

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
May 5, 2004**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., May 5, 2004, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3, Fulton Brock, District 1, Don Stapley, District 2, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney.

INVOCATION

Representative Doug Quelland, Arizona State House of Representatives, delivered the Invocation.

PLEDGE OF ALLEGIANCE

Rich Glinski, Park Supervisor, Desert Outdoor Center, led the assemblage in the Pledge of Allegiance.

PET OF THE MONTH

Julie Banks introduced Sammy, a small terrier-mix puppy, as the "Pet of the Month" from Maricopa County Animal Care & Control center located at 35th Avenue north of Camelback. She announced that Sammy would be available for adoption at 1:00 p.m. Ms. Banks commented that to date 100% of the animals shown at the first monthly meetings of the Board of Supervisors have been adopted. The Board encourages residents to adopt a pet from among the many currently at the shelter in a continuation of efforts to make Maricopa County the first no-kill county in the country.

ADOPT-A-HIGHWAY PROGRAM VOLUNTEER GROUPS

Stephanie Brown, McDOT, recognized the following volunteer groups from each supervisorial district whose members are active participants in the Adopt-A-Highway Program at McDOT. The program began in 1990 and there are now 170 volunteer groups that maintain 304 miles along County roadways as a means of litter control. Their group efforts save thousands of tax dollars each year. Ms. Brown and the Supervisor from the respective district presented a plaque to a member from each of the following groups in recognition of their dedicated efforts to keep the County roadways free of litter. (ADM631-003)

- Orange Blossoms
- In Memory of Ann D. Riley
- Shangri-La II Resort
- Circle of Peace
- In Memory of Steven L. Jurado

~ Supervisor Wilcox left the meeting ~

PUBLIC HEARING - FIREWORKS DISPLAY - CONTINUED

Item: Application filed by Randy Reyman, AnyPyro, for a fireworks permit to be held on May 22, 2004, and July 3, 2004, at 41130 North Freedom Way, Anthem, Arizona. (ADM665) (ADM66530)

The Clerk announced that this application was continued to the May 17th meeting because the Fire Marshall had not completed his inspection.

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PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS

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

- a. Application filed by Francisco Jav. Enriquez-Salazar for an Original Series 10 Liquor License: (LL6120)

Business Name: Rio Market
Location: 315 South 515th Avenue, Suite A, Tonopah

- b. Application filed by Francisco Jav Enriquez-Salazar for a Person-to-Person Transfer of a Series 7 Liquor License from Gerardo Cruz: (LL6119)

Business Name: Rio Market
Location: 315 South 515th Avenue, Suite A, Tonopah

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "no."

EXEMPT FROM COUNTY MARKINGS OF THREE VEHICLES

Item: Approve that the three vehicles purchased via Agenda No. C19040238 be exempt from county markings and issued regular Arizona license plates. These vehicles will be used in undercover investigations associated with the additional caseload from the changes in Rules 8 and 15 (Revised Rules of Criminal Procedure related to Speedy Trial and Trial Discovery). (C19040310) (ADM3101V)

Supervisor Wilson expressed concern about unmarked cars pulling people and families over and asked to be briefed on the rationale for this, however he said he would support the motion. He reiterated his concerns voiced in previous meetings on the safety of having unmarked patrol cars on the streets interacting with citizens. It was explained that there are times when officers must work undercover and an undercover status is not possible when they are operating from a marked law enforcement car. When an investigation warrants its use an unmarked car is a protection for both officers and citizens.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve that the three vehicles purchased via Agenda No. C19040238 be exempt from county markings.

FILING OF SPECIAL ACTION IN MATTER OF SOUTHWEST GAS v. MARICOPA COUNTY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the filing of a special action to the Court of Appeals in the matter of Southwest Gas v. Maricopa County et al., TX 2003-000365. (Discussed in executive session on May 3, 2004). (C1904032M) (ADM413)

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TRANSFER EXPENDITURE AUTHORITY – CRITICAL STAFFING NEEDS FOR EXISTING DETENTION FACILITIES

Per ARS §42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to transfer expenditure authority from FY 2003-2004 contingency funds in the amount of \$618,447 (annualized impact is \$3,901,197) from Appropriated Fund Balance (480) Detention Fund (Fund 255) Reserved Contingency/New Facility Start-up to the Sheriff's Office (500) Detention Fund (Fund 255). Approval of this action will allow the Sheriff's Office to address the critical staffing needs for the existing detention facilities and 81 new positions will be filled, including 50 detention officers, 9 detention officer sheriff's drivers, and required accounting, clerical and technical support personnel. The annualized impact of this transfer will be included in the Sheriff's Office FY 2004-2005 adopted budget. (C50040618) (ADM3900-003)

RESOLUTION REGARDING APPLICATION FOR GRANT FUNDING FROM ARIZONA STATE PARKS BOARD

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt a resolution, authorizing the application of grant funding from the Arizona State Parks Board, and if awarded, approve acceptance of a State Lake Improvement Fund grant in an amount up to \$240,000. The purpose of this grant is to fund the purchase of five replacement patrol boats. There is an in-kind match requirement of \$70,000, which will be met by installing radios from the current boats to the new patrol boats. The term of the associated grant funding would be August 1, 2004, through July 31, 2006. (C50045443)

INTERAGENCY SERVICE AGREEMENT WITH PIMA COUNTY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Interagency Service Agreement (ISA) between Pima County Sheriff's Department and the Maricopa County Sheriff's Office accepting \$366,437 in High Intensity Drug Trafficking Area (HIDTA) Grant funds from Pima County Sheriff's Department. The term of this ISA is October 1, 2003, through September 30, 2006. Acceptance of this grant will allow the Sheriff's Office to continue the work on the Maricopa County Methamphetamine Task Force (\$310,897) and the Joint Drug Intelligence Group (\$55,540). (C50045453)

MONTH-TO-MONTH RENT PAYMENT TO JLW 4520 FAMILY LIMITED PARTNERSHIP, RLLP

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to authorize the Adult Probation Office to continue month-to-month rent payments to JLW 4520 Family Limited Partnership, RLLP, Lessor, for a two-month lease holdover term, commencing July 1, 2004, at 4520 North Central Avenue, Phoenix. This represents a continuation of existing lease L7077 for a 26,889 square feet Adult Probation office at the site which expires on June 30, 2004. The current monthly rent is \$39,773.31, plus 2.4% rental tax. (C1197002404) (C11050014)

PERSONNEL AGENDA, MARICOPA COUNTY AND JUDICIAL BRANCH

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas. Exhibits A and B will be found at the end of this set of minutes.

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TRANSFER FROM GENERAL GOVERNMENT GENERAL FUND CONTINGENCY TO LINE ITEM IN GENERAL FUND DUES AND MEMBERSHIPS: COUNTY SUPERVISORS ASSOCIATION

In accordance with ARS §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the Office of Management and Budget (OMB) request to transfer \$7,780 from General Government (470) General Fund (100) Contingency to the line item in General Fund Dues and Memberships; County Supervisors Association (100-470-4721) and expend these funds on the special assessment received from the County Supervisors Association. (C49040248) (ADM604)

HUD-REQUIRED ANNUAL PLANS FOR FEDERAL FY 2004-2005 EMERGENCY SHELTER GRANT, COMMUNITY DEVELOPMENT BLOCK GRANT, HOME, AND AMERICAN DREAM DOWNPAYMENT INITIATIVE

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following actions regarding HUD-required Annual Plans for federal FY 2004-2005 Emergency Shelter Grant (ESG), Community Development Block Grant (CDBG), HOME, and American Dream Downpayment Initiative (ADDI) allocations (\$10,232,830); and HURF Funds (\$300,000) (the \$300,000 HURF Funds will be administered by McDOT), including specific Urban County CDBG, HOME and ADDI projects, and Maricopa HOME Consortium Community Housing Development Organization (CHDO) projects:

- a. Adopt a resolution for the submission of the Annual Plans, including the Analysis of Impediments to Fair Housing Choices (AI), and any plan amendments, in the amount of \$10,532,830; (ADM1500)
- b. Execute agreements or contracts with each city, town, agency, developer, CHDO selected for CDBG/HOME/ADDI funding; (C1705001BZZ)
- c. Perform actions in accordance with the Maricopa County Procurement Code to: (C1705001CZZ)
 - i. retain consultants for design and/or management;
 - ii. approve plans and specifications and authorize call for bids;
 - iii. award construction contracts to the lowest responsible bidder(s);
and,
- d. Approve match agreements and necessary repayment documents including, but not limited to, promissory notes, deeds of trust, forgivable loan agreements, deed restrictions, satisfaction of loan documents and other documents as may be necessary to implement the approved projects. Funding to be from CDBG, HOME, ADDI, HURF, and matching funds under the terms and conditions of the executed agreements/contracts. Approval of this item is contingent on the approval of both the federal and Maricopa County FY 2004-2005 budgets. Funds will be allocated and appropriated by the US Congress. No General Funds will be involved in this action. (C1705001DZZ) (C17050010ZZ)

FUND TRANSFERS

Item: Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been 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 incorporated herein by this reference.

Supervisor Wilson questioned this transfer and asked the dollar amount to be transferred for the public's understanding. Tom Manos, CFO, said it was a routine, statutory action for transfers from the General Fund that happens every two–four weeks. These funds are kept in interest bearing accounts until they are needed for payroll or other accounts payable expenses.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds

AMENDMENT TO LEASE WITH CITY OF PHOENIX

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve and execute amendment to Lease No. MC-10121, with the City of Phoenix, Lessee, for the use of county-owned property as a homeless shelter. The lease is for premises at 1209 – 1217 West Madison, Phoenix and is currently sub-leased to Central Arizona Shelter Services, which operates the shelter. The annual rental income is One Dollar (\$1.00). Lessee has the option of renewing the agreement two additional one-year terms. The term of the lease is extended for one year, commencing July 1, 2004, to June 30, 2005. All other terms and conditions of the original agreement remain the same and in full force and effect. (C7000090206) (C1804008001)

DECLARE LAND PARCELS AS EXCESS PROPERTY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to declare the land parcels described below to be excess property and authorize the parcels to be sold at auction. The land values have been determined by certified licensed appraisers, and the parcels will be auctioned by oral or sealed bid to the public or, if to a municipality or other government entity, at fair market value, without an auction, all as provided for in ARS §11-251.9. The current total appraised value of the properties is \$2,070,950. Appraisal updates currently in progress will be received prior to the sale, and the new values will be used. (C1804036B) (ADM812)

- a. Parcel 1: 6.2 acres, southwest of Broadway Road and Dorsey Lane, Tempe, AZ; Assessor's parcel numbers 133-30-041, 044, 048, 049, 054, 055 & 046; Appraised value: \$1,800,000
- b. Parcel 2: 5.52 acres, southwest of Arlington Road and Kiva Road, Rainbow Valley; Assessor's parcel number 400-76-321; Estimated value: nominal
- c. Parcel 3: 4.9-acres, southeast of Cave Creek Road and Smoke House Trail, Phoenix, AZ; Assessor's parcel numbers 211-46-001U & 132C; Appraised value: \$238,950

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- d. Parcel 4: 0.27 acres, northeast of Palm Drive and Lake Drive, Mesa, AZ; Assessor's parcel number 220-72-040; Appraised value: \$32,000
- e. Parcel 5: 3.83 acres, northeast of Dysart Road and Van Buren, Avondale, AZ; Assessor's parcel numbers 500-02-016S & 016Y; Appraisal pending.

DEFERRED COMPENSATION RESTATED PLAN TRUST/CUSTODIAL DOCUMENT AND SUPPORTING PARTICIPANT LOAN ADMINISTRATIVE PROCEDURES AGREEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Deferred Compensation Restated Plan Trust/Custodial Document and supporting Participant Loan Administrative Procedures Agreement. The Restated Plan Document updates the plan to comply with changes in federal law and includes a new provision allowing the plan to make loans to participants. When adopted, the Restated Plan Document shall apply to all current plan participants and to county employees who elect to participate in the plan in the future. The Participant Loan Administrative Procedures Agreement establishes the administrative procedures that govern the manner by which loans to plan participants are made. The Maricopa County Deferred Compensation Committee recommends adoption of the Restated Plan Document and the Participant Loan Administrative Procedures Agreement. (C1804037M) (ADM3323)

QUITCLAIM DEED TO MARICOPA COUNTY FLOOD CONTROL DISTRICT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve and execute Quitclaim Deed to the Maricopa County Flood Control District for property described as follows: "Lots one (1) through nine (9) of "Sunset North Unit Seven Amended" a subdivision of the east half (E1/2) of Section Twenty-two (22), Township Three (3) North Range Two (2) East, Gila and Salt River Base and Meridian, Maricopa County, Arizona, as recorded in Book 170 of Maps, Page 8, Maricopa County Recorder, together with all improvements and appurtenances thereon." By way of "Warranty Deed" dated September 8, 1981, and recorded in Docket 15508, page 921, the Flood Control District transferred ownership of the subject property to the county with reversionary rights in the event the real property is not used for long-term care services. It has been determined that the property will no longer be required in connection with the Long Term Care Program of the Maricopa County Department of Health Services, and therefore automatically reverts back to the Grantee (Flood Control District). (C18040380) (C6904095B)

SOLICITATION SERIALS

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following solicitation serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award of Solicitation Serials:

- 03266-C FELINE/CANINE VACCINES** (\$250,000 est./five (5) years)
Pricing agreement for purchase feline/canine vaccines as requested by the Animal Care and Control Department.
- MWI Veterinary Supply

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- 04031-S MOTORCYCLE MAINTENANCE AND REPAIR** (\$200,000 est./two (2) years with three (3) one-year renewal options)
Pricing agreement to purchase motorcycle maintenance and repair service as requested by the Maricopa County Sheriff's Office.
- Chosas Harley-Davidson, Inc.
 - Probitry Cycle, Inc.

Increase in the contract amount for the following contract(s). This request is due to an increased usage by County departments.

- 03132-C INSTITUTIONAL FURNITURE** (\$300,000 increase)
Increase contract value from \$800,000 to \$1,100,000. This \$300,000 increase is being requested by MCSO to purchase additional institutional furniture for the new jails. This price agreement was initially approved by the Board on November 19, 2003, in the amount of \$600,000 and was subsequently increased by \$200,000 on April 21, 2004. This agreement has an expiration date of November 30, 2006.
- NORIX Group, Inc.
 -

CAPA Training:

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

County Attorney

Daniel Hansen
Julio C. Marroquin

Finance

Priscilla Penera

Animal Care & Control

Dan Schriek

OCIO

Mary Browning

Schools

Carolyn Jelinek

Facilities

Harold Knapp

Environmental Services

Jan Prescott

AGREEMENT WITH ANGI CAMPBELL, dba ADOPT-A-DANE RESCUE IN ARIZONA

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an agreement between Angi Campbell dba Adopt-A-Dane Rescue in Arizona, 1416 North 382nd Avenue, Tonopah, AZ 85354, and Maricopa County to allow Angi Campbell to rescue animals eligible for the New Hope Program. The loss of revenue of \$200 is based on the license fee that would be generated through the New Hope Program without this agreement. The term of the agreement is from May 5, 2004, through May 4, 2007. (C79040581)

RESULTS INITIATIVE REQUESTS

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Office of Management and Budget to review the following Results Initiative Requests from the Environmental Services Department:

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- a. West Nile virus assessments (C8804039M) (ADM2350-003)
- b. West Valley air quality study (C8804040M) (ADM2350-003)
- c. Proposed enhancements to mobile food inspection services (C8804041M) (ADM2350-003)
- d. Stormwater abatement assessment (C8804042M) (ADM2350-003)

AMENDMENTS TO NON-FINANCIAL INTERGOVERNMENTAL AGREEMENTS WITH ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment No. 2 to the following non-financial Intergovernmental Agreements (IGA), between the Arizona Department of Juvenile Corrections and Maricopa County Human Services Department. The facilities will provide space for socialization and security for Early Head Start staff and other participants. The terms of the amendments are extended from July 1, 2004, until June 30, 2005.

- a. Black Canyon facility for the provision of an on-site Early Head Start program planned for select female youths. (C2202131202)
- b. Adobe Mountain facility for the provision of a home-based program for select male youths. (C2203112002)

AMENDMENT TO LEASE WITH FIRST EVANGELICAL LUTHERAN CHURCH OF MESA

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and execute Amendment No. 2 to Lease No. L7325 with First Evangelical Lutheran Church of Mesa, Arizona, an Arizona corporation, Lessor. Lessor and Lessee now mutually desire to amend the lease to facilitate the inspection/payment of the annual required state inspection. The annual inspection, required by the Arizona Department of Health Services Staff at Child Care Licensure, will be scheduled and paid for by the Lessor and shall not exceed \$350. Lessee shall reimburse Lessor for the inspection upon receipt of an invoice from Lessor. The effective date of this amendment is the date of execution by the Board. All other terms and conditions of the original agreement remain the same and in full force and effect. This agreement contains a 90-day termination clause and does not include any county general funds. (C2203103402)

CONTRACTS FOR EMERGENCY AND TRANSITIONAL HOUSING PROGRAMS FOR HOMELESS FAMILIES

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve award of the following contracts, non-profit emergency and transitional housing programs for homeless families, for not-to-exceed amounts of \$26,264 (each) for the period of July 1, 2004, to June 30, 2005. The contracts may be renewed for two additional one-year periods based on successful program and financial performance. These homeless housing programs provide services to homeless families from throughout Maricopa County. Funds for the contracts are entirely from the U.S. Department of Housing and Urban Development's (HUD) annual allocation of Emergency Shelter Grant (ESG) funds to Maricopa County. No county general funds are included in the proposed grant awards. HUD funding will be used for operating expenses as defined in the HUD/ESG federal regulations.

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- a. Save the Family, located in Mesa, Arizona (C22050821)
- b. Catholic Social Services/El Mirage Shelter, located in El Mirage, Arizona (C22050831)

CONTRACT WITH NEW LIFE CENTER

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve award of contract to New Life Center, a non-profit domestic violence shelter for a not-to-exceed amount of \$26,264 for the period of July 1, 2004, to June 30, 2005. The contract may be renewed for two additional one-year periods based on successful program and financial performance. This domestic violence shelter, located in Goodyear, Arizona, provides services to domestic violence victims and their children from throughout Maricopa County. Funds for this contract are entirely from the U.S. Department of Housing and Urban Development's (HUD) annual allocation of Emergency Shelter Grant (ESG) funds to Maricopa County. No county general funds are included in the proposed grant award. HUD funding will be used by New Life Center for operating expenses as defined in the HUD/ESG federal regulations. (C22050841)

CASH DONATIONS - CONTINUED

Item: Authorize the Special Transportation Services (STS) program to accept cash donations from clients who utilize the services and desire to make such contributions. These funds will be credited as revenue income and will be used to offset expenses in the program budget. It is anticipated that contributions will not exceed \$25,000 per year during FY's 2005, 2006 and 2007. (C22050910) (ADM2500)

The Clerk announced that this item will be continued to May 19, 2004.

PHASE III OF CONTRACT WITH DURRANT GROUP, INC. - WITHDRAWN

Item: Approve and authorize the execution of the Phase III of Contract CFD 02-01, with Durrant Group, Inc. of Phoenix, Arizona, in the amount of \$2,926,997. Phase III of this contract is to develop Design Documents and provide Construction Administration services for the new Citizens Service Center (formerly known as the "Blue Building"), to be located at the corner of 5th Avenue and Jackson Street in Phoenix. The contract amount is within the program budget. (C70040805)

The Clerk announced that this item has been withdrawn.

CHANGE ORDERS TO CONTRACT WITH McCARTHY BUILDING COMPANIES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Change Order Nos. 27 and 28 to Contract JE01-04 with McCarthy Building Companies in the amounts of \$72,411 and \$119,051, respectively. This contract is for the construction of the 4th Avenue Jail Adult Detention Facility. Change Order Nos. 27 and 28 incorporate various changes required to complete construction and allow occupancy. The increase is within the budget. (C40000125) (C70040825) (C40010111)

CHANGE ORDER TO CONTRACT WITH DLR GROUP, INC.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Change Order No. 18 to Contract JE99-03 with DLR Group, Inc. in the amount not-to-exceed \$275,432. This contract is for architectural design and construction administration services for the Durango (Lower Buckeye Jail) Adult Detention Facility. Change Order No. 18 incorporates additional construction administration related services required to complete construction and allow occupancy. The increase is within the budget. (C40000010) (C70040835)

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (ADM2007)

- A229.009 (DWM) Project No: 69010 – PM10 / Palm Lane (78th Street to Hawes Road) – Easement and Agreement for Highway Purposes – Parcel No. 219-23-018B – J. M. Monchik and Susan O. Monchik, as Trustees – for the sum of \$22,156.00.
- A229.009 (DWM) Project No: 69010 – PM10 / Palm Lane (78th Street to Hawes Road) – Purchase Agreement and Escrow Instructions – Parcel No. 219-23-018B – J. M. Monchik and Susan O. Monchik, as Trustees.
- A229.010 (DWM) Project No: 69010 – PM10 / Palm Lane (78th Street to Hawes Road) – Easement and Agreement for Highway Purposes – Parcel No. 219-23-020A – Steve J. Yang and Shirley A. Yang, as Co-Trustees – for the sum of \$26,423.00.
- A229.010 (DWM) Project No: 69010 – PM10 / Palm Lane (78th Street to Hawes Road) – Purchase Agreement and Escrow Instructions – Parcel No. 219-23-020A – Steve J. Yang and Shirley A. Yang, as Co-Trustees.
- A279.004 (CS) Project No: 69010 – Rustler Road (188th Avenue – 186th Avenue) – Easement and Agreement for Highway Purposes – Parcel No. 400-52-922 – George L. Staruch and June A. Staruch – for the sum of \$899.00.
- A279.004 (CS) Project No: 69010 – Rustler Road (188th Avenue – 186th Avenue) – Purchase Agreement and Escrow Instructions – Parcel No. 400-52-922 – George L. Staruch and June A. Staruch.
- DD-9378 (A179.001) (TS) Project No: 69010 – McQueen Road North of Hunt Highway – Special Warranty Deed – Parcel No. 303-57-007 – Hal J. Earnhardt, Jr., Trustee – for the sum of \$59,664.00.
- DD-9378 (A179.001) (TS) Project No: 69010 – McQueen Road North of Hunt Highway –Purchase Agreement and Escrow Instructions – Parcel No. 303-57-007 – Hal J. Earnhardt, Jr., Trustee.

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- DD-9449 Project No: 69010 – Dedication (Power Road South of Riggs Road) – Easement and Agreement for Highway Purposes – Parcel No. 304-88-085G – San Tan Ventures, Inc., an Arizona corporation – for the sum of \$10.00.
(TS)
- DD-9449 Project No: 69010 – Dedication (Power Road South of Riggs Road) – Purchase Agreement and Escrow Instructions – Parcel No. 304-88-085G – San Tan Ventures, Inc., and Arizona corporation.
(TS)
- X-534 Project No: 68927 – Ellsworth Road (Germann to Baseline) – Warranty Deed – Parcel No. 304-62-019A, B & C – Roger Ferguson & Sybil Ferguson – for the sum of \$42,430.00.
(CS)
- X-534 Project No: 68927 – Ellsworth Road (Germann to Baseline) – Purchase Agreement and Escrow Instructions – Parcel No. 304-62-019A, B & C – Roger Ferguson & Sybil.
(CS)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA - CONTINUED

Item: Approve Amendment No. 1 to Intergovernmental Agreement between Maricopa County and the State of Arizona, acting through the Arizona Department of Transportation (ADOT), and the Maricopa County Department of Transportation. The amendment provides for cost sharing for the construction of a screen wall south of McDowell Road, extending from Center Street to Gilbert Road. ADOT will act as the lead agency on the \$2,179,564 project, and the county will cost share. This amendment replaces the original IGA that was signed by the Board on November 9, 2003, but was never executed by ADOT as the Arizona Attorney General's Office wanted to add some clarifying language. (C6404032201)

This item was continued to the May 19, 2004, meeting.

MARICOPA INTEGRATED HEALTH SYSTEM PERSONNEL AGENDA

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Maricopa Integrated Health Systems Personnel Agenda (Exhibit F).

Name	Old Rate	New Rate	Class Title	Code	Effective Date
Dept: 90 Maricopa Medical Center					
Ali,Casandra F	\$8.19	\$9.34	Ltc Attendant (G)	Pro	04/12/2004
Bailey,Shanna R	\$8.94	\$9.34	Ltc Attendant (G)	Ic	04/01/2004
Barrios,Yoana O	\$0.00	\$8.87	Medical Office Recep.	Reh	04/12/2004
Beck,Douglas W	\$0.00	\$24.04	Chef	Nhr	04/12/2004
Benavidez,Paul J	\$16.81	\$13.23	Rad Practical Tech	Coa	02/29/2004
Brodhagen,Keith D	\$31.58	\$28.26	Registered Nurse	Dem	04/11/2004
Capozzi,Daniel P	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/06/2004
Craig,Ronnie	\$24.96	\$28.05	Registered Nurse	Coa	04/11/2004
Flis,Barbara	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/19/2004
Gilliam,Melisia L	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/06/2004
Gordon,Mark M	\$0.00	\$8.01	Evs Associate	Nhr	04/19/2004

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Gray, Peggy A	\$16.11	\$17.72	Supervisor Environment Sv	Pro	03/14/2004
Grzyb, Yvonne A	\$0.00	\$12.22	Registration Specialist	Nhr	04/12/2004
Haklik, Jerri L	\$28.26	\$25.36	Utilization Mgmt Coord	Dem	03/27/2004
Hernandez, Monica L	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/21/2004
Hernandez, Nori M	\$0.00	\$10.30	Medical Office Recep.	Nhr	04/12/2004
Hinojosa, Luis F	\$0.00	\$12.99	Interpreter	Nhr	04/12/2004
Iriqui-Maltos, Nora V	\$0.00	\$8.28	Dept Clerk	Nhr	04/19/2004
Labombard, Virginia K	\$0.00	\$27.00	Registered Nurse	Nht	04/12/2004
Leming, Kathy D	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/19/2004
Livingston, Warren	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/19/2004
Mage, Adele R	\$0.00	\$15.00	Dept Admin Assistant	Nhr	04/19/2004
Maiefski, Thomas K	\$40.52	\$39.00	Pharmacist	Coa	03/28/2004
March, Tiffany M	\$0.00	\$11.95	Dept Admin Assistant	Reh	04/19/2004
Molenaar, Julie J	\$0.00	\$13.79	Rad Practical Tech	Reh	04/12/2004
Montes, Blanca R	\$0.00	\$11.76	Medical Assistant	Reh	04/12/2004
Moodey, Amelia A	\$0.00	\$27.20	Registered Nurse	Reh	04/12/2004
Neighbors, Tiffique N	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/06/2004
Noble, Kathleen	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/06/2004
Parra, Oralia	\$9.34	\$8.94	Ltc Attendant (G)	Ic	04/01/2004
Patterson, Alicia K	\$0.00	\$12.25	Pharmacy Tech	Nht	04/12/2004
Pendergrass, Gregory	\$14.25	\$18.54	Help Desk Coordinator II	Pro	04/12/2004
Pham, Sandy T	\$0.00	\$8.28	Medical Records Clerk	Nhr	04/12/2004
Pitts-Brown, Wanda F	\$0.00	\$35.00	Registered Nurse	Nhc	04/12/2004
Potts, Ronald S	\$0.00	\$17.52	Supervisor Environment Sv	Nhr	04/12/2004
Preciado, Sylvia J	\$0.00	\$8.99	Ltc Attendant (G)	Reh	04/19/2004
Remien, Teresa S	\$0.00	\$12.51	Lab. Assistant	Nhr	04/12/2004
Rios, Winnifred W	\$12.44	\$15.24	Executive Assistant	Pro	04/12/2004
Rodriguez, Michelle R	\$0.00	\$11.41	Medical Assistant	Reh	04/12/2004
Salzsieder, Louise M	\$11.90	\$12.25	Ortho Tech	Pro	02/15/2004
Sanchez, Betsy	\$0.00	\$18.50	Certified Therapist II	Nhc	04/12/2004
Sandoval, Arturo	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/06/2004
Shaw, Robert M	\$0.00	\$23.35	Plumber	Nhc	04/12/2004
Sheehan, Allison B	\$0.00	\$12.22	Endoscopy Tech	Nhr	04/12/2004
Skeets-Strangeowl, Lo	\$0.00	\$13.08	Lab Assist/Phlebotomist	Nht	04/19/2004
Soto, Suzanne M	\$0.00	\$9.60	Medical Assistant	Nhr	04/12/2004
Stoffle, James M	\$0.00	\$7.88	Ltc Attendant (G)	Nhc	04/06/2004
Tanner, Diana K	\$8.99	\$8.60	Ltc Attendant (G)	Ic	04/01/2004
Tober, Elisa S	\$0.00	\$7.88	Ltc Attendant (F)	Reh	04/12/2004
White, Diana M	\$0.00	\$35.00	Registered Nurse	Reh	04/12/2004
Williams, Christen E	\$18.96	\$36.37	Registered Nurse	Coa	04/11/2004
Williams, Marlene L	\$0.00	\$17.53	Supervisor Environment Sv	Nhr	04/19/2004
Woelbel, Laura L	\$0.00	\$18.25	Registered Nurse	Nhr	04/12/2004
Wray, Denise N	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/21/2004
Yniquez, Ernestine	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	03/22/2004

Nhc - New Hire Contract
Reh - Rehired
Adv - Salary Advancement
Ic - Ins. Chg/Atten Care Wkrs

Nhr - New Hire Regular
Pro - Promotion 55
Coa - Change Of Appointment
Swa - Special Work Assignment

Nht - New Hire Temporary
Dem - Demotion
Cor - Correction

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
May 5, 2004**

MEDICAL STAFF, ALLIED HEALTH STAFF, AND HEALTH PLAN PROVIDER PARTICIPATION APPOINTMENTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve lists of Medical Staff, Allied Health Staff, and Health Plan Provider Participation appointments as recommended by the Professional Practice Committee of MIHS. (Discussed in executive session on May 3, 2004.) (C9004171M) (ADM2100-005)

Maricopa Medical Center Credentials Committee Roster

Recommended by CC: 04/09/2004
 Recommended by Med. Staff Exec. Comm: 04/13/2004
 Recommended by Prof. Practices Comm.: 04/22/2004
 Approval by Board of Supervisors: 05/05/2004

MEDICAL STAFF APPOINTMENTS

INITIAL APPOINTMENTS

PROVIDER	PRIMARY DEPARTMENT/SPECIALTY	CATEGORY
Maria M. Gilpin, M.D.	Obstetrics and Gynecology	Provisional Active
Joseph J. Hessel, M.D.	Surgey/Cardio-thoracic	Provisional Courtesy
Stephen B. Jones, M.D.	Anesthesiology	Provisional Courtesy
Dheerendrana V. Raikhelkar, M.D.	Psychiatry	Provisional Courtesy
Victor Leslie Scott, M.D.	Anesthesiology	Provisional Active
Joseph S. Stapczynski, M.D.	Emergency Medicine	Provisional Active

REAPPOINTMENTS

PROVIDER	PRIMARY DEPARTMENT/SPECIALTY	CATEGORY
Yogesh R. Amin, M.D.	Internal Medicine/Nephrology	Courtesy
J. Shepard Bryan, III, M.D.	Surgery/Ophthalmology	Courtesy
Oliver P. Campbell, M.D.	Surgery/Urology	Courtesy
Marco V. Canulla, M.D.	Surgery/General Surgery	Active
Grace L. Caputo, M.D.	Pediatrics	Active
Peter J. Casper, M.D.	Internal Medicine/Dermatology	Courtesy
Dean V. Coonrod, M.D.	Obstetrics and Gynecology	Active
Anita J. Culp, M.D.	Internal Medicine	Active
William D. Dachman, M.D.	Internal Medicine	Active
Jose Q. De Guzman, M.D.	Surgery/Surgical Urology	Active
Zoila A. Denno, D.O.	Family and Community Medicine	Active
Morris Harry Fine, M.D.	Internal Medicine/Hematology-Oncology	Courtesy
John A. Garbaciak, M.D.	Obstetrics and Gynecology/Maternal and Fetal Medicine	Courtesy
Eric A. Gross, M.D.	Emergency Medicine/Pediatric Emergency Medicine	Active

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Isabel L. Guerra, M.D.	Internal Medicine/Nephrology	Courtesy
Roxanne M. Hecht, M.D.	Pediatrics/Gastroenterology	Active
Prabodh Hemmady, M.D.	Pediatrics	Active
Peter C. Kelly, M.D.	Internal Medicine/Infectious Diseases	Courtesy
Robert L. Klaehn, M.D.	Psychiatry	Courtesy
Michele B. Lundy, M.D.	Family and Community Medicine	Active
Jan Mangalat, M.D.	Internal Medicine/Nephrology	Active
Michael E. Manning, M.D.	Internal Medicine/Allergy-Immunology	Courtesy
Maricela P. Moffitt, M.D., M.P.H.	Internal Medicine	Active
Loberna C. Monzon-Dinglasan, M.D.	Obstetrics and Gynecology	Active
Renuka B. Nigam, M.D.	Pediatrics/Hematology-Oncology	Active
Sarvesh Nigam, M.D.	Pediatrics/Neonatology	Courtesy
Alvin W. Nuttall, M.D.	Internal Medicine	Courtesy
Jeffrey B. Parker, M.D.	Internal Medicine	Active
John M. Post, M.D.	Internal Medicine	Active
David A. Raskin, M.D.	Internal Medicine/Nephrology	Courtesy
David I. Rosenberg, M.D.	Pediatrics/Critical Care Medicine	Active
Farzad Sakha, M.D.	Internal Medicine	Active
Timothy P. Salmon, M.D.	Internal Medicine/Dermatology	Courtesy
Juanita M. Sapp, M.D.	Internal Medicine/Geriatrics	Active
John A. Sarko, M.D.	Emergency Medicine	Active
Shannon E. Skinner, M.D.	Internal Medicine/Pediatrics	Active
Gale Steinhauser, M.D.	Internal Medicine	Active
William S. Stone, M.D.	Radiology	Active
Shayne M. Tomisato, M.D.	Psychiatry	Active
Lydia M. Torio, M.D.	Psychiatry	Active
Curtis R. Winkler, M.D.	Surgery/Ophthalmology	Active
Lara E. Yoblonski, M.D.	Pediatrics	Active
Jeanne P. Zenge, M.D.	Pediatrics/Neonatology	Courtesy

REINSTATEMENT

PROVIDER	PRIMARY DEPARTMENT/SPECIALTY	CATEGORY
Joseph E. McDermott, M.D.	Internal Medicine/Neurology	Courtesy

CHANGE OF STATUS

PROVIDER	PRIMARY DEPARTMENT	CATEGORY CHANGE	COMMENTS
Robert M. Haws, M.D.	Pediatrics	Courtesy to Inactive	Resigned from contracting entity
Adil N. Ozkan, M.D.	Anesthesiology	Courtesy to Inactive	Inactivity
Panayotis Papatzimas, D.D.S.	Dentistry	Active to Inactive	Leave of Absence

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

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Definitions:

- Active ≥ 1,000 hours/year – Active members of the medical staff have voting rights and can serve on medical staff committees
- Courtesy < 1,000 hours/year – Courtesy members do not have voting rights and do not serve on medical staff committees
- Locum Tenens Locum Tenens Staff consists of physicians, dentists and podiatrists who are to provide coverage for a medical staff member or to assist temporarily in a specific specialty, when a current medical staff member cannot supply such services on a timely basis.
- Provisional All initial Active and Courtesy appointments to the medical staff are provisional in nature for a period of twelve (12) months. During that period, the actions of the applicant shall be observed for demonstrated clinical competence, adherence to the ethics of the profession, the ability to work with others and the ability to provide patient care within the parameters of professional competence.
- Reappointments Renewal of appointment and privileges is for a period of two years (JCAHO MS.4.20 - Privileges are granted, renewed, or revised and do not exceed a period of two years), unless otherwise specified for a shorter period of time.
- Reinstatement Up to one year following voluntary resignation from the Medical Staff, a Practitioner may request reinstatement of his/her Medical Staff membership and clinical privileges. Reinstatement is accomplished by successfully completing the reappointment process.

Maricopa Medical Center Credentials Committee Roster

- Recommended by Cred.Comm.: 04/09/2004
 Recommended by Med. Staff Exec. Comm.: 04/13/2004
 Recommended by Prof. Practices Comm.: 04/22/2004
 Approved by Board of Supervisors: 05/2004

ALLIED HEALTH PROFESSIONALS

INITIAL

PROVIDER	PRIMARY DEPARTMENT	CATEGORY	COMMENTS
Anita L. DeSilva, C.R.N.A.	Anesthesiology	Certified Registered Nurse Anesthetist	Standard Certified Registered Nurse Anesthetist Practice Prerogatives
MariLynn Mulheron, N.P.	Internal Medicine/Cardiology	Nurse Practitioner	Standard Nurse Practitioner Practice Prerogatives
Mercedes R. Suarez, P.A.	Emergency Medicine	Certified Physician Assistant	Special Procedures requested: Minor Surgery includes mole removal, biopsy, incision and drainage, suture of minor lacerations using local anesthetics, liquid nitrogen and cryotherapy (specific to only skin lesions)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
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REAPPOINTMENT

PROVIDER	PRIMARY DEPARTMENT	CATEGORY	COMMENTS
Leslie J. Axelrod, N.D.	Family and Community Medicine	Naturopathic Physician	Standard Naturopathic Physician Practice Prerogatives
Judith R. Gallob, A.N.P.	Internal Medicine	Nurse Practitioner	Standard Nurse Practitioner Practice Prerogatives
Renee Little, P.A.	Internal Medicine/Cardiology	Certified Physician Assistant	Special Procedures: Cardiology Exercise Stress Test

CHANGE OF STATUS

PROVIDER	PRIMARY DEPARTMENT	CATEGORY	COMMENTS
Konrad Kail, N.D.	Family and Community Medicine	Naturopathic Physician	Administrative Resignation/Failure to maintain malpractice insurance

Definitions:

Allied Health Professional Staff An Allied Health Professional (AHP) is a licensed, certified, or registered health care provider other than in a discipline approved by the Governing Body to practice at a MIHS facility, and who is permitted to initiate, modify, or terminate therapy according to their scope of practice or other applicable law or regulation. Governing Body authorized AHPs are: Certified Registered Nurse Anesthetists; Certified Registered Nurse Midwife; Naturopathic Physician; Optometrists; Physician Assistant; Psychologists (Clinical Doctorate Degree Level); Registered Nurse Practitioners.

Practice Prerogatives Scopes of practice summarizing qualifications for the respective category, developed with input from the physician director of the clinical service and the observer/sponsor/responsible party of the AHP, Department Chair, and other representatives of the Medical Staff, Hospital management, and other professionals.

Reinstatement Up to one year following voluntary resignation, a practitioner may request reinstatement of his/her appointment and practice prerogatives. Reinstatement is accomplished by successfully completing the reappointment process.

**Recommendations for Maricopa Integrated Health System-Health Plan
April 22, 2004 Credentials Committee Meeting**

ASPA Appointment

Francisco Pena, M.D.	Family Practice	ASPA
Jennifer F. Wright, M.D.	OB/GYN	ASPA
Barry K. Wade, M.D.	OB/GYN	ASPA

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
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Initial Appointment

John Y. Aryan, M.D.	Radiology	Contract
Robin F. Edwards, N.P.	Nurse Practitioner	Contract
Valorie Everton, C.P.C.	Behavioral Health	Contract
Maria M. Gilpin, M.D.	Obstetrics and Gynecology	Medpro
Barry Green, M.D.	Radiology	Contract
Joseph J. Hessel, M.D.	Surgery/Cardio-thoracic	Medpro
William F. Jones, M.D.	Radiology	Contract
Diem-Thuy N. Kahlon, D.O.	Family Practice	Contract
Barry M. Kutzen, M.D.	Radiology	Contract
Jimmy C.M. Leung, M.D.	Radiology	Contract
Juan C. Llusco, M.D.	Pediatrics	Contract
Christopher C. May, M.D.	Radiology	Contract
Lourdes Melendez-Oetinger, M.D.	OB/GYN	Contract
William B. Miller Jr., M.D.	Radiology	Contract
MariLynn Mulheron, N.P.	Nurse Practitioner/Internal Medicine/Cardiology	Medpro
Raymond A. Murphy, M.D., Ph.D.	Radiology	Contract
Ronald G. Newbold, M.D.	Radiology	Contract
Irina Nistor, M.D.	Radiology	Contract
Dheerendrana V. Raikhelkar, M.D.	Psychiatry	Contract
Terry A. Reeves, M.D.	Radiology	Contract
Scott D. Simon, M.D.	Urology	Contract
Herbert J. Tomaso, M.D.	Radiology	Contract
David H. Uhrbrock, M.D.	Radiology	Contract

Reappointment

Yogesh R. Amin, M.D.	Internal Medicine/Nephrology	Contract
J. Shepard Bryan, III, M.D.	Surgery/Ophthalmology	Medpro
Oliver P. Campbell, M.D.	Surgery/Urology	Medpro
Marco V. Canulla, M.D.	Surgery/General Surgery	Medpro
Grace L. Caputo, M.D.	Pediatrics	Medpro
Peter J. Casper, M.D.	Internal Medicine/Dermatology	Medpro
Dean V. Coonrod, M.D.	Obstetrics and Gynecology	Medpro
Anita J. Culp, M.D.	Internal Medicine	Medpro
William D. Dachman, M.D.	Internal Medicine	Medpro
Jose Q. De Guzman, M.D.	Surgery/Surgical Urology	Medpro
Zoila A. Denno, D.O.	Family and Community Medicine	Medpro
Morris Harry Fine, M.D.	Internal Medicine/Hematology-Oncology	Medpro
Isabel L. Guerra, M.D.	Internal Medicine/Nephrology	Contract
Roxanne M. Hecht, M.D.	Pediatrics/Gastroenterology	Medpro
Prabodh Hemmady, M.D.	Pediatrics	Medpro
Jesus F. Hernandez, M.D.	Internal Medicine/Cardiology	Medpro
Robert L. Klaehn, M.D.	Psychiatry	Medpro
Renee Little, P.A.	Internal Medicine/Cardiology	Medpro

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Michele B. Lundy, M.D.	Family and Community Medicine	Medpro
Jan Mangalat, M.D.	Internal Medicine/Nephrology	Medpro
Michael E. Manning, M.D.	Internal Medicine/Allergy-Immunology	Medpro
Maricela P. Moffitt, M.D.	Internal Medicine	Medpro
Loberna C. Monzon-Dinglasan, M.D.	Obstetrics and Gynecology	Medpro
Renuka B. Nigam, M.D.	Pediatrics/Hematology-Oncology	Medpro
Sarvesh Nigam, M.D.	Pediatrics/Neonatology	Medpro
Alvin W. Nuttall, M.D.	Internal Medicine	Medpro
Jeffrey B. Parker, M.D.	Internal Medicine	Medpro
John M. Post, M.D.	Internal Medicine	Medpro
David A. Raskin, M.D.	Internal Medicine/Nephrology	Contract
David I. Rosenberg, M.D.	Pediatrics/Critical Care Medicine	Medpro
Farzad Sakha, M.D.	Internal Medicine	Medpro
Timothy P. Salmon, M.D.	Internal Medicine/Dermatology	Medpro
Juanita M. Sapp, M.D.	Internal Medicine/Geriatrics	Medpro
Shannon E. Skinner, M.D.	Internal Medicine/Pediatrics	Medpro
Shayne M. Tomisato, M.D.	Psychiatry	Medpro
Lydia M. Torio, M.D.	Psychiatry	Medpro
Curtis R. Winkler, M.D.	Surgery/Ophthalmology	Medpro
Lara E. Yoblonski, M.D.	Pediatrics	Medpro
Jeanne P. Zenge, M.D.	Pediatrics/Neonatology	Medpro

Denied

Pearl H. Browne, M.D.	Family Practice	Contract
Jack I. Lipton, D.D.S.	Dentistry	Contract
Stephen G. Vann, D.D.S.	Dentistry	Contract
Scott D. Wallin, D.D.S.	Dentistry	Contract

ALLIED HEALTH PROFESSIONAL POSITION SUMMARY PERFUSIONIST - CARDIOVASCULAR PERFUSIONIST

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Allied Health Professional Position Summary Perfusionist - Cardiovascular Perfusionist. (ADM2100-005)

MEDICAL STAFF APPLICANT AND ALLIED HEALTH PROVIDER, AUTHORIZATION FOR THE RELEASE OF INFORMATION AND RELEASE FROM LIABILITY

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve information to Medical Staff Applicant and Allied Health Provider regarding authorization for the release of information and release from liability. (ADM2100-005)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
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**INFORMATION ONLY REGARDING MEDICAL STAFF EXECUTIVE COMMITTEE MINUTES,
PROFESSIONAL PRACTICES COMMITTEE MINUTES, AND QUALITY COUNCIL MEETING
MINUTES**

Information only regarding Medical Staff Executive Committee Minutes, Professional Practices Committee Minutes, and Quality Council Meeting Minutes. No action needed. (ADM2100-005)

**AMENDMENT TO CONTRACT WITH JOHN C. LINCOLN HEALTH NETWORK dba BRYANS
EXTENDED CARE CENTER**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to retroactively approve Amendment No. 4 to the contract with John C. Lincoln Health Network dba Bryans Extended Care Center to provide Rehabilitative Services for MIHS-HP Members, effective March 21, 2004. This amendment updates the AHCCCS Subcontract Provisions. It extends the term of the contract for an additional two years, making the aggregate term March 21, 2001, through March 20, 2006; increases the reimbursement for inpatient services by 5% for each year; and increases the not-to-exceed amount by \$699,000 making the new not-to-exceed \$1,927,780.42. This contract has a 90-day termination for convenience provision. This contract may be extended to a maximum of five years. Maricopa County may, upon ninety days prior written notice and without the consent of the other party hereto, assign this agreement. (C6001177104)

AMENDMENT TO SPECIALTY CARE PHYSICIAN SERVICES POOL OF FUNDS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to retroactively approve Amendment No. 1 to Agenda Item C60034581 to increase the not-to-exceed amount for the pool of funds for Specialty Care Physician Services by \$3,500,000, increasing the not-to-exceed amount to \$11,151,590 and to extend the term of the pool one additional year from February 1, 2004, through January 31, 2005, making the aggregate term of the pool February 1, 2002, through January 31, 2005. (C6003458101)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH TOWN OF GUADALUPE

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to retroactively approve Amendment No. 1 to the Intergovernmental Agreement between Town of Guadalupe and Maricopa Integrated Health System (MIHS) for Advanced Life Support (ALS) Base Hospital Services. This amendment extends the current agreement term from April 1, 2004, through March 31, 2005, making the aggregate term of the agreement April 1, 2003, through March 31, 2005. This agreement has no financial impact and may be terminated by either party with 30-days written notice. (C9003578201)

FORMAL SESSION
May 5, 2004

AGREEMENT WITH PACKAGING DISTRIBUTION SOFTWARE (PDS) SERVICES, LLC

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve agreement between MIHS and Packaging Distribution Software (PDS) Services LLC for the hardware and software maintenance for the ATC 212, the Pharmacy drug-repackaging machine. This agreement shall become effective upon Board approval for an initial term of one year from the effective date. Thereafter, this agreement shall automatically be renewed for successive twelve month terms subject to mutual agreement, and upon Board approval, of rates for the upcoming contract year. This agreement may be terminated by either party with 60-day written notice. The monthly service fee is \$1,200 and a one time software upgrade installation fee of \$3,000. Maricopa County may upon 90-days prior written notice and without the consent of the other party hereto assign this agreement. (C90042021)

HEARING SET - PLANNING AND ZONING CASES

No cases were presented at this time.

MINUTES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meeting held April 5, 2004.

PRECINCT COMMITTEEMEN

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the appointment and cancellation of appointment of Precinct Committeemen. (ADM1701)

MIHS AMENDED CONTRACTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to ratify new and amended contracts procured by MIHS in accordance with Article 13 of the Maricopa County Procurement code pursuant to the report on file in the Office of the Clerk of the Board of Supervisors.

ASRS PAYMENT OF CLAIMS

No claims were presented at this time. (ADM3309)

SETTLEMENT OF CLAIMS WITH MEDICAL SERVICE PROVIDERS

No claims were presented at this time. (ADM409-001)

2004 COMBINED CHARITABLE CAMPAIGN DONATIONS

No donations were presented at this time. (C88040057) (ADM3311-002)

**FORMAL SESSION
May 5, 2004**

DONATIONS FOR 2004 NACO ANNUAL CONFERENCE

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the acceptance of cash and in-kind contributions generated for the 2004 NACo Annual Conference through corporate sponsorships and donations. These contributions will support the expenses associated with Maricopa County's responsibilities as the July 2004 conference host. Itemized listing of commitments and donations received will be on file in the Office of the Clerk of the Board of Supervisors. (C2003015M) (ADM652)

OFFICIAL APPOINTMENTS AND OATHS OF OFFICE – COUNTY ATTORNEY'S OFFICE

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Official Appointments and Oaths of Office of Sarah N. Silvester, Stephen P. Little, Michelle Busha, Helen Soto, Brett Aspey, Anna Wong, Stephen W. Vertucci, Melissa Ho, Allister Denitto, Erin A. O'Brien, Dar D. Fazio, Adrian P. Fontes, Kirstie N. Lara, Stanley Tadlock, Yvette Ruelas, Julie A. Larson, Debra Thomas, Mina Garnica, Larson Scott Bennett, Elisabeth Hayer, Joshua L. Klinger, Kathryn Ethington, Lisa Hurst, Lisa Startup, Deborah Fisk, Nicola Bottaro, James P. Buesing, Lisa A. Andrus, Amanda M. Salcido, Barbara J. Porrello, Carla D. Regstad, Daniel Strange, Amber Darragh, Nishi Daval, as special deputy county attorney support personnel in the Office of the County Attorney.

OFFICIAL APPOINTMENTS AND OATHS OF OFFICE – CLERK OF THE SUPERIOR COURT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Official Appointments and Oaths of Office of Jeanne A. Albert, Sheryl F. Brown, Alicia Burd, Veronica Cabrera, Jennifer M. Cook, Angela Garcia, Diana S. Hoover, Candace L. Johnston, Bernadette A. Marquez, Patricia A. Prekup, Christina Rodriguez, Christina H. Verdugo, as special deputy clerks in the Office of the Clerk of the Superior Court.

OFFICIAL APPOINTMENTS AND OATHS OF OFFICE – CLERK OF THE BOARD

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Official Appointment and Oath of Office of Bridgette Moore, as special deputy clerk regarding improvement district matters, in the Office of the Clerk of the Board of Supervisors.

CANVASS OF ELECTION SUBMITTED BY SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT

Pursuant to ARS §16-642(B), motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the canvass of election held April 6, 2004, submitted by Salt River Project Agricultural Improvement and Power District. (ADM4306)

CORRECTION TO MINUTES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a correction to the Board of Supervisors' formal minutes of August 27, 2003, regarding Item C20040032, Intergovernmental Agreement with the Flood Control District Board of Directors. The following language will be stricken. (ADM726)

**FORMAL SESSION
May 5, 2004**

INTERGOVERNMENTAL AGREEMENT WITH THE FLOOD CONTROL DISTRICT

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental Agreement between the Board of Supervisors and the Flood Control District Board of Directors identifying the organizational reporting structure of the District Chief Engineer and General Manager. This item was withdrawn by the Clerk of the Board.

The item will be changed to read as follows:

Item: Approve an Intergovernmental Agreement between the Board of Supervisors and the Flood Control District Board of Directors identifying the organizational reporting structure of the District Chief Engineer and General Manager. The Clerk announced that this item was withdrawn by the Department. (C20040032) (C0604044M) (ADM1919) (ADM726)

SECURED TAX ROLLS

No tax roll corrections were presented at this time. (ADM705)

TAX ABATEMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve requests for tax abatements from the Treasurer's Office. (ADM708)

Parcel #	Year	Proposed Abatement
136-07-158-1	1987	\$83.38
136-07-158-1	1988	\$86.81
136-07-158-1	1989	\$86.51
136-07-158-1	1990	\$75.98
136-07-158-1	1991	\$66.60
136-07-158-1	1992	\$9.03
136-07-158-1	1993	\$8.24
136-07-158-1	1994	\$66.30
136-07-158-1	1995	\$86.70
136-07-158-1	1996	\$10.28
136-07-158-1	1997	\$9.00
136-07-158-1	1998	\$9.02
136-07-158-1	1999	\$138.18
136-07-158-1	2000	\$246.88
136-07-158-1	2001	\$215.67
136-07-158-1	2002	\$249.65
136-07-158-1	2003	\$180.59
220-69-005A-4	2002	\$61.44

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DUPLICATE WARRANTS

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

COUNTY

NAME	WARRANT	FUND	AMOUNT
Katie Risner	AD00340533349	Expense	\$174.96
Siemens Energy & Automation	AD00340529059	Expense	\$7,888.56

SCHOOL

NAME	SCHOOL	WARRANT	AMOUNT
Evangelina Marquez	Roosevelt SD #66	14-0094438	\$121.60
Riso, Inc	Littleton SD	44-0089135	\$6,764.38
American Music	Alhambra SD	44-0078073	\$1,081.00
William Barnow	Roosevelt SD #66	440104175	\$414.00
Andrew Boruch	Supt of Schools	14-0167507	\$672.27
City of Phoenix	Laveen SD	44-0000768	\$754.70
Gareth Williams	Aguila SD #63	63022713	\$120.00

STALE DATED WARRANTS

No warrants were presented at this time. (ADM1816)

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the settlement of tax cases, list dated May 5, 2004. (ADM704)

2003	2004	2004/2005
TX 02-000584	ST 03-000168	ST 03-000221
	ST 03-000241	ST 03-000250
2003/2004	ST 04-000001	ST 04-000014
ST 03-000114	TX 03-000472	ST 04-000020
	TX 03-000511	ST 04-000041
2003/2004/2005	TX 03-000598	ST 04-000049
ST 03-000224	TX 03-000600	ST 04-000066
	TX 03-000610	
	TX 03-000714	

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CLASSIFICATION CHANGES

Pursuant to A.R.S. §42-12054, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Assessor's recommended change classifications and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

COMPROMISES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in executive session held April 19, 2004.) (ADM407)

Flabio Aispuro	\$ 2,377.00	Trinidad Arellanes	\$ 3,000.00
Juan Bautista	1,162.00	Louise D. Bond	1,500.00
Douglas Chambers	35,000.00	David Hemphill	409.82
Davon Johnson	7,316.64	Betty Linz	12,500.00
Irene Olivares	2,200.00	Maxine Whidden	3,000.00

WRITE-OFFS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the requested write-offs as payment in full for the following cases. (Discussed in executive session held April 19, 2004.) (ADM407)

Terry Cahalane	\$5,077.69	Francisca Cota	\$55,547.63
Margaret Armijo	1,389.90	Edward Lewis Chaplin	400.00
Donna Jean Edwards	1,280.00	Tracy Wayne Marble	600.00
Marueen T. Richards	210.00	Kevin Dale Sullivan	112.00
Kenneth Boetticher	12.00	Raul Classen	840.00
Raul Classen	420.00	Ryan Cluff	856.26
Ryan Cluff	12.00	Richard Nelson Cool	155.00
Leslie Downing	330.00	Leslie Downing	402.00
Travis Lewis Wood	60.00	John Scott Elmer	1,440.00
Jose Louis Wilson Gonzalez	770.00	Jose Louis Wilson Gonzalez	1,540.00
Gloria Morqueco	73,250.00	David Navarro	1,032.00
Randy Nez	310.00	Susan Dian Osborn	237.80
Dawn Marie Sansone	160.00	Jeffrey Richard Taylor	880.00
Geo. Anthony Thompson	1,672.00	Ismael Angel Barriga Torres	152.00
Wm. Henry Vincent	680.00		

CO-SPONSORSHIP OF WORKFORCE HOUSING SUMMIT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to agree to co-sponsor Workforce Housing Summit in partnership with the Governor's Office and GPEC, on June 14, 2004. (Addendum item A-1.) (ADM2500)

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PUBLIC COMMENT ON MATTERS PERTAINING TO MARICOPA COUNTY GOVERNMENT

Jeanette Fish, Farm Bureau, thanked the Board members who had participated in the Farm/City Partnership Breakfasts, a continuing community outreach program, which concluded for the year last week. She indicated that the agricultural community consists of farmers, nurserymen, dairymen and other agricultural operators that contribute \$800 million in sales in Maricopa County (ADM605)

Supervisor Wilson said the subject discussed at his area meeting was on water issues and he hoped that it had stimulated thinking on what is happening with water, how it is being managed and where it's coming from.

Supervisor Wilcox said their group had discussed jurisdictional coordination of fixing roads in the west side. She cited pot holes in the middle of an area where Tolleson, Avondale, Phoenix and the County are all stakeholders. She indicated that Mike Ellegood, Director of Public Works, County Engineer and Director of the Department of Transportation, was coordinating efforts to bring the entities together to solve the problem.

Supervisor Brock said the Board was unanimously involved in helping farmers and agriculture through their interest in work being done by the Farm Bureau. He cited the enormous residential growth in Maricopa County and how this affects dust control, highways, water, pesticides and noise abatement among many other things. He said, "You help create a bridge that allows us to stay in touch with our farm community and hear from them as they provide the staples that are so necessary."

Supervisor Stapley asked for an explanation of the addendum item "to co-sponsor Workforce Housing Summit in partnership with the Governor's Office and G.P.E.C. on June 14, 2004." He asked if the County had any more involvement in it other than "lending our name to it" and if there would be a cash outlay from the County or the IDA.

Jim Bloom, District 3 Chief of Staff, responded, "We're simply lending our name to it in support of the IDA, who is involved from a philosophical standpoint ... with regards to workforce housing." He said the IDA Board is not submitting any money for this. All Supervisors expressed their support for efforts expended towards affordable workforce housing, which all considered to be of prime importance.

Supervisor Wilcox said this is part of the Continuum of Care strategies on homelessness, what causes it and the persons who are homeless. The ultimate solution is affordable housing and transition housing for those needing it.

Supervisor Wilson commented on a federal program with FHA where people can get into houses with nothing down and he said that the down payment is usually the major stumbling block for young married couples who are starting families.

SUPERVISORS'/COUNTY ADMINISTRATIVE OFFICER SUMMARY OF CURRENT EVENTS

No Supervisors spoke on items at this time. (ADM606)

PLANNING AND ZONING

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

REGULAR AGENDA DETAIL:

1. **Z2003060** **District 2**
 Applicant: Clark Richter of Udall, Shumway, Morris & Allen, P.C.
 Location: Southwest corner of Billings Rd. & Power Rd. (in the east Mesa area)
 Request: Rezone from R1-8 to C-2 P.D. – Power Road Rezone (0.46 ac.)

COMMISSION ACTION: Commissioner Barney moved to recommend approval of Z2003-060, subject to the following stipulations “a” through “f”. Commissioner Barney seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development shall be in general conformance with the site plan entitled, “SITE REZONING PLAN FOR CLARK RICHTER”, consisting of one (1) full-size sheet, stamped received August 12, 2003, except as modified by the following stipulations. Prior to zoning clearance, the applicant shall submit a revised site plan with the following:
 - o Six (6) parking spaces shall be provided.
 - o All parking space dimensions shall conform to the M.C.Z.O. or A.D.A. requirements, whichever is more restrictive, as applicable.
 - o A utility commitment table shall be provided.
- b. Development of the site shall be in general conformance with the narrative report entitled, “POWER ROAD PROPERTY”, consisting of two (2) pages, stamped received May 29, 2003, except as modified by the following stipulations.
- c. Prior to zoning clearance, the applicant shall provide a recorded deed that shows the two existing parcels (141-59-055 and 141-59-057) have been combined with one new Assessor number being assigned.
- d. Prior to zoning clearance, the applicant shall dedicate an additional 15 feet of right-of-way along Power Rd. to bring the total half-width of that right-of-way to 65 feet adjacent on the subject property or unless otherwise required by the City of Mesa.
- e. The access gate on Billing Street shall not be used for commercial purposes.
- f. Prior to zoning clearance, the applicant shall provide satisfactory evidence that the appropriate Fire Department has been properly apprised of the proposed development to occur on the subject property and that an offer to extend fire protection services has been made with regard to the subject property.

- g. Landscaping shall be provided within unpaved areas outside of the perimeter CMU walls consisting of decomposed granite and low water use plants and shrubs from the Arizona Department of Water Resources Low Water Use Plant List for the Phoenix Active Management Area unless deemed unfeasible by the Maricopa County Department of Transportation.
- h. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- i. All signs shall conform to M.C.Z.O. requirements.
- j. After zoning approval but prior to any construction, a drainage clearance must be obtained from the Flood Control District's Permitting Office.
- k. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- l. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
- m. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site
- n. Major changes to this Plan of Development (the site plan and narrative report) shall be process as a revised application in the same manner as the original application. With final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- o. Noncompliance with the Plan of Development (the site plan and narrative report) and conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- p. Two parallel parking spots for 15 minute loading and unloading purposes, and designated as such, may be located towards the immediate front of the existing building/office. Arrangement of said parking spots will be in such a manner as to provide maximum visibility for traffic entering or exiting the subject property from Power Rd.
- q. Those portions of the subject property located inside of the walled area which are not paved but used for vehicular traffic must have a Maricopa County Department of Transportation approved dust palliative to prevent transient dust emissions.
- r. This site is subject to a Plan of Development (P.D.) Overlay.

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Joy Rich gave background information on this case and said it does not totally conform to the Mesa General Plan for this area, which calls for 4-6 dwelling units per acre and this request is for a business, however, Mesa had no objections to the request and she knew of no opposition at that time.

Clark Richter was present for the applicant to answer any questions but there were none.

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

2. **Z2003-107** **District 1**
 Applicant: K.M. Concrete Co., Inc.
 Location: 11425 E. Germann Rd., approx. ¼ mile east of Arizona Ave. & Germann Rd. (in the Chandler area)
 Request: Plan of Development for a concrete related business in the IND-3 zoning district – K.M. Concrete Co., Inc. (3.45 ac.)

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of Z2003-107, subject to the following stipulations "a" through "j". Commissioner Smith seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall be in substantial compliance with the site plan entitled "A New Office Building for K.M. Concrete Inc.", consisting of six (6) full-size sheets, dated revised February 10, 2004 and stamped received March 3, 2004, except as modified by the following stipulations.
- b. Development of the site shall be in substantial compliance with the narrative entitled "Narrative Report for K.M. Concrete Co., Inc. New Office Building", consisting of two (2) pages, dated September 2, 2003 and stamped received October 9, 2003, except as modified by the following stipulations.
- c. The site shall meet all applicable Federal, State, and County requirements for dust control.
- d. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- e. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- f. Proposed future buildings located towards the rear (south) of the property and described as "Shop (By Others)" and "Warehouse (By Others)" on the site plan referenced above in stipulation 'a', may require Administrative Amendments (individually or collectively) to the

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Plan Development prior to construction. Should the proposed buildings indicate a net change greater than 10% with regards to location, size, shape, intensity of use, or at the discretion of staff then a Major Amendment will be required. Those changes not deemed to be Major Amendment, would then be processed administratively.

- g. Site visibility triangles conforming to the County standards shall be required and maintained for all access points utilized by this property to access Germann Rd.
- h. All landscaping shall be native or low water use plantings, maintained, and replaced as necessary. All trees shall be double staked when installed. All landscaping within or the proximity to County right-of-way shall comply with Chapter 9 of the MCDOT Roadway Design Manual
- i. Major changes to this Plan of Development (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- j. Noncompliance with the Plan of Development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.

Joy Rich reported on background for this case and indicated there had been no reports of support or opposition. Supervisor Wilson asked if there could be a dust problem from the concrete business locating there and she reported that this should not be a problem because the entrance is paved.

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

- 3. **Z2003116** **District 4**
Applicant: Danielle Waechter for Marck Sawyer of Nextel Communications
Location: 11410 N. Sarival Ave. (in the Surprise area)
Request: Special Use Permit (S.U.P.) for a wireless communications facility in the Rural-43 zoning district, Cellular Use District 2 – Metropolis Cell Tower (1,950 sq.-ft. S.U.P. area – part of a 5 ac. parent parcel)

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2003-116, subject to the following stipulations "a" through "i". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan entitled "Nextel Communication AZ-374.A - Metropolis" consisting of five (5) full-size sheets, dated January 19, 2004 and stamped received February 23, 2004, except as modified by the following stipulations. Within 30 days of Planning and Zoning Commission approval, the applicant shall submit a revised site plan showing driveway dimensions and width.

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- b. Development and use of the site shall be in substantial conformance with the narrative report entitled "Project Narrative " consisting of four (4) pages, undated but stamped received November 10, 2003 except as modified by the following stipulations.
- c. Major changes to this Special Use Permit (site plan and narrative report) or the conditions of approval shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- d. Non-compliance with the Special Use Permit (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- e. A status report including photographs of the tower and facility shall be submitted within two (2) years of approval by the Board of Supervisors, or when fully equipped and finished - whichever occurs first
- f. Driveway and parking area must meet EPA requirements for dust control.
- g. The monopole together with all antennas and attachments will not exceed 80 feet in height as measured from base ground level.
- h. No antenna arrays will have a catwalk type of array. All antenna arrays will be minimal in nature and (12' maximum width) neutral in color to blend with surrounding area.
- i. All future cabling between equipment on the ground and antennas on the tower be internal and not be allowed to run external to the tower, unless covered and be the same color as the tower.
- j. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors, upon expiration of the lease to the applicant(s), or upon termination of the use, whichever occurs first. All of the wireless equipment including the monopole shall be removed within 60 days of such termination or expiration. Any request for an extension shall be made at least six months prior to the expiration date.
- k. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- l. The applicant shall install a lighted aviation warning designed not to interfere with avian migration or nesting patters at the top of the monopole, and maintain said lighting for the duration of the Special Use Permit.

Joy Rich said this proposal is consistent with the Development Plan of the City of Surprise and they had submitted no comment to the request. Luke Air Force Base was also contacted and they indicated by letter that it does not impact their traffic control.

Colonel James Mitchell, U.S.A.F., responded to a question from Supervisor Wilson on acceptable heights of poles by saying that the closer the pole is to the runway the less height it can have to be acceptable. He said it had been determined that the 80 ft. height at this location would not be a factor.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the Planning Commission's recommendation for approval subject to stipulations "a" through "i."

4. **Z2003-127 District 4 - CONTINUED**
Applicant: Coe & Van Loo Consultants, Inc.
Location: West of the northeast corner of the proposed El Mirage Rd. & Lone Mountain Dr. alignments (in the north Peoria/Sun City West area)
Request: Amendment of previously approved R1-6 R.U.P.D. zoning standards. Modification of stipulations of previously approved zoning case Z2000187 – Rio Sierra (79.6 ac.)

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2003-127, subject to the following stipulations "a" through "o". Commissioner Porter seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development and use of the site shall comply with the zoning exhibit entitled "Revised Rezoning Map and Residential Unit Plan of Development for Rio Sierra", consisting of one full-size sheet, dated revised March 26, 2004, and stamped received March 29, 2004, except as modified by the following stipulations. The applicant shall submit a revised zoning exhibit within 30 days of approval by the Planning and Zoning Commission clarifying street side setback requirements for corner lots adjacent to key lots by providing a footnote with the R.U.P.D. tables and by providing a typical lot detail in this regard.
- b. Development and use of the site shall comply with the narrative report entitled "Narrative Report for Rio Sierra - Residential Unit Plan of Development...", consisting of 20 pages including large-size exhibits, dated revised March 7, 2001, and stamped received March 9, 2001, except as modified by the following stipulations. The applicant shall submit a revised narrative report within 30 days of approval by the Planning and Zoning Commission clarifying street side setback requirements for corner lots adjacent to key lots by providing a footnote with the R.U.P.D. tables and by providing a typical lot detail in this regard.
- c. Dedication of right-of-way to bring the total half-width dedication to 40' for the west half of 119th Avenue and for the north half of Lone Cactus Drive adjacent to the site shall occur concurrent with the final plat.
- d. The applicant shall secure an access easement or road dedication for 40' half-width right-of-way for a minor collector route along N. 119th Avenue to connect the site to Williams Rod. At that location the applicant shall secure an access easement or road dedication for 65' half-width right-of-way for a major arterial route from El Mirage Road to N. 117th Avenue and north along the N. 117th alignment to the intersection of Agua Fria Road at the N. 115th Avenue alignment. Additionally, the applicant shall secure an access easement or road dedication for 40' half-width right-of-way for N. 121st Avenue to connect the site to Williams Road. These access easements or road dedications shall occur concurrent with the final plat.

- e. Paved access shall be provided to any subsequent subdivisions.
- f. All interior streets within the proposed development shall be constructed to meet County standards.
- g. Development shall be subject to the following:
 - 1. An approved traffic impact analysis shall be on file with the Maricopa County Department of Transportation. The analysis shall include development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The initial development phase shall be based on existing conditions and not proposed roadways.
 - a. The applicant shall contribute no less than \$1,260,000 (based on 280 units @ \$4,500 per unit) or 1.4 lane-miles of new all-weather access roadways, whichever is the greatest value, as their proportionate share of offsite regional roadway improvements. Roadways shall meet County standards in effect at the time of the roadway improvements.
 - b. If Stipulation g.1.a does not provide site access to a suitable paved all-weather access roadway that meets County standards in effect at the time of roadway improvement, the applicant shall construct sufficient all-weather access roadways that provide site access to a suitable paved all-weather access roadway. In no case shall the applicant's contribution be less in value than that in Stipulation g.1.a.
 - c. Any roadways constructed in compliance with Stipulations g.1.a or g.1.b shall have alignments consistent with a County approved transportation plan in effect at the time of improvement. At the time of stipulation, such alignments include a connection El Mirage Road and continuing to either Loop 303 or Bell Road or a connection to Loop 303 and continuing to Lake Pleasant Road as necessary.
 - 2. The traffic analysis shall be updated prior to the first final plat approval to reflect current conditions in effect at the time of platting. Additional lane capacity on offsite alignments will be reviewed with each resubmittal of the traffic analysis. The applicant shall provide a financial assurance to guarantee the offsite improvements that are recommended in their approved analysis. Subsequent updates of the traffic analysis will be required by the Maricopa County Department of Transportation if changing conditions warrant.
 - 3. All identified offsite alignments must be consistent with a county approved transportation plan.
 - 4. All-weather access shall be provided to all parcels and on all arterial roadways.

5. A minimum of two (2) access points shall be provided and available to each development phase and/or subdivision unit.
6. The location of any connections to the Loop 303 shall be reviewed and approved by Maricopa County Department of Transportation. Only one additional connection will be provided between El Mirage Road and Lake Pleasant Road.
7. Applicant shall be responsible for submitting their arterial street network to the MAG Transportation Improvement Program for conformity analysis. Approval is required prior to commencing construction.
8. All identified offsite alignments must be consistent with a County approved transportation plan.
9. Provide the ultimate half-width right-of-way on all perimeter boundaries consistent with County approved transportation plan.
10. The applicant is responsible for acquisition of all required rights-of-way.
11. An underground conduit system (or comparable technology) shall be provided within the rights-of-way throughout the development to integrate traffic signals and for future Intelligent Transportation System uses.
12. Schools (Pre-High School) shall not be located on arterial roads.
13. Provide neighborhood access to commercial areas by means other than using the arterial street network.
14. Use of neighborhood electric vehicles shall be accommodated in this development. Routes and other design features shall be established, as necessary, to provide safe and efficient circulation in conformance with prevailing laws and requirements at time each phase is submitted for approval.
15. Bike lanes shall be included on all arterial and collector alignments. A bicycle circulation plan shall be provided with each phase of development.
16. Development should be designed to promote pedestrian and bicycle use and other alternative modes of transportation to public facilities within and adjacent to the site (e.g. bus bays, park-and-ride lots, internal trail systems).
17. Private streets are required to meet minimum County standards, unless waived by the Board of Supervisors.
18. If street lights are proposed, street lighting installation shall be the responsibility of the developer. A Street Light Improvement District or comparable authority shall be established to provide operation and maintenance.

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19. Landscaping shall conform to Chapter 9 of the MCDOT Roadway Design Manual. Maintenance of landscaping within public rights-of-way shall be the responsibility of the applicant.
 20. Offsite alignments where only two lanes are constructed, the minimum half-width right-of-way shall be acquired. Once a phase requires additional widening of the roadway beyond two lanes, the minimum full-width right-of-way shall be acquired. These widths are minimums and wider rights-of-way may be necessary due to existing terrain.
 21. No median improvements, curb and gutter, sidewalk, landscaping or signalization is required on access roads, unless otherwise specified herein or in the agreement referenced in item 20, below.
 22. A construction traffic circulation plan shall be provided and approved by Maricopa County Department of Transportation prior to commencing construction.
 23. Applicant shall employ appropriate procedures during construction to comply with Maricopa County dust control requirements.
 24. This project is subject to the National Pollutant Discharge Elimination System (NPDES) Stormwater requirements for construction sites under the Environmental Protection Agency (EPA) General Permit for Arizona. Applicant is responsible for complying with these requirements.
 25. A development agreement, between the applicant and MCDOT, or comparable document, addressing access requirements in more detail, as well as internal transportation issues, shall be executed prior to approval of any preliminary plat.
- h. The project shall be limited to 280 dwelling units.
 - i. The minimum amount of open space for the project shall be 16 net acres and the open space network shall include preservation of the ridge in its natural state to the greatest extent possible.
 - j. The developer shall be responsible for construction of all public and private on-site roadways within the designated Rio Sierra boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all public open spaces and facilities, all private roads, washes, parks, roadway median landscaping, landscaping within public right-of-way adjacent to all major and minor arterial roadways, and of all pedestrian, bicycle, and multi-use pathways.
 - k. Prior to the submittal of each final plat, the developer will provide "will serve" letters from Arizona American Water Company for potable water and central sanitary sewer service. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Arizona American Water Company upon approval by the Environmental Services Department.

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- l. Prior to the submittal of each final plat, developer will provide a "will serve" letter from Rural-Metro Fire Department. Developer may submit a "will serve" letter from a different qualified public or private fire service agency in place of Rural-Metro Fire Department upon approval by the Planning and Development Department.
- m. Major changes to this plan of development (site plan and the narrative report) and the conditions of approval shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- n. Non-compliance with this request (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- o. If development of the site has not occurred within five (5) years of the date of approval by the Board of Supervisors, staff shall schedule this development for rehearing by the Planning and Zoning Commission to consider initiating a reversion of the property to its original Rural-43 zoning.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to continue this item to the May 19, 2004, meeting at the request of Supervisor Wilson.

5. **Z2003-128** **District 4 - CONTINUED**
Applicant: Coe & Van Loo Consultants, Inc.
Location: Northwest corner of the proposed Pinnacle Peak Rd. & 117th Ave. alignments (in the north Peoria/Sun City West area)
Request: Amendment to previously approved R1-6 R.U.P.D. and R1-7 R.U.P.D. zoning standards. Modification of stipulations "d" and "h" of previously approved zoning case Z2000076 – Crossriver (198.92 ac.)

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2003-128, subject to the following stipulations "a" through "u". Commissioner Porter seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development and use of the site shall comply with the zoning exhibit entitled "Revised Rezoning Map and Residential Unit Plan of Development for Crossriver", consisting of one full-size sheet, dated revised February 6, 2004, and stamped received March 29, 2004, except as modified by the following stipulations. The applicant shall submit a revised zoning exhibit within 30 days of approval by the Planning and Zoning Commission modifying the zoning boundary between the R1-6 R.U.P.D. and R1-7 R.U.P.D. zoning districts so that the revised boundary matches the boundary separating Units 3, 4 and 5 from 6, 7, and 8 of Crossriver as shown on the above referenced zoning exhibit. In addition, the revised zoning exhibit shall include a modified R.U.P.D. table with additional footnote(s) addressing setback requirements for all key lots within Crossriver.
- b. Development and use of the site shall comply with the narrative report entitled "Residential Unit Plan of Development (R.U.P.D.) Crossriver Master Planned Community...", consisting of 25 pages plus appendices all bound in a white three-ring binder, dated revised October

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16, 2000, and stamped received October 19, 2000, except as modified by the following stipulations. The applicant shall submit a revised narrative report within 30 days approval by the Planning and Zoning Commission hearing modifying the zoning boundary between the R1-6 R.U.P.D. and R1-7 R.U.P.D. zoning districts so that the revised boundary matches the boundary separating Units 3, 4 and 5 from 6, 7, and 8 of Crossriver as shown on the above referenced zoning exhibit. In addition, the revised narrative report shall include a modified R.U.P.D. table with additional footnote(s) addressing setback requirements for all key lots within Crossriver.

- c. Dedication of right-of-way to bring the total half-width dedication to 40' for the south half of Pinnacle Peak Road adjacent to the site shall occur concurrent with the final plat.
- d. Dedication of right-of-way to bring the total half-width dedication to 65' for the north half of Williams Drive adjacent to the site, or for a 130' full-width for that portion of Williams Drive located fully within the site, shall occur concurrent with the final plat.
- e. Dedication of right-of-way to bring the total half-width dedication to 40' for the east half of 119th Avenue adjacent to the site shall occur concurrent with the final plat.
- f. The applicant shall secure an access easement or road dedication for a 110' full-width right-of-way for a minor arterial route to connect the site with the intersection of El Mirage Road and Deer Valley Road, and with the intersection of Hatfield Road and Loop 303/Estrella Freeway, concurrent with the final plat.
- g. All interior streets within the proposed development shall be constructed to meet County standards.
- h. Dedication of right-of-way to bring the total half-width dedication to 65' for the west half of 117th Avenue shall occur concurrent with the final plat.
- i. The applicant shall secure an access easement or road dedication for a 110' full-width right-of-way for a minor arterial route to connect the site with the intersection of El Mirage Road and Deer Valley Road (realigned), and with the intersection of Hatfield Road and Loop 303/Estrella Freeway, concurrent with the final plat.
- j. Paved access shall be provided to any subsequent subdivisions.
- k. All interior streets within the proposed development shall be constructed to meet County standards.
- l. Development shall be subject to the following:
 - 1. An approved traffic impact analysis shall be on file with the Maricopa County Department of Transportation. The analysis shall include development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The initial development phase shall be based on existing conditions and not proposed roadways.

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- a. The applicant shall contribute no less than \$3,150,000 (based on 700 units @ \$4,500 per unit) or 3.5 lane-miles of new all-weather access roadways, whichever is the greatest value, as their proportionate share of offsite regional roadway improvements. Roadways shall meet County standards in effect at the time of the roadway improvements.
 - b. If Stipulation I.1.a does not provide site access to a suitable paved all-weather access roadway that meets County standards in effect at the time of roadway improvement, the applicant shall construct sufficient all-weather access roadways that provide site access to a suitable paved all-weather access roadway. In no case shall the applicant's contribution be less in value than that in Stipulation I.1.a.
 - c. Any roadways constructed in compliance with Stipulations I.1.a or I.1.b shall have alignments consistent with a County approved transportation plan in effect at the time of improvement. At the time of stipulation, such alignments include a connection to El Mirage Road and continuing to either Loop 303 or Bell Road or a connection to Loop 303 and continuing to Lake Pleasant Road as necessary.
2. The traffic analysis shall be updated prior to the first final plat approval to reflect current conditions in effect at the time of platting. Additional lane capacity on offsite alignments will be reviewed with each resubmitted of the traffic analysis. The applicant shall provide a financial assurance to guarantee the offsite improvements that are recommended in their approved analysis. Subsequent updates of the traffic analysis will be required by the Maricopa County Department of Transportation if changing conditions warrant.
 3. All identified offsite alignments must be consistent with a county approved transportation plan.
 4. All-weather access shall be provided to all parcels and on all arterial roadways.
 5. A minimum of two (2) access points shall be provided and available to each development phase and/or subdivision unit.
 6. The location of any connections to the Loop 303 shall be reviewed and approved by Maricopa County Department of Transportation. Only one additional connection will be provided between El Mirage Road and Lake Pleasant Road.
 7. Applicant shall be responsible for submitting their arterial street network to the MAG Transportation Improvement Program for conformity analysis. Approval is required prior to commencing construction.
 8. All identified offsite alignments must be consistent with a County approved transportation plan.
 9. Provide the ultimate half-width right-of-way on all perimeter boundaries consistent with county approved transportation plan.

10. The applicant is responsible for acquisition of all required rights-of-way.
11. An underground conduit system (or comparable technology) shall be provided within the rights-of-way throughout the development to integrate traffic signals and for future Intelligent Transportation System uses.
12. Schools (Pre-High School) shall not be located on arterial roads.
13. Provide neighborhood access to commercial areas by means other than using the arterial street network.
14. Use of neighborhood electric vehicles shall be accommodated in this development. Routes and other design features shall be established, as necessary, to provide safe and efficient circulation in conformance with prevailing laws and requirements at time each phase is submitted for approval.
15. Bike lanes shall be included on all arterial and major collector alignments. A bicycle circulation plan shall be provided with each phase of development.
16. Development should be designed to promote pedestrian and bicycle use and other alternative modes of transportation to public facilities within and adjacent to the site (e.g., bus bays, park-and-ride lots, internal trail systems).
17. Private streets are required to meet minimum County standards, unless waived by the Board of Supervisors.
18. If street lights are proposed, street lighting installation shall be the responsibility of the developer. A Street Light Improvement District or comparable authority shall be established to provide operation and maintenance.
19. Landscaping shall conform to Chapter 9 of the MCDOT Roadway Design Manual. Maintenance of landscaping within public rights-of-way shall be the responsibility of the applicant.
20. Offsite alignments where only two lanes are constructed, the minimum half-width right-of-way shall be acquired. Once a phase requires additional widening of the roadway beyond two lanes, the minimum full-width right-of-way shall be acquired. These widths are minimums and wider rights-of-way may be necessary due to existing terrain.
21. No median improvements, curb and gutter, sidewalk, landscaping or signalization is required on access roads, unless otherwise specified herein or in the agreement referenced in item 25 below.
22. A construction traffic circulation plan shall be provided and approved by Maricopa County Department of Transportation prior to commencing construction.

23. Applicant shall employ appropriate procedures during construction to comply with Maricopa County dust control requirements.
 24. This project is subject to the National Pollutant Discharge Elimination System (NPDES) Stormwater requirements for construction sites under the Environmental Protection Agency (EPA) General Permit for Arizona. Applicant is responsible for complying with these requirements.
 25. A development agreement, or comparable document, addressing access requirements in more detail, as well as internal transportation issues, shall be executed prior to approval of any preliminary plat.
- m. The project shall be limited to 261 dwelling units in the R1-7 R.U.P.D. zoning district and 439 dwelling units in the R1-6 R.U.P.D. zoning district.
 - n. The minimum amount of open space for the project shall be 42.75 acres and the open space network shall include preservation of those portions of the ridge on the western portion of the site that observe slopes of 15% or greater.
 - o. The developer shall be responsible for construction of all public and private on-site roadways within the designated Crossriver boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all public open spaces and facilities, all private roads, washes, parks, roadway median landscaping, landscaping within public right-of-way adjacent to all major and minor arterial roadways, and of all pedestrian, bicycle, and equestrian pathways.
 - p. Prior to approval of each final plat, the developer will provide "will serve" letters from Arizona American Water Company for potable water and central sanitary sewer service.
 - q. Prior to the approval of each final plat, developer will provide a "will serve" letter from Rural / Metro Fire Department or alternate fire protection provider.
 - r. Developer shall preserve in its natural state the ridge along the western portion of the site, and shall incorporate it into the project's open space network to the greatest extent possible.
 - s. Major changes to this request (site plan and the narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
 - t. Non-compliance with this request (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
 - u. If development of the site has not occurred within five (5) years of the date of approval by the Board of Supervisors, staff shall schedule this development for rehearing by the

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Planning and Zoning Commission to consider initiating a reversion of the property to its original zoning.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to continue this item to the May 19, 2004, meeting at the request of Supervisor Wilson.

6. **Z2003-129 District 4 - CONTINUED**
 Applicant: Coe & Van Loo Consultants, Inc.
 Location: North of the northeast corner of the proposed El Mirage Rd. & Williams Dr. alignments (in the north Peoria/Sun City West area)
 Request: Amendment to previously approved R1-6 R.U.P.D. zoning standards – Rancho Silverado (59.9 ac.)

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2003-129, subject to the following stipulations “a” through “x”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development and use of the site shall be in substantial conformance with the site plan/zoning exhibit entitled “Rancho Silverado Preliminary Plat Revised R.U.P.D. Zoning Exhibit” consisting of one full-size sheet dated revised March 3, 2004 and stamped received March 15, 2004 except as modified by the following stipulations. The applicant shall submit a revised zoning exhibit within 30 days of approval by the Planning and Zoning Commission clarifying street side setback requirements for corner lots adjacent to key lots by providing a footnote with the R.U.P.D. tables and by providing a typical lot detail in this regard.
- b. Development and use of the site shall comply with the narrative report entitled “Rancho Silverado” consisting of eight (8) pages plus exhibits dated revised March 29, 2002 and stamped received April 1, 2002 except as modified by the following stipulations. The applicant shall submit a revised narrative report within 30 days of approval by the Planning and Zoning Commission clarifying street side setback requirements for corner lots adjacent to key lots by providing a footnote with the R.U.P.D. tables and by providing a typical lot detail in this regard.
- c. Rancho Silverado shall be limited to a maximum of 210 dwelling units (3.5 d.u./ac.).
- d. Recreational amenities acceptable to Planning and Development Department staff, such as pedestrian pathways, tot-lots and picnic ramada with barbeque grill shall be provided.
- e. The applicant shall survey the subject property for cultural resources and submit the survey to the State Historic Preservation Office for review and comment prior to the approval of any subsequent preliminary subdivision plats.
- f. Prior to approval of final plat, the developer will provide “will serve” letters from Arizona American Water Company for potable water and central sanitary sewer service. Developer may submit a “will serve” letter from a different qualified

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public or private utility in place of Arizona American Water Company upon approval by the Environmental Services Department. A Certificate of Convenience and Necessity (CC&N) for the provider must accompany the "will serve" letter.

- g. Prior to approval of final plat, developer will provide a "will serve" letter from Rural/Metro Fire District. Developer may submit a "will serve" letter from a different qualified public or private fire service agency in place of Rural/Metro Fire District upon approval by the Planning and Development Department.
- h. Prior to or concurrent with the submittal of a final plat for any portion or phase of this development, a final landscape and plan (including narrative description) is to be submitted.
- i. All irrigation of common areas shall be in compliance with Arizona Department of Water Resources regulations. When sufficiently available, all irrigation of common areas shall be done entirely with treated effluent.
- j. Prior to final plat approval, documentation for legal access to the site shall be provided.
- k. Per Maricopa County Department of Transportation the following items shall be addressed prior to the approval of the final plat of this development:
 - i. Access must be all-weather and paved to minimum County standards.
 - ii. Developer shall acquire right-of-way for the access roads.
 - iii. Parcel must have two access points.
 - iv. Prior to plat approval, the applicant shall dedicate an 80' right-of-way for 123rd Avenue. If the applicant is unable to acquire land west of Rancho Silverado to accomplish this, the applicant will shift the 80' right-of-way to the Rancho Silverado property in its entirety.
 - v. Provide a contribution for sub-regional road network based on \$4,500.00 per residential lot.
- l. Per Maricopa County Flood Control District the following items shall be addressed prior to the approval of the final plat of this development:
 - i. A final drainage report must be submitted to the Flood Control District for review and approval. The report needs to include drainage calculations for all storm drainage and retention system features.
 - ii. The drainage report must also delineate floodplains affecting the site with 100-year peak discharges in excess of 50 cfs.
 - iii. A final grading and drainage plan and paving plan needs to be submitted to the Flood Control District for review and approval.
 - iv. Floodplains with 100-year peak discharges in excess of 50 cfs must be delineated on the final grading plan.
 - v. If the temporary drainage channel is to be built along the Pinnacle Peak Road alignment, an executed agreement for easement must be included in the submittal package.

- m. Per Maricopa County Environmental Services Department the following items shall be addressed prior to approval of the final plat of this development:
 - i. Prior to approval of final plat the applicant shall obtain or demonstrate that the wastewater treatment facility serving the subdivision has received Maricopa Association of Governments 208 Plan approval in accordance with A.A.C. Title 18, Chapter 5, Article 3; that the subdivision is in accordance with the approved MAG 208 Plan; and that the subdivision is identified as within the service area of facility.
 - ii. Prior to the approval of final plat the applicant shall demonstrate that off-site water and wastewater infrastructure is in accordance with a Master Plan approved by the Maricopa County Department of Environmental Services.
- n. Zoning approval shall be conditional in accordance with the Maricopa County Zoning Ordinance, for a period of (5) years from Board of Supervisors approval, within which time development shall commence. This shall be construed as approval of a final plat for the first phase of project development. If development has not commenced within the five year requirement, the property shall be considered for reversion to its former zoning classification unless the Board of Supervisors grants an extension.
- o. Consistent with A.R.S. § 28-8484A, written notification shall be provided to all future homeowners that they are located within the State-defined Territory in the Vicinity of a Military Airport and may be subject to loud noise and overflights from military aircraft.
- p. All habitable buildings constructed within this subdivision shall be constructed to attain a noise reduction level as per ARS 28-8482(B).
- q. Not less than 9.67 net acres shall be set aside for common open space. The project shall contain at least two (2) tot lots with typical park amenities.
- r. Prior to issuance of building permits, the applicant shall provide written verification of the acceptance of the "Developer Assistance Agreement," as identified in the narrative report, by both the applicant and the Peoria Unified School District.
- s. Prior to issuance of building permits, the applicant shall provide written verification from the Maricopa County Library District that confirms the applicant has met the requirements of the Maricopa County Library District.
- t. Estimated emergency response times, existing at the time of home sales and as provided by Rural/Metro Fire Department and the Maricopa County Sheriff's Office, shall be posted in a conspicuous location in the home sales office(s) on not less than an 8½" x 11" posting.
- u. The Rancho Silverado Homeowners Association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and facilities, parks, roadway landscaping, landscaping within the public right-of-way adjacent to all public and private roadways, and of pedestrian and bicycle paths.

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- v. Major changes to this plan of development (the site plan and narrative report) and the conditions of approval shall be processed as a revised application in the same manner as this application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department, Project Management Division.
- w. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- x. Staff's understanding is that the property owner will ultimately "swap" or exchange land with the property owner to the west – whom has pending rezoning application and preliminary plat applications for "Sundero" so that the property boundary will follow the proposed 123rd Ave. centerline. Similar to Rancho Silverado, Sundero is proposed for R1-6 R.U.P.D. zoning standards, although the exact standards will differ. Staff does not view the pending land exchange as a concern. While the exchange will result in a zoning boundary bisecting two plats, no individual lots will be affected or complicated in any manner.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to continue this item to the May 19, 2004, meeting at the request of Supervisor Wilson.

- 7. S2003-059 District 4** (This case continued from meeting of April 7, 2004.)
Applicant: Patton Place L.L.C.
Location: Southeast corner of Peak View Rd. & 247th Ave. (in the Surprise area)
Request: Final Plat in the Rural-43 zoning district for Patton Place IV (approximately 60.06 gross acres)

Joy Rich said this item has been continued several times to allow the applicant to work out problems with Luke Air Force Base because the subdivision is in close proximity to the Auxiliary One (Aux-One) airfield, being approximately three miles northwest of the approach end and in line with the Aux-One runway. She noted that originally Luke Air Force Base had notified the Planning Department that residential uses at this site were incompatible with military airport operation for Aux-One. On April 28 another letter was received from Luke saying that Patton Place "is okay by exception." Because of this the recommendation from staff is for approval.

Mert Pekrul, R. J. Springer Construction, said they had taken around 15 acres from Unit 5 and dedicated that for the flight zone area, this is 8 or 9 lots, and he said it improved the situation. He added that they want to make sure the homeowners are safe.

Col. Mitchell, U.S.A.F., addressed the issue from Luke's viewpoint. He said that the Governor has signed HB 2141 and it gives the same legislative protections at Aux-One that are in place around the main base at Luke. He explained, "That could not have happened without the Board of Supervisors of Maricopa County and Supervisor Wilson's attention. During that process the discussion of this particular development came up and it was a concern, but it was not a concern to the point where I would stand before you and say that it should not be approved. The state statute that's in place now will give us the protections we need for today's operations as well as in the future." He indicated that the R. J. Springer representatives have been willing to go beyond what was required. He said there have been on-going discussions on Patton Place and agreements and understandings have been reached and he

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commended this. "For those reasons, Luke Air Force Base does not oppose this. We suggest that you approve it as far as our concerns with in-flight operations."

William Stock representing R. J. Springer had registered to speak but felt it was not necessary when called on. Joel Sannes also registered to speak on this matter and simply noted that he represented Patton Place and was in favor of approving the plat.

Supervisor Wilson said that in moving this forward they had looked at the long-range plans of Luke and the protection of the people who would be living in that area. He said, "I think we've done 'yeoman's work' on the protection of Luke Air Force Base for the next 50 or 100 years." He added, "We've done some outstanding things with the help of the Legislature this year to protect it."

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve this final plat in the Rural-43 zoning district for Patton Place IV.

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