancing strategies and summarized budget reductions. Ms. Wilson listed changes in the final budget from the tentative budget, saying that overall, there was no change in total expenditures because increases were offset with Contingency budgets or eliminations. Ms. Wilson also made note of potential threats to maintaining a balanced budget.

Supervisor Wilcox asked whether budget cuts would result in a change in the way sample ballots are mailed. Karen Osborne, Director of Elections, explained that the Elections Department is exploring the idea of mailing only one sample ballot to a household, rather than one to each registered voter in a household. Ms. Wilcox asked about whether provisional ballots were counted. Ms. Osborne explained that most provisional ballot issues are related to driver's licenses with obsolete addresses, but voters can use the printed receipt to verify whether their vote was counted.

The Chairman called the names of citizens wishing to speak on this item. The following citizens, representing Maricopa Citizens for Safety and Accountability, voiced opposition to allocating funds to the Maricopa County Sheriff's Office (MCSO) budget: Raquel Teran, Jason Lavecke, Silvario Garcia, Nancy Herrera, Liana Rowe, Kevin Anderson and Randy Parraz. Their comments included the following points:

- Some citizens fear calling the police

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- MCSO needs to be good stewards of taxpayer dollars and not spend so much on sweeps
- MCSO needs to serve all warrants
- Concern about bi-lingual issues and bi-lingual written materials
- Concerns regarding the number of lawsuits filed against MCSO

Olga Pinada asked the Board to consider helping homeowners in foreclosure and relayed her own situation. Lawrrie Fitzhugh spoke in support of the budget for law enforcement.

**~ Supervisor Wilcox left the dais~**

Esperanza Roque and Gloria Zarate opposed budget cuts for Juvenile Probation due to the reassignment of Probation Officer Pamela Neal. They related the positive influence she had on their school campus and indicated the school district is willing to pay her salary.

**~ Supervisor Wilcox returned to the dais~**

Rosemary N. Lopez also requested to speak about Officer Neal but had left by the time the Chairman called her name. Chief Juvenile Probation Officer Carol Boone explained that the reassignment of Officer Neal out of the Roosevelt School District was related to advice from the Attorney General regarding "authority" for such a contract and not to budget cuts. Chairman Kunasek indicated the Presiding Judge, Barbara Mundell had indicated that she may seek this authority from the legislature for school-based officers.

**~ Supervisor Stapley left the dais ~**

Anna Gaines and Barb Heller declared support for MCSO citing compliance with immigration laws and certain concerns related to illegal immigration.

**~ Supervisor Stapley returned to the dais ~**

Sheriff Joe Arpaio entered the meeting and was recognized by the Chairman. Sheriff Arpaio stated that he enforces the laws of the land. He clarified that MCSO is responsible for about 1500 outstanding fugitive warrants, but approximately 12,000 warrants are under the jurisdiction of Phoenix Police. Sheriff Arpaio said that his budget is in the black despite budget cuts. The Sheriff disclosed that his office has been receiving donations to enforce immigration laws.

Supervisor Stapley remarked that it was disturbing that funding which had been appropriated by the legislature to cross-train ICE deputies had been rescinded. Mr. Stapley stated the reason he had voted to approve the ICE item was because he understood that the training would help prevent racial profiling. The Sheriff responded by saying that he was in the process of investigating allegations made by the Mayor of Phoenix that Sheriff's deputies had engaged in racial profiling. Sheriff Arpaio alleged that Supervisor Wilcox had implied that he was aligned with hate organizations. Supervisor Wilcox denied the Sheriff's allegations but stated that she does not support his immigration sweeps. She said she has supported the Sheriff for the last 16 years but has a philosophical disagreement with him regarding immigration enforcement.

Chairman Kunasek expressed thanks to the Sheriff and to all of the elected officials who showed such a cooperative spirit during a difficult budget preparation and adoption. The sacrifices many by many reflect the Country's commitment to fiscal responsibility.

Carol Corsica expressed concern that only one sample ballot would be mailed to an address rather than to each registered voter as a result of budget cuts. Ms. Corsica asked the Board to provide enough funding to mail sample ballots to every registered voter for the General Election in November. The Chairman requested that Karen Osborne, Director of Elections, speak with Ms. Corsica. Supervisors Brock and Wilcox both assured Ms. Corsica that the Elections Department would make sure that no voters were disenfranchised as a result of a change.

Donna Jones spoke in opposition to the MCSO budget, stating that many people in that department have not has raises for a considerable time. Chairman Kunasek asked Lee Ann Bohn, Deputy Budget Director, to respond. Ms. Bohn said that approximately ninety-five percent of employees received market adjustments approximately two years previously, as well as pay-for-performance raises, if eligible.

The Chairman called on Kevin Greathouse, Dorothy G., Michael Duhalme and Frank Carrillo to speak but there was no response. Dan Pietzmeyer, representing Pax Christi, expressed disagreement with some of the statements made by Sheriff Arpaio, including his comments relative to the dismissal of lawsuits.

The Clerk read the names of citizens who indicated either support for continued funding or opposition to cuts in funding for the Sheriff's Department but did not wish to speak, as follows: Jim Williams, Patricia Buck, Julie Ann Holmes, J. Wesley De Busk, Charlene H., Dande W. Fricke, Pamela Pearson and Winfield Fricke. Frank and Brandy Baron spoke in support for the MCSO, especially related to the Sheriff's work in the neighborhood around the Pruitt's furniture store.

Supervisor Wilcox commented that she supports the budget but felt there were a few items that still needed to be addressed. Supervisor Wilson said that the ability to say 'no' makes the budget work. Supervisor Stapley observed that he had earlier thought it impossible to cut \$115 million out of the budget. The Supervisors all thanked staff and elected officials for their efforts throughout a difficult budget process. Chairman Kunasek thanked the public for their participation. Supervisor Brock commented that the Teen Court has been very effective and thanked the Sheriff for not reducing ALPHA funding. He also thanked Chairman Kunasek and Supervisor Wilcox for supporting Central Arizona Shelter Services. Chairman Kunasek and Supervisor Brock added thanks to Betty Adams for her leadership and management in the Correctional Health Services Department.

Motion was made by Supervisor Stapley, seconded by Supervisor Brock and unanimously carried (5-0) to adopt the FY 2008-09 Budget and related items as stated above.

**3. APPOINTMENT**

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley and unanimously carried (5-0) to approve the appointment of Chairman Kunasek to the Greater Phoenix Economic Council Board of Directors to complete the term of Supervisor Wilson. All directors serve a one year term commencing on the date of the GPEC annual meeting, or until their respective successors are appointed and qualified.

**4. ACTION RELATED TO THE TRANSFER OF FLOOD CONTROL DISTRICT POSITIONS TO PUBLIC WORKS**

Item: With the adoption of the FY 2008-09 budget, accept the transfer of the remaining Flood Control District of Maricopa County (FCD) positions and employees to Maricopa County Public Works (MCPW) and assigning these positions and employees to perform work and provide services to the FCD pursuant to A.R.S. §48-3603, effective July 1, 2008. A corresponding agenda item is found under agenda item C4908051800B. (C4908051800A)

Supervisor Stapley moved approval, with the following amendment, to the item:

With the adoption of the FY 2008-09 budget, accept the transfer of Flood Control District of Maricopa County (FCD) positions and employees to Maricopa County Public Works (MCPW) and assigning these positions and employees to perform work and provide services to the FCD per A.R.S. § 48-3603, effective July 1, 2008, except for the Chief Engineer & General Mgr (PCN 20007), Chief Financial Officer (Financial Supervisor – Department (PCN 20055)), Administrator (PCN 20103), as well as the four Division Managers (PCN 20024 – Engineering, PCN 20017 – Regulatory, PCN 20034 – Maintenance, PCN 20008 – Plan and Project Management), which will remain as Flood Control District positions. Operating funds for the District will remain in the special district funds. A corresponding agenda item is found under agenda item C4908051800B. (C4908051800A)

The motion was seconded by Supervisor Wilcox. The Chairman called for the vote. The item, as amended, was approved unanimously (5-0).

**5. ELECTIONS CANCELLATION FOR PRECINCT COMMITTEEMEN**

Item: Cancel the elections for precinct committeemen in all precincts which are uncontested. This will allow the County to not print candidates on ballots for committeemen in those precincts which are uncontested. (C2108005M00) (ADM1709)

Karen Osborne, Elections Director, announced that all of these Precinct Committeemen will be deemed “elected.” This item will save the County \$400,000.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson and unanimously carried (5-0) to cancel the elections for precinct committeemen in all precincts which are uncontested.

**MEETING ADJOURNED**

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

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Andrew Kunasek, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board