



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Andrew Kunasek, Chairman, District 3
Fulton Brock, District 1
Don Stapley, District 2
Max Wilson, District 4
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Supervisors' Auditorium
205 W. Jefferson
Phoenix, AZ 85003

FORMAL MEETING MINUTES

BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, December 17, 2008
9:00 AM**

1. **INVOCATION**

Darren Gerard, Deputy Director, Planning and Development, gave the invocation.

2. **PLEDGE OF ALLEGIANCE**

Joy Rich, Assistant County Manager, led the assemblage in the Pledge to the Flag.

3. ROLL CALL

The Board of Supervisors of Maricopa County Arizona convened in Formal Session at 9:00 AM on Wednesday, December 17, 2008, in the Supervisors Auditorium with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2; Max Wilson, District 4; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Acting County Manager; and Victoria Mangiapane, Deputy County Attorney.

BOARD OF SUPERVISORS

4. Pet Showcase by Maricopa County Animal Care and Control.

Aprille Hollis introduced a two-month old Rottweiler - Labrador mix puppy, that is looking for a new home. She added that the Maricopa County Animal Care and Control still has many dogs and cats that are waiting for a new home and loving family. Call 602-506-PETS for more information.

PRESENTATIONS

5. BASKET DRAWINGS FOR THE 2008 COMBINED CHARITABLE CAMPAIGN

Chairman Kunasek will draw names and announce the winners for each basket. (C-06-09-214-P-00)

John Cantu, Director of Equipment Services asked Irma Guzman and Chairman Kunasek to draw the winning names for the Combined Charitable Campaign contributions' gift baskets. This culminates the final event in the 2008 Campaign.

6. 2008 SERVICE PROVIDER OF THE YEAR

Presentation regarding the United Latino Business Coalition's (ULBC) award to Andres Chagolla and Materials Management's Small Business Enterprise Program (McBiz) as ULBC 2008 Service Provider of the Year. (C-73-09-040-P-00)

Wes Baysinger, Director, Materials Management

Supervisor Wilcox made the presentation to the service provider of 2008, naming the United Latino Business Coalition, an advocacy association made of up small business owners. She said the corporations and governments that support diversity, contracting and purchasing have chosen an outstanding Maricopa County employee, Andres Chagolla, who works for Materials Management. He won the award for innovative service offering efforts and leadership in the minority small business community through M C Biz (Maricopa County Business), a program that facilitates opportunity for small businesses to do business with Maricopa County. She presented him with this award.

Mr. Chagolla thanked the Board of Supervisors for having the insight to create such a program and allow Materials Management to develop, implement and market it to the small business community in Maricopa County. He said they have been very responsive to it. He indicated there are many more new and innovative things on the next "success" report he will bring to the Board.

STATUTORY HEARINGS

Clerk of the Board

7. LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

a. PERSON TO PERSON TRANSFER OF LIQUOR LICENSE FOR WADDELL'S LONGHORN CORRAL

Approve a Person to Person Transfer of a series 06 Liquor License from Charles Edward Mansfield Jr. to Eric James Mansfield for Waddell's Longhorn Corral at 1629 N. 195th Avenue, Buckeye, AZ 85396. (MCLL #6281) (C-06-09-195-L-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Wilcox, Wilson
Nays: Brock

b. LIQUOR LICENSE APPLICATION FOR BENJAMIN'S

Approve a new, Series 12 Liquor License Application for Benjamin B. Tiede for Benjamin's at 10746 W. Bell Road, Sun City, AZ 85351. AZ #12077812, MCLL #6282. (C-06-09-197-L-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Wilcox, Wilson
Nays: Brock

c. LIQUOR LICENSE APPLICATION FOR SMOKERS DOMAIN

Approve a new, #10, Liquor License Application for Tri Huu Nguyen, for Smokers Domain at 10914 W. Bell Road, Sun City, AZ 85351. AZ #10075711, MCLL #6283. (C-06-09-198-L-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Wilcox, Wilson
Nays: Brock

d. SPECIAL EVENT LIQUOR LICENSE FOR SUN CITY WEST RACQUET CLUB

Approve an application for a Special Event Liquor License for Gloria A. Mitchell, Sun City West Racquet Club, 19807 R.H. Johnson Boulevard, Sun City West, AZ on April 3, 2009, 4:00 to 7:00 p.m. and on April 4 and 5, 2009, from noon to 5:00 p.m. (SELL #865) (C-06-09-202-L-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Wilcox, Wilson
Nays: Brock

Public Works

8. ROAD FILE DECLARATIONS

Approve, by resolution, petitions to open and declare the following roads 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.

a. ROAD FILE NO. 5804

General Vicinity: East of North Tuthill Road and South of West Indian School Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4. (C-91-09-064-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Air Quality

9. INCORPORATION BY REFERENCE RULEMAKING

Pursuant to A.R.S. 49-479(b), convene the scheduled public hearing to solicit comments and consider the adoption of proposed revisions the following Maricopa County Air Pollution Control Regulations: Rule 317 - Hospital/Medical/Infectious Waste Incinerators, Rule 321 - Municipal Solid Waste Landfills, Rule 360 - New Source Performance Standards, Rule 370 - Federal Hazardous Air Pollution Program, Rule 371 - Acid Rain, and Appendix G - Incorporated Materials. Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations Rules 317, 321, 360, 370, 371 and Appendix G. Upon Board approval, this item will become effective December 3, 2008. This item was continued from the December 3, 2008 meeting. (C-85-09-004-7-00)

The Clerk reported a change in the effective date of this item from December 3, 2008, to December 17, 2008, prior to the vote.

Motion to approve as amended by: Supervisor Wilson, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

10. RESOLUTION FOR DUST CONTROL PERMIT APPLICATION PACKAGE

Pursuant to A.R.S. 49-479(b), convene the scheduled public hearing to solicit comments and consider the adoption of the Resolution to submit supplemental information on the implementation of Maricopa County Air Pollution Control Rule 310 - Fugitive Dust from Dust-Generating Operations consisting of the Dust Control Permit Application package as a revision to the Arizona State Implementation Plan (SIP) for PM10. Following the public hearing, the Board is requested to approve the attached Resolution and submit it as a revision to the Arizona State Implementation Plan (SIP) for PM10. Upon Board approval, this item will become effective December 3, 2008. This item was continued from the December 3, 2008 meeting. (C-85-09-005-7-00)

The Clerk reported a change in the effective date of this item from December 3, 2008, to December 17, 2008, prior to the vote.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Board

11. PETITION FOR INCORPORATION OF THE TOWN OF TONOPAH, ARIZONA

Pursuant to A.R.S. ~~§9-131(B)~~ 9-101(B), accept the petition and call for an election on Tuesday, March 10, 2009, for incorporation of the community of Tonopah into a town. The petition is signed by 10% of the qualified electors residing in a single community containing a collective population of fifteen hundred or more inhabitants.

Pursuant to A.R.S. ~~§9-131(B)~~ 9-101(B), within 60 days after the filing of the petition the Board of Supervisors shall call the election. Only qualified electors living within the area proposed for incorporation may vote at the election. If a majority of the qualified electors voting at the election favor incorporation, the Board of Supervisors shall declare by order the community incorporated. (C-06-09-179-7-00)

The Clerk said that a very dedicated group of people had worked hard to bring this about.

Supervisor Wilson also commented on the perseverance of the group who have worked years on this and congratulated their success.

Supervisor Wilcox said the whole area of Tonopah is growing so fast that it is time for it to incorporate as a small town. She reminded the citizens that "County is the best friend a small town can have."

(NOTE: The Clerk made corrections to the citations, A.R.S. §9-131(B) 9-101(B), prior to the vote.)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Sheriff

12. ONE-TIME ADDITION TO COUNTY FLEET

Approve the one-time addition to County fleet of a 1997 Arctic Cat quad awarded to the Sheriff's Office by the Clerk of the Court through DR 01-23512 to be used at the firearms training facility.

The auctionable value of this item is estimated at less than \$900 and the annual operating expense is estimated at less than \$500 per year. RICO funds will be used for operations and repairs.

This is a one-time addition to the Sheriff's Fleet which will be retired at then end of its useful life with no funding from the general fund for its replacement. (C-50-09-045-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

13. AGREEMENT AND ACCEPTANCE OF FUNDS FOR THE RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM

Approve the Agreement and acceptance of \$74,110 in continued grant funding from the Arizona Criminal Justice Commission for Residential Substance Abuse Treatment Grant Program (RSAT) Grant Number RSAT-09-004. The term of this Agreement is January 1, 2009 through December 31, 2009. The corresponding application was filed under Board agenda C-50-08-578-3-ZZ, approved on June 18, 2008. The Sheriff's Office has participated in the RSAT grant program for approximately seven years. Also approve an increase to the Sheriff's Office (500) grant fund (251) Recurring (0000) revenue and expenditure appropriations for FY 2008-09 not-to-exceed \$37,055. 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.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%; the unrecoverable indirect cost associated with this grant is \$9,041.42. There is a 25% match requirement (\$18,529) that will be funded by Sheriff's Office Inmate Services Fund (252). (C-50-09-047-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

14. DONATION TO SHERIFF'S OFFICE

Accept the donation of \$250 from **Best Materials, LLC. d.b.a. Copperstate Roofing Supply** to the Sheriff's Office Donations Fund. (C-50-09-046-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

15. MONTHLY DONATION REPORT

In accordance with County Policy A2805, accept the monthly donation report received from Sheriff's Office for November 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-218-7-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilson
Nays: Wilcox

Treasurer

16. TAX DEED PARCEL PREVIOUSLY OFFERED

Pursuant to A.R.S. §42-18303, accept the cash offer(s) on the following tax deed land parcel(s):

Date Previously Offered	Parcel No.	Purchaser/Name for the Deed	Amount Offered	Amount of charges against the parcel
12/7/2006	208-08-007U	Adam Sontag	\$500	\$3,763.37
12/7/2006	215-39-069	Adam Sontag	\$500	\$2,420.00

Direct that the Treasurers Office accept payment and prepare the deed to convey the property sold and deliver to the Clerk of the Board for further processing. Pursuant to A.R.S. §42-18262(A) and A.R.S. §42-18303(C), the proceeds from the sale in the amount of \$1000 will revert to the County General Fund. (C-43-09-012-8-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

17. PTO AND FML ADJUSTMENT

Approve an Executive Compensation Package (ECP) for Royce Flora, an unclassified Assistant Financial Manager in the Treasurer's Office, authorizing a deposit of 22.75 hours of PTO and 5.25 hours of FML to Royce Flora's leave balance.

If approved, this will authorize a deposit of 22.75 hours of PTO and 5.25 hours of FML to Royce Flora. (C-43-09-013-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

TRIAL COURTS

Justice Courts

18. APPOINTMENTS FOR PRO TEM JUSTICES OF THE PEACE

Pursuant to A.R.S. §22-121, approve the appointment of the following individuals as Pro Tem Justices of the Peace for the period January 1, 2009 through December 31, 2009, to serve in various programs in Justice Courts to reduce trial delay. This serves the interests of judicial economy and promotes sound caseload management. The individuals identified below will serve as Pro Tem Justices of the Peace with compensation at a rate of \$48.79 per hour. Funds are available within the existing budget to cover the projected expenditure of \$181,913. Adornetto, Charles J.; Anderson, Lex; Anthony, John W.; Barnes, Bernard J.; Bohlman, Herbert; Calender, Don; Carroll, Michael K.; Clark, Scott M.; Colglazier, Jerry L.; Cohen, Larry J.; Conti, Frank J.; DeForest, Melanie; Delaney, Fenton Frank; Dingott, Monroe; Fletcher, David H.; Freestone, Tom; Graham, William; Haworth, Richard; Henderson, James; Henderson, Paul; Henry, Donna; Henry, John C.; Holliday, Denise; Hull, Andrew M.; Jarvis, Robert; Johnson, Ron; Johnston, Sherwood; Jones III, Frederick M.; Julien, Paul D.; Karp, Ronald; Knapp, Robert E.; Koglmeier Jr., Matthew D.; Landau, Jerry G.; Lizarraga, Joseph A.; Matz, Theodore; Melton, Robert E.; Miranda, Richard; Neal, Delia; Nelson, Douglas N.; O'Hair-Schattenberg, Michelle; Orcutt, Michael; Parker, Caryl K.; Passey, Kerry; Ponath, William E.; Puklin, Thomas R.; Rogers, Phil J.;

Seyer, David; Sheldon, Steven; Skousen, Donald; Smith, Kenneth P.; Smith, Terry; Southern, E. Reid; Strong, Brian D.; Tolby, Quentin; Toles, Jeremy; Tully, Brian Brendan; Warianka, Andrew; Washburn, Daniel; Wilkins, Victor M.; Williams, Scott E.; Wilson, Amy; Wirtjes, John; Wolf, Guy P.; Zastrow, John T. (C-24-09-008-9-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Superior Court Judges and Commissioners

19. COMMISSIONER PAY ADJUSTMENTS

Pursuant to A.R.S. §§12-213 and 12-298, approve salary adjustments for all appointed commissioners as set forth by the Presiding Judge of the Superior Court effective January 1, 2009.

Arizona Revised Statutes §§12-213 and 12-298 authorizes the Presiding Judge to set the annual salary for all appointed commissioners at an amount which may not exceed ninety per cent of the salary of a judge of the Superior Court. Sources of funding, total amounts funded and fiscal years (FY) would be as follows: General Fund (100), \$231,145 for both FY's 2009 and 2010; Judicial Enhancement Fund (208), \$5,013 for both FY's 2009 and 2010; and Fill the Gap Fund (264), \$17,823 for both FY's 2009 and 2010. (C-80-09-004-2-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

20. TRANSFER OF EXPENDITURE APPROPRIATION FOR TELEPHONE INTERFACE SYSTEM

Pursuant to A.R.S. 42-17106, transfer expenditure appropriation in the amount of \$64,000 from Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Superior Court (800) Conciliation Court Fees Fund (257) Non-Recurring (0001). Also decrease the revenue appropriation in the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) by \$64,000. Approval of this action will support one-time equipment and labor expenditures for the installation of an upgraded modern telephone interface system.

The Superior Court wishes to purchase and install an upgraded modern telephone interface equipment system named THAT-2 (Telephone Handset Audio Tap, version 2). This equipment would be installed in 18 Superior Court courtrooms: 11 of the courtrooms are located in the Central Court Building and 7 courtrooms are located at the Southeast Court Facility. This equipment would replace an outmoded telephone interface system. (C-80-09-003-2-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

COUNTY MANAGER

Communications

21. IGA WITH THE CITY OF PHOENIX FOR PLATINUM PASS PROGRAM

Approve an Intergovernmental Agreement between the City of Phoenix and Maricopa County through the Communications Department, for the purpose of authorizing the participation in the Phoenix Transit Platinum Pass program which will provide electronic fare collection and billing services for bus and light rail boardings covered under the County's approved subsidy program. This Intergovernmental Agreement is non-financial and is effective from October 24, 2008 until October 24, 2011. (C-71-09-002-3-00)

Supervisor Brock said the City of Phoenix runs among the best of the country's best transportation facilities and a number of County employees regularly use this transportation. He encouraged all of the metropolitan areas to continue their work as part of the network for public transportation in the County.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Government Relations

22. AMENDMENT TO THE IGA WITH THE CITY OF CHANDLER FOR CHANDLER COUNTY ISLAND INTERIM FIRE AND EMERGENCY SERVICES

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) between Maricopa County and the City of Chandler for the provision of interim emergency and fire services to county island residents living in property located within the Chandler planning area. This amendment will replace the outside expiration date of December 31, 2008, with a new outside expiration date of June 30, 2009.

The Chandler County Island Fire District was approved by the Board on November 18, 2008 and will become effective on December 18, 2008. The District is in active negotiations with the City of Chandler to enter a contract for fire and emergency services. In the interim, the amended IGA will continue to provide a mechanism for the provision of these services with county island residents until a contract is in place or June 30, 2009, whichever is earlier. (C-20-08-023-2-01)

Supervisor Brock said that Chandler has worked hard to cooperate with the County and this is appreciated. He thanked Rick Bohan and others for their continued work on fire districts within cities and towns.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Office of the County Manager

23. TECHNICAL CORRECTIONS TO AMEND THE DEPARTMENT/FUND/FUNCTION COMBINATION INDICATED

Approve Technical Corrections to amend the Department/Fund/Function combination indicated on the following previously approved agenda items from Appropriated Fund Balance (480) General Fund (100) Function (none listed) to Non Departmental (470) General Fund (100) Function 0001. This correction does not change the direction or intent of the previous actions:(C-20-08-068-3-00) (C-20-08-069-3-00) Also, for the items listed above, if awarded, pursuant to A.R.S. 42-17106(B), approve adjustments in the amount of the actual award to the appropriated revenue and expenditure budget for the Non Departmental (470) General Fund (100) Function (0001). Indirect costs are not applicable to Tribal Gaming Grants. 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 law. This adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

Starting in FY 2008-09, Appropriated Fund Balance (480) is no longer in use and was replaced by the Non Departmental (470) Function 0001. The agenda items listed above were submitted in the prior fiscal year, prior to the change, and therefore require a change to the Department and Function to be properly budgeted and accounted for. (C-20-09-038-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

24. ACCEPT THE 2008 BULLETPROOF VEST PARTNERSHIP GRANT FUNDS

Approve acceptance of Bulletproof Vest Partnership grant funding from the Federal Bureau of Justice Assistance (BJA) in the amount of \$52, 016. Funds will be used to reimburse costs for bulletproof vests for the Maricopa County Sheriff's Office, the Maricopa County Adult Probation Department and the Maricopa County Juvenile Probation Department. The Maricopa County Sheriff's Office will receive \$29,327 towards 839 vests. The Maricopa County Adult Probation Department will receive \$17,477 toward 499 vests and the Maricopa County Juvenile Probation Department will receive \$5,212 towards 148 vests. The term of the grant is from April 1, 2008 to September 30, 2010. Also, approve revenue and expenditure appropriation increase adjustment not to exceed \$29,326 for FY 2009 to the Maricopa County Sheriff's Office (500) Grants Fund (251), Function Operating (0000). 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. The grantor does not allow for indirect cost recovery. The total unrecoverable indirect amount is \$6,841. The Sheriff Department indirect rate is 12.2% and they will not recover \$3,578. The Adult Probation Department indirect rate is 9.1% and they will not recover \$1,590. The Juvenile Probation Department indirect rate is 32.1% and they will not recover \$1,673.

On June 26, 1998, the Bulletproof Vest Partnership (BVP) Grant Act of 1998 was signed as law (Public Law 105-181). The purpose of the Act is to save the lives of law enforcement officers by helping state and units of local and tribal government equip their law enforcement officers with armor vests. Through the Bulletproof Vest Partnership Grant Program, administered by the Bureau of Justice Assistance (BJA), the federal government will give priority and cover up to 50 percent of the cost for vests to jurisdictions with less than 100,000 people.

Jurisdictions with over 100,000 people will get a percentage of any remaining BVP funds. These funds are for use by law enforcement officers, broadly defined to include police officers, sheriff's deputies, correctional officers, parole and probation agents, park police and others. All bulletproof vests will be put to use in guarding the safety of county personnel. Maricopa County has been receiving these funds since 2001. (C-20-09-039-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

25. TECHNICAL CORRECTIONS TO AMEND THE DEPARTMENT/FUND COMBINATION

Approve a Technical Correction to the Department/Fund combination indicated on the following listed items previously approved by the Board of Supervisors from Non Departmental (470) Non Departmental Grant Fund (249) Function 0001 to County Manager's Office (200) Non Departmental Grant Fund (249) Non Recurring Non Project (0001). This correction does not change the direction or intent of the previous actions. (C-20-08-060-3-00)(C-20-08-054-3-00)(C-20-08-061-3-00)(C-20-08-062-3-00)(C-20-08-063-3-00)(C-20-08-065-3-00)(C-20-08-066-3-00)(C-20-08-067-3-00)(C-20-08-071-3-00)(C-20-08-072-3-00)(C-20-09-003-G-00)(C-20-09-004-G-00)(C-20-09-008-G-00)(C-20-09-009-G-00)(C-20-07-002-3-00)(C-20-08-070-3-00)(C-20-09-005-G-00)(C-20-08-044-3-00)(C-20-09-027-G-00)(C-20-08-008-G-00) Also, for the items listed above, if awarded, pursuant to A.R.S. 42-17106(B), approve adjustments in the amount of the actual award to the appropriated revenue and expenditure budget for the County Manager's Office (200) Non Departmental Grant Fund (249) Non Recurring Non Project (0001). Indirect costs are not applicable to Tribal Gaming Grants. 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 law. This adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

Starting in FY 2008-09, the County Manager's Office (Department 200), Non-Departmental Grant Fund (249) will be used to budget and record revenue and expenditures for the Tribal Gaming grant funds. The agenda items listed above were submitted and approved either in the prior fiscal year or early in the current fiscal year, prior to the Non Departmental Grant Fund (249) being established in the County Manager's Office (200) and therefore require a change to the Department/Fund combination to be properly budgeted and accounted for based on the new combination. This agenda item adds the Non Departmental Grant Fund (249) to the County Managers Office (200) and corrects the above listed agenda items. (C-20-09-037-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

DEPUTY COUNTY MANAGER

Management and Budget

26. AMEND BUDGET AND ENCUMBER FUNDS FOR FY 2008-09 MANDATED STATE CONTRIBUTIONS

Approve the following: 1. Pursuant to Laws 2008 Chapter 285, Section 47, Subsection A and Laws 2008 Chapter 288, Section 10, Subsection A, and the "FY 2008-09 State Contribution Funding Guidelines" approved by the Board of Supervisors on November 18, 2008 (C-49-09-037-2-00), increase appropriated expenditures by a total of \$26,811,957 in the amounts listed in Exhibit A for each department, fund and function for the purpose of fulfilling the

mandated contributions to the State of Arizona Pursuant to Laws 2008 Chapter 285, Section 47, Subsection C and Laws 2008 Chapter 288, Section 10, Subsection C, the mandated State contributions appropriated by this agenda item are excluded from the County constitutional expenditure limitations, and this budget adjustment therefore does not alter the budget constraining the expenditure of local revenues duly adopted by the Board of Supervisors per A.R.S. §42-17105.2. Direct the Department of Finance to encumber amounts to be paid to the State Treasurer for mandated State contributions in the amounts of \$24,168,400 per Laws 2008 Chapter 288, Section 10, Subsection A and \$4,681,991 per Laws 2008 Chapter 285, Section 47, Subsection A. The amounts to be encumbered are as listed in Exhibit A, plus \$2,038,434 from Sheriff (500), Inmate Services Fund (252), Non Recurring Non Project (0001) pursuant to Agenda C-50-09-018-2-00. Actual payment will be made upon further direction from the County Manager.

The purpose of this agenda item is to amend the budget and encumber funds for future payment to the State of Arizona pursuant to Laws 2008 Chapter 285, Section 47 and Laws 2008 Chapter 288, Section 10. Subsection B of both laws states as follows: "Notwithstanding any other law, a county may meet any statutory funding requirements of this section from any source of county revenue designated by the county, including funds of any county wide special taxing district in which the board of supervisors serves as the board of directors." On November 17, 2008 (C-49-09-037-2-00) the Board of Supervisors approved the "FY 2008-09 State Contribution Funding Guidelines." The amounts to be budgeted and encumbered for payment of the mandated State contributions by this action follow the guidelines approved by the Board of Supervisors. (C-49-09-037-2-01)

Motion to continue to the January 14, 2009, meeting at the request of the department,
by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Health

27. AMENDMENT TO IGA WITH LIBERTY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve Amendment No. 4 to Intergovernmental Agreement (IGA) with Liberty School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$4,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$21,500 for the term July 1, 2006 through May 1, 2009. (C-86-07-420-2-04)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

28. PARTNERSHIP AGREEMENT WITH 1 VOICE COMMUNITY CENTER FOR HIV COUNSELING AND TESTING

Approve a non-financial Partnership Agreement (PA) between 1 Voice Community Center (1VCC) and Maricopa County through its Department of Public Health (MCDPH), HIV/HCV Infection Control and Surveillance, 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 1VCC . The term for this PA is from December 1, 2008 to December 31, 2009, and is renewable for an additional two years by mutual agreement. (C-86-09-039-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

29. AGREEMENT WITH IOWA STATE UNIVERSITY FOR TRAINING EXPERIENCE FOR STUDENTS

Approve the non-financial Affiliation Agreement between Iowa State University (ISU) and the Maricopa County through its Department of Public Health to provide training experience for ISU students in the Department of Public Health Office of Nutrition Services. The agreement is effective from October 1, 2008 until June 30, 2013. (C-86-09-038-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

30. ACCEPT FUNDS FROM DEPARTMENT OF HEALTH AND HUMAN SERVICES/REGION IX OFFICE OF MINORITY HEALTH

Approve and accept grant funding from Office of Minority Health to Maricopa County by and through Department of Public Health's Office of Family Health for the purpose of eliminating health disparities through development of a Center for African American Health. Grant funding is in the amount of \$3,000. The term of this grant is from September 10, 2008 through March 9, 2009. Also, approve revenue and expenditure appropriation adjustments to the Public Health (860) Grant Fund (532) Function Code (0000) associated with the aforementioned grant in an amount of \$3,000 for FY 2008-09. The appropriations adjustment is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The Department of Public Health's indirect rate for FY 2008-09 is 18%. This grant allows for full indirect cost reimbursement. Estimated total indirect costs are \$458 all of which is recoverable. Funding for this grant is being provided by Department of Health and Human Services' Region IX Office of Minority Health and will not affect the County general fund. (C-86-09-028-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

31. RESCIND AND APPROVE AMENDMENT TO PROVIDER PARTICIPATION AGREEMENT WITH MAGELLAN HEALTH SERVICES OF ARIZONA, INC

1. Rescind the action taken on February 6, 2008 (C-86-08-024-1-01) to amend the Provider Participation Agreement from Magellan Health of Arizona, Inc. (Magellan) due to the fact that the amendment documents were never countersigned by Magellan. A replacement Amendment No. 1 is being submitted for approval.

2. Approve Amendment No. 1 to the Provider Participation Agreement between Magellan Health Services of Arizona, Inc. and Maricopa County through its Department of Public Health, Health Care for the Homeless Clinic (HCH). This amendment will revise the Agreement to reflect availability of funds for Fiscal Year 2008-09, include Scope of Work, and replace the Provider Funding Terms.

This amendment increases the maximum amount HCH is allowed to bill for behavioral health services from \$66,799 to \$175,000, effective as of July 1, 2008 through June 30, 2009 with a one-year automatic renewal on a year to year basis. The Department of Public Health's indirect rate for FY 2008-09 is 18%. This agreement is part of Healthcare for the Homeless grant s agreement is a part of as program income allows for indirect reimbursement at a rate of 15.397%. Total indirect expenses are estimated to be \$ 27,297 of which \$ 23,350 is recoverable and \$ 3,947 is not recoverable. Also approve a revenue and expenditure appropriation adjustment to the Department of Public Health (860) Grant fund (532) Operating Budget (0000) associated with the aforementioned grant in an amount of \$108,201 for FY 2008-09 as these funds were not included in the FY 2008-09 adopted budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

All other terms and provisions of the Agreement not modified as set forth herein shall remain in full force and effect. Of the total agreement, \$66,799 was already included in the FY 2008-09 adopted budget. (C-86-08-024-1-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

32. AMENDMENT TO IGA WITH THE MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT FOR CAR SEAT AND BIKE HELMET EDUCATION DISTRIBUTION AND STORAGE

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) with the Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County through its Department of Public Health's Office of Health Promotion and Education to provide car seat and bike helmet education distribution and storage. This amendment extends the term of the agreement starting January 1, 2009 through December 31, 2009 and provides funding to MIHS in the amount of \$85,000. Amendment No. 1 also makes changes to Section I of the General Provisions.

Funding for this agreement is provided to the Department of Public Health by a grant from the Arizona Department of Health Services (HG754060-005) and does not affect the county general fund. (C-86-08-039-2-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

33. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TUBERCULOSIS CONTROL

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) No. HG852310 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide additional grant funding for Tuberculosis Control. This amendment budget amount is \$280,845 for the budget period of January 1, 2009 through December 31, 2009. This amendment also makes administrative changes to the SPECIAL TERMS AND CONDITIONS. The Department of Public Health's indirect rate for FY 2008-09 is 18%.

Indirect costs are estimated at \$42,841 and are fully recoverable. Half of the grant award is already included in the FY 2008-09 adopted budget in the amount of \$140,423

An appropriation adjustment is not requested at this time as these funds were included in the FY 2008-09 Adopted Budget. Funds for this IGA are provided by a grant from ADHS and do not increase the County's general fund. (C-86-08-062-2-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

34. AMENDMENT TO LEASE AGREEMENT FOR IMMUNIZATION CLINIC AT BRITTANY SQUARE SHOPPING CENTER

Approve Amendment No. 1 to Lease No. L-7343 with Binderup Investments, Inc., as successor in interest to Brittany Square Shopping Center, LLLP, limited liability limited partnership, Lessor, for premises currently used as an immunization clinic. The premises located at 6666 W. Peoria Ave, Glendale AZ, contains 2,368 square feet of leased space. The current lease is extended five years to commence on January 1, 2009 and terminating on December 31, 2013. The annual base rental cost are: Year 1) \$34,335.96, Year 2) \$35,520.00, Year 3) \$36,704.00, Year 4) \$38,480.00, and Year 5) \$40,256.00, plus 2.4 % rental tax. Additional estimated rents for Common Area Charges (CAM) are \$10,800.00 per year. Tenant is also responsible for the monthly utility charges and maintenance cost. The Lease Agreement contains provisions for lease termination with 180-day written notice. The Facility Review Committee has endorsed this lease amendment. All other terms and conditions of the Lease remain the same and in full force. (C-86-04-022-4-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

35. AMENDMENT TO FACILITY USE AGREEMENT FOR CHANDLER WIC CLINIC

Approve Amendment No. 1 to the full service Facilities Use Agreement No. P50108 with Catholic Healthcare West, a California non-profit public benefit Corporation d.b.a. Chandler Regional Medical Center, Licensee, for the use of clinic space to perform vaccinations to uninsured children at the WIC clinic located at 3002 N. Arizona Ave., Chandler, AZ. The term of the Agreement is from January 1, 2009 through December 31, 2009. License agrees to provide the services at no cost to the County and the recipients. County agrees to provide access and promotion assistance without monetary remuneration. (C-86-08-071-0-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

36. IGA WITH ADHS FOR BREASTFEEDING PEER COUNSELING PROGRAM

Approve Intergovernmental Agreement (IGA) No. HG961186 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide grant funding for the Breastfeeding Peer Counseling Program. The term for this IGA is October 1, 2008 through September 30, 2013. The budget amount of \$731,870 is for the budget period of October 1, 2008 through September 30, 2009. The Department of Public Health's indirect rate for FY 2008-09 is 18%. Indirect costs are estimated at \$111,641 and are fully recoverable. Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532, Function Code 0000) associated with the aforementioned grant in an amount of \$370,847 for FY 2008-09. The appropriations adjustment is necessary because these funds were not included in the FY 2008-09 budget.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Of the total grant award, \$178,056 was already included in the FY 2008-09 adopted budget. Funds for this IGA are provided by a grant from ADHS and do not increase the County's general fund. (C-86-09-040-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Workforce Management and Development

37. MARICOPA COUNTY EMPLOYEE LEAVE PLAN CHANGES

Approve changes to the Maricopa County Employee Leave Plan at the request of the Director of Workforce Management & Development. These changes are either necessary for or in anticipation of the conversion of the County's HRIS system, which currently is expected to occur in April of 2009. This item requests Board approval for the Leave Plan changes in concept only. Approval of Leave Plan language will be requested during the first quarter of 2009, when the Board is presented with proposed revisions to the Leave Plan.

In preparation for the conversion to the ADP HRIS system during calendar year 2009, it is necessary to input "rules" so that the system will automatically process employee leave events including (but not limited to) personal and sick leave, leave under the FMLA, holiday and bereavement leave, and even leave without pay. All current categories of leave have been reviewed and evaluated, and specific changes have been proposed, either because they are necessary in order to avoid expensive customization costs, or because the changes represent "best practices" and an improvement in the County's own processes. The spreadsheet accompanying this agenda item itemizes all areas of the Leave Plan that are impacted by this proposal and is kept on file in the Office of the Clerk of the Board and retained in accordance with the approved ASLAPR Retention Schedule. (C-31-09-006-6-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION

Animal Care & Control Services

38. DONATIONS

- a. Accept the monetary donation from an **anonymous donor** in the amount of \$520 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. (C-79-09-043-D-00)

Dr. Silva thanked all who continue to support the unmandated programs of Maricopa County Animal Care and Control through their donations. He also commented on the

new special "pet friendly" license plate that will sell for \$25 with \$17 of those dollars going to spay and neutering programs throughout the State. He said that this year the committee disbursed \$227,000 for low-cost or no-cost spay and neuter programs in Arizona.

Supervisor Brock spoke for the Board to congratulate Dr. Silva on the outstanding job he and his staff are doing and added his thanks to all those donating to the care and keeping of the homeless pets overseen by Animal Care and Control. He said Maricopa County now has one of the best programs in the country.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- b. Accept the restricted monetary donation from **Friends of Animal Care & Control (FACC's)** of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$71,595 and \$7,435.66 for continuation of two MCACC staff positions for Maricopa County Animal Care & Control (MCACC). The total donation received was in the amount of \$79,030.66. 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. (C-79-09-044-D-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- c. Accept the restricted monetary donation from the **Arizona Companion Animal Spay and Neuter Committee**, in the amount of \$10,000. These funds were made available from the support and sales of the Arizona Companion Animal Spay and Neuter Pet Friendly License Plates. This restricted donation is to fund the Maricopa County Spay/Neuter Voucher Program. 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. (C-79-09-045-D-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Community Development

39. IGA FOR THE ACQUISITION, REHABILITATION AND RESALE OF ABANDONED AND FORECLOSED RESIDENTIAL PROPERTIES

Approve an Intergovernmental Agreement (IGA) between Housing Authority of Maricopa County and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$8,700,000. This Intergovernmental Agreement is funded by a grant from the U. S. Department of Housing and Urban Development, (CFDA #14-218). The purpose of this Intergovernmental Agreement is to acquire, rehabilitate and resell abandoned and foreclosed residential properties under the Neighborhood Stabilization Program. This Intergovernmental Agreement is effective from HUD release of funds until June 30, 2013.

The IGA will provide for an initial allocation of Neighborhood Stabilization Program (NSP) funds to the Housing Authority of \$6,233,274. Program income is expected to be earned under this activity and will be returned to the Housing Authority, minus a 10% set aside for administration, for continuation of this activity. At this time, it is expected that the Housing Authority will receive \$2,466,726 in program income. With the additional program income, this will provide the Housing Authority with funding capacity of \$8,700,000 for this activity. This activity is expected to produce at least 50 houses for resale to low, moderate, and middle income households. (C-17-09-048-3-00)

Motion to continue to the January 14, 2009, meeting, by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

40. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - PHOENIX REGIONAL SPORTS COMMISSION

Approve a Contract between Phoenix Regional Sports Commission and Maricopa County through the Community Development Department, in the not-to-exceed amount of \$22,500. The purpose of this Contract is to provide FY 2008-2009 nonprofit economic development funding to the Phoenix Regional Sports Commission for the purposes of soliciting and bidding on sports related events, which may require a bid fee, through the sponsorship of events as part of its guarantee. The agency will also pursue bids on additional amateur, youth and professional sports events that will be new to the County. This Contract is effective from July 1, 2008 until June 30, 2009. This will be the last payment to the Commission as this Commission will be organizing as a nonprofit corporation. (C-20-09-036-3-00)

Supervisor Wilcox said that since Mr. Schneider's arrival this contract has "really come together" and she felt it would become a very good non-profit and would greatly benefit sports in Arizona.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Human Services

41. MEMORANDUM OF UNDERSTANDING WITH AARP FOUNDATION WORKSEARCH AND MARICOPA COMMUNITY COLLEGES & PARTNERS

Approve Memorandum of Understanding between AARP Foundation WorkSearch and Maricopa Community Colleges and Partners. Maricopa County Human Services Department Workforce Development Division/Maricopa Workforce Connections (MWC) is a Maricopa Community Colleges partner agency. The activities for this agreement will include employment training opportunities for WorkSearch participants. Funding for these activities is provided through Arizona State Department of Economic Security under the Workforce Investment Act (WIA) of 1998. Maricopa County Board of Supervisors accepted funding on July 8, 2008 (C-22-09-008-3-00). This MOU is non-financial and is effective upon signature by both parties and will expire December 17, 2009. (C-22-09-117-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

42. CONTRACT WITH AEROSTAR AEROSPACE MANUFACTURING FOR EMPLOYED WORKER TRAINING PROGRAM

Approve a contract between Aerostar Aerospace Manufacturing and Maricopa County administered by its Human Services Department in the not-to-exceed amount of \$28,100. The purpose of this Contract is to provide training funded by the Employed Worker Training Program (EWTP). The term of this contract shall begin upon approval and signature of the Maricopa County Board of Supervisors and end one year from the signature date. This is an expenditure contract and the vendor's training program in the amount of \$28,100 is not subject to indirect charges. The expenditures from this contract are reimbursed under the DES IGA C-22-09-008-3-00. (C-22-09-119-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

43. CONTRACT WITH NANOVOLTAIX, INC. FOR EMPLOYED WORKER TRAINING PROGRAM

Approve a contract between NanoVoltaix, Inc. and Maricopa County administered by its Human Services Department in the not-to-exceed amount of \$38,400. The purpose of this Contract is to provide training through the Employed Worker Training Program (EWTP). The term of this contract shall begin upon approval and signature of the Maricopa County Board of Supervisors and end one year from the signature date. This is an expenditure contract and the vendor's training program in the amount of \$38,400 is not subject to indirect charges. The expenditures from this contract are reimbursed under the DES IGA C-22-09-008-3-00. (C-22-09-118-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

44. IGA WITH THE CITY OF PHOENIX FOR SPECIAL TRANSPORTATION SERVICES (NEW FREEDOM)

Approve an Intergovernmental Agreement between The City of Phoenix and Maricopa County Human Services Department (HSD), for the provision of special transportation services (STS). This Agreement is effective from July 1, 2008 until June 30, 2009. The purpose of this Agreement is for the provision of grant reimbursement for purchases of items/services shown in the "Project Description" box on Exhibit "A" for an amount not-to-exceed \$130,865. HSDs FY 2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$17,267. Appropriations adjustment is not requested at this time as these funds are included in the 2008-09 Adopted Budget. (C-22-09-116-3-00)

Prior to the vote, the Clerk made a change to the effective date, making it effective upon filing with the County Recorder and until June 30, 2009.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

45. IGA WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR BACKGROUND CHECKS

Approve this Intergovernmental Agreement (IGA) between Arizona Department of Public Safety and Maricopa County, administered by its Human Services Department for the purpose of providing background checks to the department.

The use of the information received under the terms of this agreement shall be limited to the specific purpose of evaluating the fitness of current or prospective licensees, employees, contract employees, or volunteers of the agency. The agreement begins on the date of Board approval and continues until terminated by either party. Funding for this agreement is provided by a grant from a Headstart Federal Grant pass through # 09CH7096/43 and will not impact the County general fund budget. (C-22-09-122-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Medical Examiner

46. APPLY AND ACCEPT GRANT FUNDS FOR PURCHASE OF A GAS CHROMATOGRAPH/MASS SPECTROMETER (GC/MS)

Approve the application and acceptance of grant funds from National Institute of Justice-Coverdell Forensic Science Improvement Grant Program, (2008-91938-AZ-CD), in the not-to-exceed amount of \$95,000 for the purpose of purchasing a Gas Chromatograph/Mass Spectrometer (GC/MS) for drug quantitations. The grant award begins on October 1, 2008 and ends on September 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Office of Medical Examiner or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Office of Medical Examiner's composite indirect cost rate at 24.8%, or \$23,560. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$23,560. Upon receipt of funds and pursuant to ARS §42-17106(B), approve revenue and expenditure appropriation adjustments to the Office of Medical Examiner (290) Office of the Medical Examiner (224) Non-recurring Non-Project Function (0001) associated with the grant in the amount of \$95,000 for FY 2009. 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.

The grant funding deviates from the Maricopa County Policy for Administering Grants (A2505) which requires all departments/special districts to obtain Board of Supervisors approval prior to submitting an application for grant funding. The Office of the Medical Examiner applied for grant funding without the required Board of Supervisor approval and is requesting retroactive approval of the application. (C-29-09-006-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

47. APPLY AND ACCEPT GRANT FUNDS FOR TRAINING AND EDUCATION

Approve the application and acceptance of grant funds from Arizona Criminal Justice Commission, (CV-09-003), in the not-to-exceed amount of \$17,015 for the purpose of improving the quality and timeliness of forensic science and medical services by providing training and education. The grant award begins on October 1, 2008 and ends on September 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Office of Medical Examiner or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Office of Medical Examiner's composite indirect cost rate at 24.8%, or \$4,220.

The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$4,220. Upon receipt of funds and pursuant to ARS §42-17106(B), approve revenue and expenditure appropriation adjustments to the Office of Medical Examiner (290) Medical Examiner Grant Fund (224) Non-recurring Non-Project Function (0001) associated with the grant in the amount of \$17,015 for FY 2009. 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.

The grant funding deviates from the Maricopa County Policy for Administering Grants (A2505) which requires all departments/special districts to obtain Board of Supervisors approval prior to submitting an application for grant funding. The Office of the Medical Examiner applied for grant funding without the required Board of Supervisor approval and is requesting retroactive approval of the application. (C-29-09-005-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

CHIEF FINANCIAL OFFICER

Finance

48. FUNDS TRANSFERS; WARRANTS

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.

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

49. DECLARE REAL PROPERTY AS SURPLUS PROPERTY AND APPROVE A LAND EXCHANGE WITH CITY OF PHOENIX

Declare two County-owned real estate parcels located at 355 N. 5th Avenue and 358 N. 5th Avenue in Phoenix to be surplus property. Approve and authorize the Chairman of the Board to execute, an Intergovernmental Agreement (IGA) with the City of Phoenix (City) for the exchange of real property. Authorize the Chairman of the Board to execute all necessary documents approved by County Counsel to complete this real property exchange. Authorize the due diligence and escrow expenditures required to complete the proposed exchange of properties with the City. Authorize publication of required public notice pursuant to ARS 11-251 (44) for the proposed exchange of properties with the City.

The County-owned surplus property is described as: Lot 1 and Lot 2, according to Book 431 of Maps, page 50, records of Maricopa County, Arizona. The proposed IGA will authorize Maricopa County (County) to convey approximately 41,818 square feet of excess County-owned real property located at 358 N. 5th Avenue (APN 111-41-179) to the City in exchange for approximately 56,000 square feet of City-owned real property consisting of Madison Street from First Avenue to Third Avenue (excluding the intersections at 1st Avenue and 3rd

Avenue) plus \$150,071 in cash. In addition, the IGA will grant the City a five-year option to exchange real property and cash consisting of Madison Street from 3rd Avenue to 5th Avenue plus approximately 60,197 s.f. of real property at 9th Avenue and Jackson in Phoenix (APN 112-05-132) plus \$8,069,361 in cash to the County in exchange for approximately 171,844 square feet of County-owned excess real property located at 355 N. 5th Avenue in Phoenix (APN 111-41-178). In the event the City exercises its option right, the City will pay the County an additional option fee based upon when the option is exercised. The option fee will be \$0 during the first option year, \$25,000 if the option is exercised during the second option year, \$75,000 if the option is exercised during the third option year, \$150,000 if the option is exercised during the fourth option year and \$250,000 if the option is exercised during the fifth option year. The County will have a simultaneous five-year no-cost option to purchase at the July 3, 2008 appraised values any of the proposed City-owned exchange properties (Madison Street from 3rd to 4th Avenue and/or Madison Street from 4th to 5th Avenue and/or APN 112-05-132). (C-18-09-033-8-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

50. TRANSFER AND CONVEYANCE OF THE MARICOPA COUNTY EVENTS CENTER AND PARKING LOT (FORMERLY KNOWN AS THE SUNDOME CENTER FOR THE PERFORMING ARTS) TO THE ARIZONA BOARD OF REGENTS

Approve the transfer and conveyance of the Maricopa County Events Center and parking lot (formerly known as the Sundome Center for the Performing Arts) to the Arizona Board of Regents for and on behalf of Arizona State University, pursuant to the 2005 Agreement section 2. (e), effective December 31, 2008. Also, authorize the Chairman to execute all necessary documents approved by County Counsel to complete the transfer and conveyance. (C-18-09-035-8-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Materials Management

51. SOLICITATION SERIALS

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.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

a. 05115-S, INFORMATION TECHNOLOGY CONSULTANTS

Approve the recommendation for renewal of 05115-S, Information Technology Consultants (\$2,000,000 estimate/one year until November 30, 2009). Price renewal for IT consultants to be used by various County departments based on individual budgetary authorizations and requirements. Departmental requirements are competitively solicited from a qualified vendors list for proposals.

Amba Solutions Inc., Analysts International, Atomic Medium Inc., Blue Line Planning Inc., Bluecrane Inc., Candia Systems Assoc Inc., CedarCrestone Inc., Comforce Technical Services, Coolsoft LLC, Coplan And Company, Crew Providers Inc., Cybernology Inc, Data Pacific Corporation, Data Site Consortium Inc, David Ford

Consulting Engineer, DevCare Solutions, Desert Sky Software Inc., E-Consulting Inc, eCorridor Inc., EDI, Engineering Mapping Solutions, Enterprise Data Consulting LLC, Enterprise Technology Services, GillTek Systems International Inc., Gistic Research Inc., Gould Intelligent LLC, Indusa Technical Corporation, Insight Public Sector Inc, Int Technologies LLC, Integrum Technologies LLC, IT Partners, KDM Technology Consulting, Inc., Kinetik I.T., KnowledgeBase Consulting, KVL Consultants Inc., Law-On-Line, Management Decisions, Inc, Matrix Resources, MSS Technologies Inc., MTG Management Consultants, Opal Soft Inc., Paradigm Solutions LLC, Pragmatica LLC, Premier Technical Resources, RB Balch Computer Consultants, S2 Business Solutions Inc., SanTrac Technologies Inc., Sentinel Technologies Inc., Stilwell Software Inc., Systems Technology Group Inc., TeamPersona, Tech One Staffing, TEKsystems, Telecom Resources International Inc., TL Solutions LLC, Torus Business Group, Training To You Inc., TriYoung Business Solutions, University Of Mississippi NCCHE, Vault Digital LLC (C-73-09-034-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

b. 08044-S, ENVIRONMENTAL SERVICES

Approve the award of 08044-S, Environmental Services (\$5,000,000 estimate/five years with five one-year renewal options until December 31, 2013). Price agreement for the provision of various areas of environmental services. Examples of services include paint analysis, asbestos, air quality and mold abatement.

All Clear Environmental Services, Amec Earth & Environmental Inc., American Technologies, Inc., Applied Envirosolutions, Inc., Argus Contracting, ATC Associates, Inc., Bob Fox, Bryan A. Stirrat & Associates, Clark Seif Clark, Inc., Columbia Analytical Services Inc., Complete Decon Inc., Converse Consultants, Danelowitz and Associates, Inc, Dominion Environmental, Dunn Environmental, EEC, Emergency Restoration Experts, Environmental Resolutions, Inc, Environmental Response, Inc., Fiberquant, FM Group Inc, Four Corners Environmental Inc, GECSA&B, Health Effects Group, Hydro Geo Chem, Inc., IHI Environmental, Kary Environmental Services, Kennedy Jenks Consultants, Kleinfelder Inc., KNK Diversified, Inc., Liesch Southwest, Inc., Logan Simpson Design Inc., Mactec Engineering and Consulting, Native Environmental LLC, Ninyo & Moore, Pender Engineering, PSC Environmental Services LLC, SCS Engineers, Speedie & Associates, Inc., Spray Systems Environmental, Stantec Consulting Inc., SWCA, Terracon Consultants, Inc., Tierra Right of Way Services, Western Technologies Inc., Weston Solutions, Inc. (C-73-09-035-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

c. 08039-S, AVAYA ENTERPRISE COMMUNICATIONS SYSTEM SUSTAINMENT

Approve the award of 08039-S, Avaya Enterprise Communications System Sustainment (\$2,000,000 estimate/three years with three one-year renewal options until December 31, 2011). Support and maintenance price agreement for the continued operation of the Avaya enterprise communications system for the Maricopa County Sheriff's Office. (C-73-09-036-3-00)

Quagga

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

d. 08071-RFP, PROCUREMENT CARD SERVICES

Approve the award of 08071-RFP, Procurement Card Services (Revenue contract estimate/five years with five one-year renewal options until December 31, 2013). Contract for Purchase Card Services for Maricopa County. This contract provides a one-card solution that may be used for procurement, travel or fuel. (C-73-09-039-3-00)

U.S. Bank

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

e. 06142-RFP, GDACS – GEOSPATIAL ADJUSTMENT PROJECT

Recommendation for Renewal 06142-RFP, GDACS – Geospatial Adjustment Project (\$708,558 estimate/one year until October 31, 2009). Contract renewal for the adjustment of existing GIS features to the County's Geodetic Densification and Cadastral Survey for the County Assessor. (C-73-09-038-3-00)

Smart Data Strategies

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

52. ADMINISTRATIVE CORRECTION

Approve an administrative correction to the contract term and expiration for 08060-ITN, Hosting And Support Services CGI/AMS Advantage General Ledger System, (\$4,000,000 estimate/five years and six months with five one-year renewal options until June 13, 2014). Correct contract term from five years with five one-year renewal options to five years six months with five one-year renewal options. Contract was initially approved on November 18, 2008 under agenda C-73-09-030-3-00. (C-73-09-037-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Parks and Recreation

53. CONTRACT WITH NORTHWEST WOODLAND SERVICES, INC. FOR MARICOPA REGIONAL TRAIL CONSTRUCTION SERVICES

Approve and execute the Construction Manager At Risk (CMAR) construction services contract with Northwest Woodland Services, Inc. for the pre-construction management during the pre-construction services phase and to serve as general contractor during the construction phase of the Maricopa Regional Trail in the amount of \$191,250. Funding for this construction is available within the Appropriated Fund Balance (470) General Fund County Improvement Fund (445) non-recurring (0001) in FY 2008-09. (C-30-09-017-5-00)

Chairman Kunasek said this is the contract for the Trails construction and a great deal of progress is being made with that project.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

ASSISTANT COUNTY MANAGER - PUBLIC WORKS

Facilities Management

54. RIDER AND AMENDMENT TO CONTRACT WITH PARCOMM

Approve "Rider and Amendment to January 4, 2008 Contract Between Parsons Commercial Technology Group, Inc. (PARCOMM) and Maricopa County," for the purpose of deferring the purchase of an OCIP insurance policy until at least the completion of the Design Development phase of the Court Tower project (3325-07-380), and requiring that the CMR, Gilbane Building Company, purchase and obtain an insurance policy(ies) to provide adequate coverage to the County. The Contract with PARCOMM, effective August 17, 2007, was approved by the Board of Supervisors on December 19, 2007.

On December 19, 2007, the Board of Supervisors approved action C-70-08-022-5-00, which awarded the design phase services contract to Gilbane Building Company of Phoenix, Arizona, Contract No. FMD-07-041, in an amount not-to-exceed \$2,000,000, effective July 30, 2007, for the design phase of the Downtown Court Tower. The actual design phase services contract with Gilbane Building Company, dated January 16, 2008, was signed by the Board of Supervisors on February 12, 2008. Section 4.2.2 of the General Conditions of the contract provided that an Owner Controlled Insurance Program (OCIP) be instituted by Maricopa County. At this time, the parties agree that it is more advantageous to the County and the project that the OCIP be deferred until the completion of the Design Development phase of the project and, in lieu of the OCIP, the contractor has put in place an insurance policy(ies) with the following limits: • CGL - \$2,000,000; Encumbered Aggregate: \$4,000,000 • Excess - \$25,000,000 • E&O - None Gilbane Building Company provided certificates of insurance for this coverage within 20 days of approval of its Rider and Amendment on May 21, 2008, by the Board of Supervisors. The cost for this coverage was absorbed within the CMR's existing contract value. The project is located in District 5. (C-70-08-024-5-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Works

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

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. The list is on file in the Clerk of the Board's Office. (C-06-09-221-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

56. IGA WITH CITY OF SCOTTSDALE FOR IMPROVEMENTS TO RIO VERDE DRIVE FROM 136TH STREET TO FOREST ROAD

Approve the Intergovernmental Agreement between Maricopa County, acting through the Maricopa County Department of Transportation (County) and the City of Scottsdale (City) for improvements to Rio Verde Drive from 136th Street to Forest Road. The estimated cost for the Dust Mitigation (DMIT) Job Number T192 is \$2.8 million with federal funds appropriated at \$507,500 (18%). The County is responsible for 100% of the remaining cost of the project. The County's remaining estimated total project cost is \$2.29 million.

The purpose of this project is to widen the existing pavement and provide five foot paved shoulders on each side of the roadway, inclusive of intersection improvements, to create a safer environment for bicycle lanes. The project is scheduled to bid in February 2009 and the County will act as lead agency for the project. The City will issue any necessary permits at no cost to the County to work within the City's jurisdictional boundaries. The total cost of this project is currently estimated at \$2.8 million with federal funds appropriated at \$507,500. The federal appropriated funds are 18% of the estimated total project cost. These Congestion Mitigation and Air Quality (CMAQ) funds will be awarded to the County through the Maricopa Association of Governments (MAG). The County is responsible for 100% of the remaining cost of the project. The County's remaining estimated total project cost is \$2.29 million. Upon completion of the project, the City will assume responsibility to operate and maintain the project improvements within the City's jurisdictional limits. Additionally, the County will assume responsibility to operate and maintain the project improvements within the County's jurisdictional limits. Supervisory District No. 2 (C-91-09-084-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

57. BID AND AWARD FOR ASPHALT-RUBBER OVERLAY PROJECT

Approve the solicitation of bids for the Maricopa County Department of Transportation's Asphalt Rubber Overlay, FY 2008-09 Work Order Number 30050058. Approve the award to the lowest responsive bidder, provided that the lowest responsive bidder does not exceed the Engineer's estimate by more than ten percent.

This project consists of edge milling and overlaying the existing road surfaces with Asphalt Rubber Concrete Pavement. Replacement or installation of pavement delineation and other miscellaneous work items are required to complete the project. The project consists of approximately 7.01 miles (165,684 SYDS) of road detailed in the included Maintenance Plan. Supervisory Districts 1, 2 and 4 (C-91-09-087-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

58. BID AND AWARD CONTRACT TO CACTUS ASPHALT FOR PRESERVATIVE SEAL PROJECT

Approve the bid for Maricopa County Department of Transportation's Preservative Seal Surface Treatment, FY 2008-09 Work Order Number 30050059. Approve the award to Cactus Asphalt. By participating in the Job Order Contract (JOC) selection process, Cactus was chosen as the contractor.

The project consists of treating existing road surfaces with a preservative type material. Replacement or installation of pavement delineation and miscellaneous work items may be required to complete the project. Supervisory Districts 1,2,3,4 and 5 (C-91-09-086-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

59. BIDS AND AWARD FOR ALMA SCHOOL ROAD SOUTH BRIDGE AT SALT RIVER, BANK PROTECTION, SLOPE LAYBACK AND GABION REPAIR

Approve solicitation of bids for Alma School Road South Bridge at Salt River, Bridge Preservation (BRIG) Project No. T070; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by ten percent. No federal aid is involved. Salt River Pima Maricopa Indian Community (SRPMIC) is involved.

This Project consists of scour protection repair and improvements. This Project will be procured in accordance with the mandate set forth in the Maricopa County Procurement Code, Article 5, and Section 504. Supervisory District 2. (C-91-09-089-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

60. ANNEXATION (RIGHT OF WAY) BY CITY OF PHOENIX

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of Phoenix of County right-of-way within: 7th Avenue and Happy Valley Road, in accordance with Ordinance No. S-35520. (Supervisory District No. 3) (C-91-09-085-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

61. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF QUEEN CREEK

Pursuant to A.R.S. §9-471(N), approve the annexation by the Town of Queen Creek of County right-of-way within: Sossaman Road from quarter corner common to Section 7 and 8, T2S-R7E North to the South right-of-way line of Rittenhouse Road, in accordance with Ordinance No. 416-08. (Supervisory District No. 1) (C-91-09-088-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

62. RENEWAL OF LICENSE AGREEMENT WITH MCI COMMUNICATIONS SERVICES, INC.

Approve a license renewal with MCI Communications Services Inc. for new and existing buried facilities within various areas of Maricopa County right of way. The annual fee will be at \$.54 cents (fifty-four cents) per lineal foot annually. They currently have 101,082 lineal feet of buried facilities within Maricopa County right of way. The term of this license shall continue and exist for twenty years with the annual fee renegotiated every five years.

Revenue will be budgeted in the Transportation Operations Fund (232) each year from FY 2009-10 through FY 2012-13. MCI shall provide a copy of its certificate of public convenience and necessity (issued by the Arizona Corporation Commission) to the County within 30 days after the issuance of the license renewal and following any amendment to the certificate of public convenience and necessity. Supervisory District 1, 2, 3, 4 and 5. (C-91-09-082-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

63. IGA WITH THE CITY OF EL MIRAGE, THE CITY OF GLENDALE, AND THE CITY OF PEORIA FOR NORTHERN PARKWAY, FROM SR 303 TO US 60 (GRAND AVENUE)

Approve the Intergovernmental Agreement (IGA) among Maricopa County, the City of El Mirage, the City of Glendale, and the City of Peoria for improvements to Northern Parkway from SR 303 to US 60 (Grand Avenue). The IGA is in effect from the date of recording by the Maricopa County Recorder and remains in effect until all the stipulations as detailed in the IGA are satisfied.

The planned Northern Parkway (the "Project") is 12.5 miles long, extending from 67th Avenue, at its intersection with Grand Avenue, to SR 303. The Project passes through or adjacent to the Cities of Glendale, Peoria, and El Mirage and unincorporated portions of Maricopa County. Other governmental entities potentially impacted by this Project are the Arizona Department of Transportation ("ADOT"), Luke Air Force Base ("Luke AFB") and the Flood Control District of Maricopa County ("FCDMC"). The proposed Project will be a principal arterial roadway with controlled and partially controlled access including grade-separated intersections at major cross streets. The Project will provide a much needed higher speed, higher capacity east-west route in the central portion of the West Valley where there are no east-west freeways currently planned. Maricopa County is hereby designated as the Lead Agency for the Project. As Lead Agency, the County will be responsible for leading planning and programming efforts, facilitating coordination with the Maricopa Association of Governments ("MAG"), as well as issuing and managing design and construction contracts, including field engineering and inspection work at the direction of the partners. County staff costs and other necessary expenses (direct costs) will be considered as a local match. MAINTENANCE AND OPERATION Upon completion, the Project will be maintained and operated by the jurisdiction in which it is located, that is, Glendale, Peoria and Maricopa County. The County will be responsible for Intelligent Transportation System (ITS) operations and maintenance. The Parties will develop an ITS Concept of Operations Plan for the corridor. FUNDING The total estimated remaining cost of the project is \$315,820,000 (FY 2007 dollars). The principal source of funding for this Project is regional funding (\$221,074,000), and the Parties are required to collectively supply a minimum match of 30% (\$94,746,000). Jurisdictional responsibility for the local match portion of total Project costs will be 40% Glendale, 30% Maricopa County, 20% Peoria, and 10% El Mirage. Actual dollar amounts per year per jurisdiction are subject to the Parties governing body's Council/Board budget approvals. Minimum match shares for the Project and from each Party are due to the County 60 days before the funds are committed for any services to be rendered. The County in coordination with MAG will maintain a financially balanced life cycle program to complete the Project. The program will be by year and will reference anticipated annual funding contributions by the contributing jurisdictions. Supervisorial District No. 4 (C-91-09-081-M-00)

Blue Crowley, citizen, spoke on the lack of an east-west freeway currently planned. He said the Transportation Planning Committee (TPC) requested over \$300 million for a seven-mile stretch of freeway going from Happy Valley Road to the Lake Pleasant Road. Which, he said, differs with a document saying "there is currently no east-west freeway planned." He also felt that \$300 million plus is too much for a seven-mile stretch of highway.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

BOARD OF SUPERVISORS

Clerk of the Board

64. REAPPOINTMENTS TO THE STATE BOARD OF EQUALIZATION

Approve the reappointment of the following members to the State Board of Equalization: Sandor Shuch, Supervisorial District 1; Patricia J. Spott, Supervisorial District 1; Ronald Gawlitta, Supervisorial District 3; Donald Romley, Supervisorial District 3; John R. Westphal, Supervisorial District 4; Robert F. Koehler, Supervisorial District 4; Gilbert Romero, Supervisorial District 5. The term of the appointments will be effective January 1, 2009 through December 31, 2012. (C-06-09-201-9-00)

Board Members mentioned those from their districts who have agreed to a reappointment to the Board of Equalization and thanked them for their service to the County and State.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

65. REAPPOINTMENT TO THE MERIT SYSTEM COMMISSION

Approve the reappointment of the following members to the Merit System Commission: Scott Higginson, as nominated by Supervisorial District 2; Alberto Gutier, as nominated by Supervisorial District 3. The term of the appointments will be effective January 1, 2009 through December 31, 2012. (C-06-09-208-9-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

66. APPOINTMENTS TO THE BOARD OF HEALTH

Approve the reappointment of the following members to the Board of Health:

Susanne Cook, Supervisorial District 2
Pam Wight, Supervisorial District 3
Audrey Adamic, At-Large
Brian F. Spicker, At-Large
Michael Kearns, At-Large
Dr. Zuhdi Jasser

The term of the appointments will be effective January 1, 2009 through December 31, 2012. In addition, approve the appointment of Shannon Smith to the Board of Health as a member At-Large. The term of the appointment will be effective as of the date of Board approval through December 31, 2012. (C-06-09-207-9-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

67. REAPPOINTMENTS TO TRAVEL REDUCTION PROGRAM TASK FORCE - DISTRICT 3

Approve the reappointment of Ms. Judi Rogalski (Northern Trust Bank) and Mr. Aaron Rogos (Security Title Agency) to the Travel Reduction Program Regional Task Force as nominated by District 3.

The term of the reappointments will be effective beginning February 1, 2009 through January 31, 2011. (C-85-09-009-9-00)

Blue Crowley, citizen, spoke on a transit document from the managers of Valley Metro on the decline of the fare box recovery ratio, which he was against. He added that he has asked for the cost of one trip of the light rail and has received no reply.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

68. REAPPOINTMENT TO TRAVEL REDUCTION PROGRAM TASK FORCE

Approve the reappointment of Mr. Jerry Geering (Thornwood Furniture) and Mr. Randy Roberts (City of Peoria) to the Travel Reduction Program Regional Task Force representing District 4. The term of appointments will be effective February 1, 2009 through January 31, 2011. (C-85-09-010-9-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

69. REAPPOINTMENTS FOR VVR&R ADVISORY COMMITTEE MEMBER

Approve the reappointments of Mr. Bill Buck (representing the Automobile Hobbyists), Mr. George Woods (representing the Automobile Hobbyists), Mr. Dennis Robbins (representing the Automotive Aftermarket Products Industry), and Ms. Beverly Chenausky (representing the Arizona Department of Transportation). The term of the reappointments will be effective February 1, 2009 through January 31, 2011. (C-85-09-011-9-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

70. REAPPOINTMENT OF PARKS AND RECREATION COMMISSION AT-LARGE MEMBER

Approve the reappointment of Carlton F. Yoshioka, Professor, with the College of Public Programs, Department of Recreation Management with Arizona State University, to the Parks and Recreation Commission as recommended by the department Director, Richard J. Cardin. The Parks and Recreation Director shall recommend to the Board for approval the re-appointment of an at-large member of the Parks and Recreation Commission. The Director has chosen Carlton F. Yoshioka, upon approval of the Board of Supervisors. The re-appointment is for a two-year term commencing on January 1, 2009 and ending on December 31, 2010. Mr. Yoshioka is currently a Professor with the College of Public Programs in the Department of Recreation Management with Arizona State University. Mr. Yoshioka's professional memberships include the following: Member, Association for Research on Nonprofit Organizations and Voluntary Action Committee, (2008-09). Member, Research Consortium Review Committee, (2006). Member, Society of Parks and Recreation Educators Board, (2004-07). Contributor, Arizona Trails 2005, (2004). Member, Credential Committee, (2001-03). Member, Professional Development Committee (2001-03) Department Representative, Arizona Council for Enhancing Recreation and Tourism, (2001-02) (C-30-09-016-9-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

71. APPOINTMENT TO THE INDUSTRIAL DEVELOPMENT AUTHORITY BOARD OF DIRECTORS

Accept the resignation of William Long and approve the appointment of Kimberly Owens to the Industrial Development Authority Board of Directors as nominated by Supervisorial District 4. Ms. Owens will fill the unexpired portion of the term effective as of the date of Board approval through December 17, 2009. (C-06-09-213-9-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Industrial Development Authority

72. RESOLUTION OF THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE RESTRUCTURING OF ITS MULTIFAMILY HOUSING REVENUE BONDS (TIERRA ANTIGUA PROJECT) SERIES 2001.

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa, Arizona for the restructuring of its Multifamily Housing Revenue Senior Bonds (Tierra Antigua Project) Series 2001A, And Subordinate Multifamily Housing Revenue Bonds (Tierra Antigua Project) Series 2001B. This item is being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board of Supervisors approve the proceedings under which bonds of The Industrial Development Authority of the County of Maricopa are issued. (C-18-09-034-4-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

SETTING OF HEARINGS

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

Planning and Development

73. ORDINANCE P-20 MARICOPA COUNTY ADDRESSING REGULATIONS

Pursuant to A.R.S. §11-251.08, set a public hearing for January 14, 2009, to solicit comments and consider the adoption of amended Ordinance P-20 Maricopa County Addressing Regulations regarding fee increases. The amended Ordinance is effective upon Board approval.

A public hearing was held November 6, 2008, but due to an error in the legal advertisement for the November 6th public hearing, this matter is being readvertised in the legal newspaper and therefore a new public hearing date is being set for 9:00 a.m., Wednesday, January 14, 2009. (C-44-09-032-M-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

74. FEE SCHEDULE FOR THE DRAINAGE REGULATIONS FOR MARICOPA COUNTY

Pursuant to A.R.S. §11-251, set a public hearing for January 14, 2009, to solicit comments and consider the adoption of TA2008010, a proposal to amend the Fee Schedule for the Drainage Regulations of Maricopa County. The amended Drainage Regulation Fee Schedule is to be effective upon Board approval.

This amendment is to modify the existing fee structure for Precise Plans of Development to add an additional category that would allow minor accessory construction on existing properties, developed in substantial conformance with the Drainage Regulations, to be assessed a reduced flat fee rather than the existing parcel-based fee. (C-44-09-064-M-00)

The Clerk noted a change to the citation number to A.R.S. 11-251.08, prior to the vote.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Works

75. TONTO HILLS DOMESTIC WATER IMPROVEMENT DISTRICT

Set a public hearing for 9:00 a.m., January 28, 2009 to hear the petition to organize the Tonto Hills Domestic Water Improvement District. The District intends to purchase an existing domestic water delivery system that provides domestic water to all properties within the district. (Supervisor District No. 2)

Petitions with the requisite number of signatures have been presented requesting the formation of Tonto Hills Domestic Water Improvement District. (C-91-09-090-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

76. ROAD FILE NO. 414

Set a public hearing to declare the following road into the county highway system for 9:00 am, Wednesday, January 28, ~~2008~~ 2009.

Adopt a Resolution setting hearing on Road File No. 414, said alignment is also known as Calle Lejos from 95th Avenue to 93rd Avenue, lying within Supervisor District No.4. (C-91-09-083-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

CONSENT AGENDA

Clerk of the Board

77. CANVASS OF ELECTIONS

Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's Office. (C-06-09-222-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

78. DUPLICATE WARRANTS

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-09-223-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

79. MARKET RANGES

Pursuant to A.R.S §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-217-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

80. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors' meetings held July 23, 2008; August 20, 2008; September 3, 2008; September 22, 2008; September 29, 2008; October 31, 2008; and December 5, 2008. (C-06-09-209-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

81. SECURED TAX ROLL CORRECTIONS

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls 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. Resolutions on file in the Clerk of the Board's Office. (C-06-09-224-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

82. SETTLEMENT OF PROPERTY TAX CASES

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated December 17, 2008. List is on file in the Clerk of the Board's Office. (C-06-09-226-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

83. TAX ABATEMENTS

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-225-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

BOARD OF SUPERVISORS ADDENDUM

County Attorney

A-1. MARICOPA COUNTY V. DTD-DEVCO 2, L.L.C.

Authorize the County Attorney's Office to appeal the decision of the State Board of Equalization in SBOE # 11741-07-08, DTD-DEVCO 2, L.L.C. This item was heard in Executive Session on December 15, 2008. (C-19-09-038-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

A-2. ARIZONA PLUMBING SERVICES V. MARICOPA COUNTY

Authorize settlement of Arizona Plumbing Services v. Maricopa County, CV2006-005717, as discussed in Executive Session on December 15, 2008. (C-19-09-039-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Sheriff

A-3. SOLE SOURCE FOR BULL TO PROCURE AND SUPPORT DATA BASE SERVER PROCESSOR FOR JMS MIGRATION PHASE 2

Approve the Sole Source procurement contract (Serial 08117-SS) of hardware, software, licensing and system support valued at \$255,448 over three years from BULL HN Information Systems, Inc. for implementation of a Data Base Server Processor (DBSP) on the Bull NovaScale. Bull is the sole source for adding hardware and software to the NovaScale. This contract is for a term of three (3) years, beginning on the 17th day of December, 2008 and ending the 16th day of December, 2011.

The first year's costs, estimated to be \$147,509 (\$96,485 in non-recurring and \$51,024 in recurring costs), are budgeted in the Sheriff's (50) detention fund (255). Recurring costs in the second and third year, \$53,841 and \$54,098, respectively, will be funded by the Sheriff's (50) Inmate Services Fund (252). This procurement is critical to the Jail Information Management System. Funding for this item was originally approved on October 18, 2006 in agenda C-50-07-031-8-00. This contract is to procure and support Data Base Server Processor for the Jail Management System (JMS) Migration Phase 2. (C-50-08-014-8-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Employee Health Initiatives

A-4. FY 2009-10 HEALTH INSURANCE PROGRAM RATES & RECOMMENDATIONS

1. Approve the health benefit products and plan design changes for the Employee Health Insurance program as defined by the CIGNA HealthCare of AZ, Walgreens Health Initiatives, Magellan Behavioral Health, Inc., and EyeMed Vision Care, contracts and/or plan documents. The benefit offerings will provide Maricopa County employees with six different medical plan options and three pharmacy plan options, allowing them to choose coverage that strikes a balance between health benefit coverage and amount of payroll deductions. Health benefit plan elections will be in force from July 1, 2009 through June 30, 2010.
2. Continue to support program management modifications that advocate the following:
 - Encourage healthy behavior change through incentive-based lower premiums
 - Remove and/or reduce barriers to preventive care
 - Improve employee health status through Wellness Initiatives
3. Continue to support the payment of health benefit-related contracts through the collection of premiums, including, but not limited to, actuarial consulting services, COBRA (Consolidated Omnibus Budget Reconciliation Act) administrative costs, Flexible Spending Account (FSA) administrative costs, and health care data aggregation services.
4. Continue to support wellness health initiatives through the collection of premium that will be used for such initiatives including, but not limited to, disease management such as diabetic management programs, anti-obesity programs, and tobacco cessation programs; preventive programs, such as on-site mammography, cholesterol and glucose screening, adult immunizations, health risk assessments and various wellness incentives and programs.
5. Approve the Maricopa County employee health benefit rates for July 1, 2009 through June 30, 2010 for active employees. See rate exhibit as on file in the Office of the Clerk of the Board. To help encourage employee healthy behavior changes and improve employee health status, pay period incentives will continue to be implemented for employees who voluntarily participate in the Health Risk Assessment and/or Biometric Screening. The pre-Medicare retirees and Medicare-eligible health benefits rates for July 1, 2009 through June 30, 2010 will be submitted separately to the Maricopa County Board of Supervisors. (C-35-09-004-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

A-5. FY 2009-10 DENTAL INSURANCE PROGRAM RATES & RECOMMENDATIONS

1. Approve full and part-time employee dental rates for the fully insured Delta Dental plan effective July 1, 2009 through June 30, 2010 for active employees. There are no plan design changes to the dental plan offered through Delta Dental.
2. Approve full and part-time employee dental rates for the self-insured CIGNA Dental plan effective July 1, 2009 through June 30, 2010 for active employees. There are no plan design changes to the dental plan offered through CIGNA Dental.

3. Approve full and part-time employee dental rates for the fully insured Employers Dental Services dental plan effective July 1, 2009 through June 30, 2010 for active employees. There are no plan design changes to the dental plan offered through Employer Dental Services

4. The employer and retiree dental rates for July 1, 2009 through June 30, 2010 will be submitted separately to the Maricopa County Board of Supervisors. (C-35-09-005-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Health

A-6. PROCUREMENT CHANGE ORDER FOR NEWBORN INTENSIVE CARE PROGRAM

Approve the Procurement Change Order No.2 to Purchase Order (E8H21679) which provides additional funding for the Intergovernmental Agreement (IGA) (HP461413-004) between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health (MCDPH) for the Newborn Intensive Care Program. This Procurement Change Order reflects the final payment for the Newborn Intensive Care Program (NICP) for the previous grant period. In addition, MCDPH has received \$6,214 in revenue in excess of the budgeted contract amount for the NICP program ending December 30, 2008. ADHS has approved an extension of the budget period through June 30, 2009. The Procurement Change Order in the amount of \$24,050 and the additional revenue of \$6,214 increases the contract amount from \$849,001 to \$879,265 for budget period ending June 30, 2008. Also approve revenue and expenditure appropriation adjustments to the Public Health (860) Fund (532) Function Code (0000) associated with the aforementioned grant in an amount of \$30,264 for FY 2008-09. The appropriations adjustment is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The Department of Public Health's indirect rate for FY 2008-09 is 18%. Grant indirect costs are fully recoverable and are estimated at \$4,617.

Grant reimbursements are on a per unit rate as per agreement price sheet. Funding for this agreement is provided by a grant from ADHS and will not impact the County general fund budget. (C-86-05-024-2-07)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Workforce Management and Development

A-7. PROPOSED CHANGES TO SPECIFIC PAYROLL PROCESSES

Approve proposed changes to specific payroll processes to be timed in conjunction with the conversion of the County's HRIS system, which currently is expected to occur in April of 2009. It is currently anticipated that the majority of these process changes will occur in April, 2009, when Maricopa County completes the transition and outsourcing of its HRIS system to ADP.

In preparation for the conversion to the ADP HRIS system during calendar year 2009, it is necessary to input "rules" so that the system will process payroll in a predictable and consistent manner. Current payroll processes have been exhaustively reviewed and evaluated, and specific changes have been proposed, either because they are necessary in order to avoid expensive customization costs, or because the changes represent "best practices" and an improvement in the County's own processes. The documentation accompanying this agenda item identifies seven significant process changes for the Board to approve:

1. Adoption of a blended compensation rate for calculation of overtime, which is consistent with U.S. Department of labor Fair Labor Standard (FLSA) guidelines.
2. Treatment of temporary Special Work Assignments as differential pay, rather than the current practice of treating this temporary pay as an increase to base pay.
3. Adoption of requirement (already used in some County departments, such as MCSO) that paid and unpaid leave be taken in 15 minute increments, rather than continuing to permit leave to be taken in 1/100th of an hour increments.
4. Designating the HRIS system as the system of record for centralized tracking of FMLA eligibility and leave usage.
5. Standardize times County-wide for payment of shift differentials.
6. Discontinue savings bonds through payroll deductions.
7. Standardize and simplify calculation for fractional holiday pay credit. The majority of these changes will take effect upon the conversion effective date, although some processes that do not require significant PeopleSoft programming changes, such as discontinuing savings bonds through payroll deductions, may be implemented earlier. The documentation accompanying this agenda item is on file in the Office of the Clerk of the Board and retained in accordance with the approved ASLAPR Retention Schedule. (C-31-09-007-6-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Public Works

Chairman Kunasek declared a conflict of interest on the following item, A-8, handed the gavel to Vice Chairman Wilson and left the meeting room.

A-8. AMENDMENT NO. 2 TO TRANSWESTERN V. MARICOPA COUNTY SETTLEMENT

Approve authorization to amend the settlement of Transwestern Pipeline Company, LLC v. Maricopa County, CV-07-2333-PHX-JWS (consolidated) for additional compensation of \$113,280.00 to be paid to Maricopa County.

On April 9, 2008, the Board approved settlement in the above cases (which include CV-07-2333-PHX-JWS, CV-07-2337-PHX-JWS and CV-07-2340-PHX-JWS) for the amount of \$700,000.00 (Agenda No. C-19-08-048-M-00).

After the original settlement was approved by the Board, Transwestern approached Maricopa County indicating additional land was needed to complete its gas pipeline project – 7.58 acres of permanent easement and 6.37 acres of temporary workspace easement. Utilizing the same valuation terms as the original settlement, Maricopa County and Transwestern agreed to additional compensation in the amount of \$705,000.00, approved by the Board on November 6, 2008 (C-19-08-048-M-01). This additional compensation brought the total settlement amount for the three cases filed against Maricopa County to \$1,405,000.00. In October 2008, Transwestern again approached Maricopa County indicating additional land was needed to complete its gas pipeline project – 0.45 acres of permanent easement and 2.58 acres of temporary workspace easement. Utilizing the same valuation terms as the original settlement, Maricopa County and Transwestern agreed to additional compensation in the amount of \$113,280.00, subject to Board approval. This additional compensation brings the total settlement amount for the three cases filed against Maricopa County to \$1,518,280.00. This proposed settlement on all the property being acquired by Transwestern will be effectuated by a stipulated judgment which will be filed with the Clerk of the Board when it is entered by the Court. This item was discussed in Executive Session on December 15, 2008. Supervisorial District 4 (C-19-08-048-M-02)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Stapley, Brock, Wilcox, Wilson
Abstain: Kunasek

~ Chairman Kunasek returned to the meeting and retrieved the gavel ~

SETTING OF HEARINGS

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

Planning and Development

A-9. ZONING CASES

Schedule Planning and Development public hearings on zoning cases and other matters for the January 14, 2009 meeting. (List will be on file with the Clerk of the Board.) (C-44-09-063-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

MEETING RECESSED

Chairman Kunasek recessed the Board of Supervisors and convened as the Board of Directors of Various Districts.

MEETING RECONVENED

Chairman Kunasek reconvened the Board of Supervisors.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

84. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those

who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the

Blue Crowley spoke on transportation issues with Valley Metro's "fare box issues" and increasing transit rates despite their early assurance the rates would not go up with the start of light rail. Also, he asked how much total costs are to run the light rail for one full trip a month ago, and has received no reply.

Carlos Galindo, citizen, spoke on accountability, fiscal responsibility, proper judgment, serving the public not "selected officials who behave irresponsibly and misuse funds granted by you." He asked the Board to "start doing what is ethically correct regarding MCSO and their beloved leader, Joe Arpaio."

Dan Peitzmeyer criticized the Chairman for not meeting with him to hear his complaints on the Sheriff's Office. He said the Board has set itself in an adversarial position against the people it represents - hundreds of concerned citizens who want to work with you to improve the County.

Raquel Teran, Maricopa Citizens for Safety and Accountability (MCSA), also believed the Board is unfair to the group voicing opposition to the Sheriff's Office and the inability to obtain a meeting with the Chairman. In referencing a recent press conference called by the group for the lobby outside the Supervisors' offices, she said, "I can understand, but I do not agree, that a group of 40 people could be considered the obstructing of the public business." She said they were asked to leave and 36 people left, leaving four women to sit and wait to meet with the Chairman on their issues. She added that they want to be heard on what is happening in Maricopa County with Sheriff Arpaio and they will not give up.

Lisa Steenson, MCSA, also protested their inability to come to the office and meet with the Chairman about the practices, policies and misplaced priorities of Sheriff Arpaio and the Sheriff's Office, saying they have faithfully attended Board meetings since the past June trying to get on the Board's agenda.

Luis Avila, MCSA, said he has been traveling around the country speaking to people about Sheriff Arpaio and when asked who allows this he responds "The County Supervisors." He added that, "he is embarrassed to live in this County which hasn't been responding to us. Please take action to place MCSA on the agenda at the earliest possible date in January."

Guillermina Richardo, MCSA, spoke in Spanish, translated by Raquel Teran, to protest against restrictions in place to protect Board Members that kept her from meeting with them to protest against the Sheriff.

There was a brief pause in the meeting while security officers and sheriff's personnel addressed a disturbance involving some individuals in the audience.

Kristy Theilin registered to speak but was not available when called.

Monica Sandschafer registered to speak but was not available when called.

Emanuel Gallardo supported MCSA efforts since June, saying this is obviously an emotional issue for group members and they are trying to get on the agenda through accepted ways. He began to list a chronology of events involving MCSA and the Board of Supervisors. He said he hoped a meeting could be accomplished in 2009. Up to 300 members have congregated to attend formal Board of Supervisors' meetings.

Chris Fleischman, MCSA, continued a timeline of alleged Board offenses begun by Emanuel Gallardo. He acknowledged that Supervisor Wilson agreed to meet with Raquel Teran in a one-on-one meeting in his office. The offer was refused by MCSA and Ms. Teran.

85. Supervisors'/County Manager's summary of current events.

Supervisor Wilcox said she was disturbed by what just happened, saying she realized that, "people come here to speak, to tell us how they feel, they come here in peace." She asked Acting County Manager Sandi Wilson to set-up a meeting for her with the head of security following this meeting.

Chairman Kunasek agreed that it was unfortunate but believed the decorum in a public meeting must be respected. He said it is important for everyone that people conduct themselves in a civil manner and in accordance with the law, as an important component of the democratic process.

PLANNING AND ZONING AGENDA

The Board of Supervisors will now consider matters related to Planning and Zoning.

David Smith left the dais and Victoria Mangiapane left the meeting at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Wayne J. Peck, Deputy County Attorney, came forward to present the following planning and zoning cases.

CONSENT AGENDA

1. SPECIAL USE PERMIT - ROSEWOOD MANOR

Case Number: Z2002135
Supervisorial
District: 1
Applicant: Tyrone Stowe for Gospel for Life Church
Location: Southeast corner of Ryan Road & McQueen Road (in the Chandler area)
Request: Removal of Special Use Permit (SUP) for a wedding center in the Rural-43 zoning district (approx. 4.8 ac.) - Rosewood Manor
Commission Action: Recommend removal of the SUP by a vote of 9-0.

(C-44-09-054-7-00)

Darren Gerard reported on the consent item for Rosewood Manor that requests the removal of a Special Use Permit at the request of the property owner.

Motion to concur with the Planning and Zoning Commission recommendation for approval by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

REGULAR AGENDA

2. TEXT AMENDMENT - PLAN OF DEVELOPMENT PROCESS

Case Number: TA2008008
Supervisorial District: All Districts
Applicant: Commission-initiated
Location: All portions of unincorporated Maricopa County
Request: Text Amendment to the Maricopa County Zoning Ordinance revising the Plan of Development Process
Commission Action: ~~Scheduled for the Planning and Zoning Commission on 12-04-2008.~~
Approved by a vote of 7-0
(C-44-09-055-7-00)

Darren Gerard said this text revision will address changes in the Plan of Development process to codify that all existing multi-family commercial and residential development in place as of September 22, 2008, will not be required to process a plan of development.

Motion to concur with the Planning and Zoning Commission recommendation for approval by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

3. COMPREHENSIVE PLAN AMENDMENT - SOLANA GENERATING STATION

Case Number: CPA200806
Supervisorial District: 5
Applicant: CMX for Abengoa Solar, Inc./Arizona Solar One, LLC
Location: Approx . north of Interstate 8, south of Powerline Road, west of Painted Rock Dam Road, east of Oatman Road alignment (in the Gila Bend area)
Request: Major Comprehensive Plan Amendment to change the land use designation from Rural Development Area to Industrial for a solar energy electric generating facility (approx. 3,100 ac.)
Commission Action: Recommended approval subject to stipulations "a" through "g" as outlined in the Staff Report.
(C-44-09-056-7-00)

Darren Gerard said there are three, separate solar plant items on today's agenda and this is the first, known as the Solana Generating Station. He reported on the background for this request - to change the land use designation to industrial from rural. He said this is on 3,100 acres west of Gila Bend. The recommendation is for approval with stipulations "a" through "g" and approval is by resolution.

Supervisor Wilcox said the three applications for solar power plants will take the County into the future, going steps beyond what the Board approved for merchant power plants a few years ago and taking us into solar energy in both the County and the State.

Mr. Larry Lazarus, for the applicant, reported on many of the details of this project and the Abengoa Solar research company. He covered the following points on their process in applying innovative solutions for sustainable development since its founding in 1941. He said the Solana Generating Station will be the company's location in Arizona and they have achieved a 30-year power-purchasing agreement with Arizona Public Service (APS). They plan to bring the request for a Special Use Permit (SUP) before the Board early next year. The location is 70 miles southwest of Phoenix on what is now

agricultural land that is owned by Abengoa. He said the site was chosen because it has 300 sunlight days a year and is in a very high solar radiation level area and has close proximity to transportation and to transmission lines and corridors.

The gross output will be 280 megawatts at its capacity - enough to provide 70,000 homes with electricity. It should be running at full capacity in the 2011 to 2012 time frame. The facility will utilize Concentrating Solar Power (CSP) and will have the capability to store thermal energy for use at night. Smaller sites have been used for 22 years in this country. Both Gila Bend, Luke Air Force Base, and many others, are welcoming this solar project to the area.

He listed some of the benefits from a solar facility:

Diversification of energy generation sources

Sustainable energy source

Thermal energy storage

Reduction of energy imports to Arizona

Avoidance of emissions; 475,000 tons of carbon dioxide, 520 tons of sulfur dioxide, and 1,065 tons of nitrogen oxides will be reduced annually

Implementation of this facility is equal to removing 80,000 cars from Arizona roads.

Mr. Lazarus said, "This is the future, and we're finding it right here in Arizona." Over a 30-year period tax revenue for the State will increase by \$300 to \$400 million. \$1 billion in direct and indirect investments in the State will benefit local businesses in increased revenue from sales. The construction phase will create 1,500 to 2,000 jobs and the facility will need approximately 85 skilled job workers that will be permanent.

This will help to identify Maricopa County as a leader in clean energy in an emerging solar energy industry. This will have a minimal impact on the ambiance of life in the area. He added that with the next two solar energy cases, it is more evidence of why Maricopa County can be, and should be, the alternative energy capital of this country.

Supervisor Wilcox commented on the importance of having this much increased energy and the benefits from having no harmful emissions from the process. She felt this is the first of many solar-energy requests that will come before the Board and eventuality of having most households in the County on solar energy. She added that they are already doing this in Israel and it is beneficial in both households and commercial uses.

Supervisor Wilson asked if there is opposition or major obstacles to this.

Mr. Lazarus responded that there is no opposition although there were many questions asked at the meetings held on water usage and flight patterns. He said he has been doing this for 30 years and has never had so "much 'embracing' as from this project."

Supervisor Stapley said this is forward thinking and exciting. He believed this will be the first of many solar generating stations and Arizona needs to double the amount of electrical generation in the next 12 years, "and I believe we should be doing it in these kinds of ways with sustainable, non-polluting, natural resources like solar." He said he strongly supports this project.

Supervisor Brock added his congratulations to this effort and said he was impressed with the outstanding presentation. He had several questions he would like to have answered, at a later time.

Motion to concur with Planning and Zoning Commission recommendation for approval

by: Supervisor Wilcox, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

4. COMPREHENSIVE PLAN AMENDMENT - MESQUITE SOLAR

Case Number: CPA200807
Supervisorial District: 4
Applicant: Joseph H. Rowley for SEP II, LLC
Location: Southeast corner of 411th Avenue and Elliott Road (in the Arlington area)
Request: Major Comprehensive Plan Amendment to change the land use designation from Dedicated Open Space and Rural Residential (0-1 d.u./ac.) to Industrial for a solar energy electric generating facility (approx. 2,480 ac.) - Mesquite Solar
Commission Action: Recommend approval subject to stipulations "a" through "g" as outlined in the Staff Report.
(C-44-09-058-7-00)

Darren Gerard reported on the case history for this generating plant, Mesquite Solar in the Arlington area for District 4. The recommendation is for approval with stipulations "a" through "g." Approval is by resolution.

~ Supervisor Wilcox left the meeting room for several minutes at this time ~

Joe Rowley spoke for the applicant, saying that SEP II, LLC changed their business plan, turning away from natural gas towards renewable energy several years ago and this solar project, "will be our flagship" and expect to file for a Special Use Permit for a special project in 2009.

Supervisor Wilson asked for a date the electrical power would be ready and how many additional employees to operate the plant.

Mr. Rowley said construction could be started in 2010. He explained the most jobs would be during construction on a four-square mile area and should be able to draw on the local workforce.

Supervisor Wilcox said Sempre led the way earlier and has had a very good working relationship with the County and with neighbors in the area. She said she looked forward to their leading the way again.

Supervisor Stapley discussed land holdings by Sempre and said he was very supportive of this project.

Jackie Meck, Mayor of Buckeye, said he has been on the Sempre advisory committee for ten years and said they are "a tremendous corporate neighbor." He said the town totally supports the two projects in District 4, items #4 and #5.

Doris Heisler, Tonopah Valley Assn. Inc. and the Community Advisory Committee for Sempre for 10 years. This project is near the Arlington, Tonopah community areas. She believes that solar energy projects have long been needed in Arizona to make use of the many sunny days. She indicated that the site chosen is ideal for this use and is in full support of items #4 and #5, and in noticing item #6, added that her comments could be applied to that project as well.

Heidi Vasiloff, Wildlife for Tomorrow, saying that Mesquite, through Sempre, has

established field trips for school kids to come and tour the area to "become biologists and ecologists for a day" and the company pays for the entire day. She said they maintain 80 acres with a pond and trail system and instructors that teach the kids on hands-on science in a very tangible way. She said, "We can't wait to see what kind of solar activities we can do with the kids, as well." She added, this is the kind of partner we need in the West Valley and fully supports items #4 and #5.

Suzanne Taylor, Arizona Chamber of Commerce & Industry, said she was here representing the full support of items #4 and #5 by the Chamber. She said the development of these solar sites in the West Valley would place the area as home of the largest commercial solar facility in the United States. She said as Arizona anticipates a return to population growth in coming years, projects like Mesquite Solar are critical to provide a reliable source of renewable energy.

Motion to concur with Planning and Zoning Commission recommendation for approval by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

5. ZONING PERMIT - MESQUITE GENERATING STATION

Case Number: Z2008066
Supervisory District: 4
Applicant: SEP II, LLC
Location: Southeast corner of 411th Avenue and Elliott Road (in the Arlington area)
Request: Modification of Stipulation of approval of a Special Use Permit for an electrical generating facility in the Rural-190 zoning district (approx. 1,920 ac.) - Mesquite Generating Station
Commission Action: ~~Recommended continuance to the Planning and Zoning Commission meeting scheduled for 12-04-2008 by a vote of 9-0.~~
Approved by a vote of 6-0-1, subject to stipulations "a" through "c". Commissioner Johnson recused.

(C-44-09-057-7-00)

It was noted that all comments made on item #4 are accepted as part of the record for item #5 as well.

Motion to concur with Planning and Zoning Commission recommendation for approval by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

6. COMPREHENSIVE PLAN AMENDMENT - AV SOLAR

Case Number: CPA200808
Supervisory District: 4 & 5
Applicant: James Hinrichs for Dynegy Arlington Valley, LLC
Location: Between Dobbins Road and Pecos Road (alignment) on the north and south and between 355th Avenue (alignment) and 391st Avenue (alignment) on the east and west (in the Arlington area)
Request: Major Comprehensive Plan Amendment to change the land use designation from Dedicated Open Space to Industrial for a solar energy electric generating facility (approx. 2,450 ac.) - AV Solar
Commission Action: Recommend approval subject to stipulations "a" through "g" as outlined in the Staff Report.

(C-44-09-059-7-00)

Darren Gerard noted that this project is in Supervisor Districts 4 and 5 and is a major land use amendment to change the designation from dedicated open space to industrial for a solar energy facility in the Arlington area of the County. The recommendation is for approval with stipulations "a" through "g" and approval is by resolution.

Supervisor Stapley asked who the property owners are.

Darren Gerard replied that it is Dynegey Arlington Valley LLC.

Kenda Polio spoke for the applicant and said there were a number of people present who could speak for this project but since they were the third applicant with a very similar solar project, asked if a formal presentation is desired. She said the staff report covered all the details and offered to answer any questions.

Supervisor Stapley asked for information on the owners and the names of the principals.

James Heinrichs said this is a joint venture with Dynegey Corporation in Houston TX and L.S. Power, a development corporation headquartered in New York. In response to a question from Mr. Stapley, Mr. Heinrichs said there are no individual Arizona citizens that are owners of these companies.

Motion to concur with Planning and Zoning Commission recommendation for approval by: Supervisor Wilson, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

7. SPECIAL USE PERMIT - REZZONICO HAY SALES

Case Number: Z2006104
Supervisorial District: 1
Applicant: Withey & Morris, PLC for Rezzonico Ranches, LLC
Location: West of Higley Road between San Tan Boulevard and Hunt Hwy. (in the Gilbert area)
Request: Special Use Permit (SUP) for a feed store in the Rural-43 zoning district (approx. 2.93 ac.) - Rezzonico Hay Sales
Commission Action: Recommend approval subject to stipulations "a" through "y" as outlined in the Staff Report. {Note - opposition to this case has triggered a Super-majority vote by the Board of Supervisors}

(C-44-09-060-7-00)

Darren Gerard reported on background information for this case, which is located on a Class 1A County island. The Town of Gilbert has expressed concern and does not support the use. A super-majority vote has been triggered by the percent of homeowners in the proximity who are opposed. Staff recommended denial to the Commission but after changes were made to the site plan - reducing the length of the SUP from 15 years to 5 years, the Commission unanimously recommended approval with stipulations "a" through "y."

Mr. Gerard refreshed Members to the fact that the applicants had been in violation for operating a business without proper zoning entitlement on this site. This was closed prior to the Commission's hearing on this Special Use Permit in November 2008. He gave details on the project's compliance with all of the Rural-43 development standards.

Supervisor Wilcox asked if staff still recommends denial. Mr. Gerard said that with the changes made by the applicant, staff could now concur with the Planning Commission's recommendation for approval.

Bill Lowey, representing the applicant, said they had met with residents over the past six months to listen to their concerns and had made adjustments to try to alleviate them. He reported on those residents, living near the site, who are in support of the project and said he believed the opposition from landowners to the north of the site had been eased by reducing the time to five years.

Supervisor Brock said the Rezzonico family has had several farms in the area for years and their reputation in working with local cities and the County has been outstanding and he recommended approval.

Chairman Kunasek asked the attorney if the super majority vote was still in effect and Mr. Peck replied that it was.

Motion to concur with the Planning and Zoning Commission recommendation for approval, with a roll call vote, by: Supervisor Brock, Seconded by: Supervisor Stapley
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

8. SPECIAL USE PERMIT - MESA BUCKHORN ELKS

Case Number: Z2007149
Supervisorial District: 2
Applicant: Rothwell Architecture for Mesa Buckhorn Elks
Location: West of Power Road and north of Main Street (in the east Mesa area)
Request: Special Use Permit (SUP) for a fraternal organization in the C-2 and R1-8 zoning districts (approx. 1.25 ac.) - Mesa Buckhorn Elks
Commission Action: ~~Continued to the 12-04-2008 Planning and Zoning Commission hearing.~~
Approved by a vote of 7-0 subject to stipulations "a" through "o".
(C-44-09-061-7-00)

Darren Gerard said this Special Use Permit would allow the Mesa Buckhorn Elks Club to expand their parking lot into a different zoning district. They have future plans to raze the existing Elks Lodge and build a new one adjacent to the parking lot. There is no known opposition and the Commission recommends approval.

Motion to concur with Planning and Zoning Commission recommendation for approval by: Supervisor Stapley, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

9. SPECIAL USE PERMIT - CROWN BUCKEYE LATTICE TOWER

Case Number: Z2007156
Supervisorial District: 4
Applicant: Crown Castle for Union Pacific Railroad
Location: South of Baseline Road and west of Miller Road (in the Buckeye area)
Request: Major Amendment to Special Use Permit (SUP) for a wireless communications facility in the Rural-43 zoning district, Cellular Use District 2 (approx. 0.3 ac.) - Crown Buckeye Lattice Tower

Commission ~~Continued to the December 4, 2008 Planning and Zoning Commission meeting due~~
Action: ~~to a notification error.~~
Approved by a vote of 7-0 subject to stipulations "a" through "q".

(C-44-09-062-7-00)

Darren Gerard said this Special Use Permit amendment, for the Crown Buckeye Lattice Tower wireless communication facility, would allow the addition of an antenna that would increase the 280 foot height to 290 feet. There is no known opposition and the Commission recommends approval with stipulations "a" through "q."

Mike Campbell, a consultant to the applicant, asked Mr. Gerard if the extension of the existing SUP was included. Mr. Gerard said that it provides for an additional 15 years.

Motion to concur with Planning and Zoning Commission recommendation for approval by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

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