

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**GAVEL and FORMAL SESSION
January 4, 2006**

The Board of Supervisors of Maricopa County Arizona convened in Formal Session at 9:00 a.m., January 4, 2006, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1, Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Paul Golab, Deputy County Attorney and Anne Longo, Assistant Chief Counsel. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

INVOCATION

Susan Schuerman, District 2, delivered the invocation.

PLEDGE OF ALLEGIANCE

James Candland, District 2, led the assemblage in the Pledge of Allegiance.

PASSING OF THE GAVEL CEREMONY

CHAIRMAN'S REMARKS

Max W. Wilson, Chairman, Maricopa County Board of Supervisors recognized two-time Chairman of the Board of Supervisors, now Secretary of State Jan Brewer in the audience and said, "I Thank you for your friendship and support of Maricopa County for all these years."

He continued, "As fellow supervisors and I receive congratulations and awards for the many great things Maricopa County does. I tell people that it's the hard work and dedication of all our employees who make this organization so successful.

It has been a pleasure to work with the newly elected Assessor Keith Russell, Treasurer David Schweikert and County Attorney Andrew Thomas and Presiding Judge Barbara Mundell.

It has been also a pleasure working with Sheriff Arpaio and his deputies and the outstanding job they do to keep us safe. These men and women risk their lives for us everyday and we can't thank you enough. Next time you see a deputy or a detention officer, say thank you.

I must also recognize my friend County Recorder Helen Purcell for her 17 years of service to Maricopa County. Thank you for your leadership not just within Maricopa County but also N.A.C.O. I would like to know how many elections she has overseen and how many votes have been tabulated over those 17 years.

There are too many employees to recognize but I would like to thank Tom Manos, Joy Rich, Sandi Wilson and also Bill Scalzo who made the Sundome a reality. These four all-stars work very hard to make sure Maricopa County continues to be debt free and the best run county in the United States.

To be able to perform at this level you must have the facilities to accommodate this growing county. Heidi Birch and Steve Connors have been up to this task. I also would like to thank personally Bob Caravello and all the protective service team who are literally watching out for our best interest.

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These are just a few of the thousands of dedicated people this Board and David Smith have the pleasure to work with daily. Thank you David for your quiet, stable, well thought-out leadership. The challenges have been many, but our successes have been greater.

Sadly, we lost two members of our Maricopa family this year, Henry Perez from Transportation and Sheriff's Deputy Gary LaBenz. They made the ultimate sacrifice, serving the people of Maricopa County.

I must also thank my fellow board members. Any success this year was because of cooperation and hard work by the entire Board. I enjoy working with all of you. Don you have been a steady and supportive Vice Chairman and I wish you the best this coming year. Andy you are wise beyond your years and while serving as your Vice-Chairman, I learned many things that I used this last year. Fulton you are always a thoughtful and inspiring member of this Board. You articulate well and always come to the meetings well read and prepared. Mary Rose has been very supportive to me as Chairmen. She has been our best communications with the Governor and Attorney General. Thanks to all.

Last year just before I was elected to be Chairmen, I went into Andy's office and he was busily reading and signing a stack of documents. "Are you sure you want to be Chairmen" was his comment. The first day I asked Fran McCarroll our outstanding Clerk of the Board to keep track of the number of agreements, contracts and etc, that I was to sign this year – 1146 signatures were required.

In all, 2005 was a year filled with many accomplishments which you will see in a video shortly. With that comes great joy and some sadness, but it all added up to a very special and memorable Chairmanship for me."

A tape presentation of the Highlights of 2005 was shown. (ADM600)

NOMINATION AND ELECTION OF CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2006 AND PASSING OF THE GAVEL

Supervisor Brock nominated Supervisor Stapley as Chairman of the Board of Supervisors for 2006. The nomination was seconded by Supervisor Kunasek. The motion passed unanimously (5-0) to elect Supervisor Don Stapley as Chairman for 2006.

CHAIRMAN STAPLEY'S REMARKS

Chairman Stapley remarked that his first duty as Chairman would be to present a "gavel" plaque and a couple of other new "fun things" to outgoing Chairman Max Wilson. One was a large "gold" Key to the County and the second was a sturdy walking stick with the insignia of the White Tanks Mountain Regional Park on it. White Tank Mountain Park is in Supervisor Wilson's district and Chairman Stapley said, "This is where Max has been known to wander the trails and get a little exercise."

The Chairman thanked his colleagues on the board for the honor of his nomination and election and told them that their continued professional support would be crucial to his successful chairmanship. Mr. Stapley next acknowledged the love and support of his wife and family and added, "Kathy, has had to deal with some health issues this year that she's handled with grace and dignity, and I admire her so much for that." His parents were present and he commented that, "They have been a great support and guidance for me throughout my life and a great legacy for myself and my siblings." One son, his wife and daughter were also present for the occasion.

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Chairman Stapley remarked on many of the recent accomplishments in the County, and added, "In 2005 we have also seen significant calamities. We are fortunate to live in a county that is normally spared from natural disasters and yet Maricopa County communities have responded readily with an outpouring of care and support" when others were not so fortunate.

The Chairman explained that one of the County Missions is to provide responsible leadership so residents can enjoy living in a healthy and safe community. "With that as a guide I have established priorities for my chairmanship in the upcoming year. I will focus my efforts as Chairman on three areas that I feel will have the greatest impact. They are, Health; Public Safety and Criminal Justice; and Fiscal Responsibility through Property Tax Rate reductions."

Prescription drug discount card: He promoted the idea of implementing a Prescription Drug Discount Card, which has been successfully pilot tested in 10 selected counties nationwide during the past year, for Maricopa County in the coming year. He explained that this discount card allows individuals access to prescription drugs at a discount of up to 40%. This program provides flexibility to its users, and access to medication at most pharmacies. He explained that the card would be distributed throughout the County and use could begin immediately. The drug discount card program is designed as a supplement to those who have health insurance, and will be especially helpful to those who are uninsured. This program will also help to offset the high cost of healthcare and the growing populations of Medicare and Medicaid recipients.

Air quality: Chairman Stapley stated, "Last year, we created the Maricopa County Air Quality Department in order to intensify our focus on the air quality issues here in Maricopa County. The Board of Supervisors is focused on solving this problem and that is evidenced in the resources we have devoted to air quality. We have added key staff that have taken the department to the next level." At this point Mr. Stapley introduced the new Air Quality Director, Bob Card.

The Federal Clean Air Act mandates that air quality levels be monitored and specific levels be met and maintained. As the regional governing authority, Maricopa County works to ensure that everyone does their part in helping achieve these standards. Chairman Stapley said that the Board had increased the number of air quality inspectors working in the field to make sure that construction sites, industrial operations, and residents alike follow the letter of the law. "We have also called on the 24 cities and towns to cross-train their inspectors, at our expense, to help us identify violations and ensure immediate enforcement." The Chairman cautioned that regulated businesses and industries are required to comply with all obligations in order to ensure that their impact on air quality is minimized to the extent required by law. He expressed the appreciation of the Board for all those who make the effort to do their best and who do comply with the regulations. He warned that the air pollution offenders are likely to meet someone from the Air Quality Enforcement Division and they will be held financially accountable for any continued lack of compliance. He said, "You may be interested in knowing that fines and prosecutions of violators are at an all time high over the last quarter." He added, "The costs can be large, but are easily outweighed by the benefits of reduced medical care cost and having us all breathe" cleaner air. In 2006, the Air Quality Department will focus on public and business education.

Chairman Stapley asked the Board of Supervisors and County Administration to adopt a heightened schedule for work flex, including telecommuting where possible, for all County employees. The mission here would be to allow employees to start their 8 hour shift at 7:30, 8:00, or 8:30 to lower emission levels that affect the air. He urged all County employees to carpool and use the transit systems and encouraged those who have already made that commitment to continue to do their part in setting the example in the community for others to follow.

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Human Services Campus: Public Safety and the Criminal Justice System is one of the most important elements of County government. Chairman Stapley said, "I am pleased to be part of a County government that recognizes a need to reach out and do our part to make sure that Maricopa County is a safe place to live and do business. In that regard, the recently completed Human Services Campus has been one of the most rewarding collaborative regional efforts I have ever seen in my 11+ years as a Supervisor." Under Board leadership, County Manager David Smith spearheaded the vision, funding and construction of this facility, which stands as a model for other counties across the nation. The campus provides essential services for those who need shelter, food, employment, and a safe place to go for help and security – this includes thousands of inmates discharged each year from the jail systems. Services provided include transitional housing, long term employment opportunities, transportation, and many other individual needs that are essential. He said, "Let me emphasize and remind you, this national model is not designed to be a 'government-run' system, but rather is run by private, non-profit entities controlled by a board of managers from the major faith and community based not-for-profits." This is done in collaboration with state, county, and local governments and it is a model considered to be unique in the nation. He stated, "The County has received national recognition for this, and it goes to show that working together with local business, and other governmental bodies, we can accomplish the greatest of tasks." Chairman Stapley pledged to commit his time and energy to working closely with the Campus, as well as looking to public and private partnerships to ensure the long-term success of the institution.

Seriously mentally ill: He next addressed the impact of the seriously mentally ill, or "SMI, on jails in Maricopa County and across the nation. It is becoming widely recognized that besides the financial cost of housing and medicating this population, there is a societal cost to incarcerating the mentally ill instead of treating them in a more appropriate setting. The Maricopa County Board of Supervisors decided it was necessary to explore ways to intervene when the seriously mentally ill come into contact with the criminal justice system. In December 2004, the Board authorized the creation of the Maricopa County Commission of Justice System Intervention for the Seriously Mentally Ill. This group's mission is "To explore and implement programs that will enable Maricopa County to more efficiently identify individuals with mental illness entering or already within the criminal justice system so that they can be diverted from and/or treated appropriately within the system." The Commission began meeting in March 2005 and have come together six times to further educate themselves on the many issues surrounding the matter of the mentally ill in jail and to decide on an action plan for the coming year. The Board of Supervisors have supported and encouraged this plan through the budget for 2006-'07.

The Commission established six working groups to examine potential intervention points for the mentally ill in the criminal justice system, from the point of first contact with law enforcement to the point of release from jail. A primary challenge in setting up this action plan has been the lack of a centralized database regarding the seriously mentally ill. In order to address this challenge, the Commission successfully applied for a grant offered through the National Association of Counties, sponsored by Eli Lilly. The money received is being used to more fully define the Commission's plans over the next year and to develop a central clearing house for essential data, which will provide a baseline against which to measure new efforts. The Sheriff's Office is exploring the idea of Mobile Crisis Teams, modeled after a successful program in Los Angeles that pairs a clinician and a law enforcement official to handle situations from the very beginning.

Drug use and education: Methamphetamine use is having a definite impact on the prison population, including the mentally ill. The rising numbers of inmates booked into County jails that are test positive for meth are escalating dramatically. Chairman Stapley said, "This problem is not just a county issue, it is a state and national issue as well and the growing numbers are staggering." He gave the following statistics:

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- Methamphetamine is an inexpensive, highly addictive drug that can be illegally made in just a few hours in a home lab.
- Smuggling of the drug from Mexico into the United States via Arizona has increased sharply since 2001.
- More meth was seized at or between points of entry in Arizona in 2003 than in California or Texas.
- Over the past four years 1,263 methamphetamine production seizures have occurred across the State of Arizona.
- Over 300 children have been rescued from the meth labs.
- Approximately 40% of adults arrested in the Phoenix area in 2003 tested positive for meth.
- Arizona leads the nation in meth use among children between 12 and 17 years of age.
- Between 2000 and 2003, one-third of children found at meth labs tested positive for meth.
- According to the Drug Enforcement Administration's Phoenix Division, the drug is becoming increasingly popular with teenagers.
- In the 2002 State of Arizona Youth Survey, 8.6% of 12th grade students, 6.8% of 10th grade students, and 2.9% of 8th grade students reported they have used methamphetamines at least once.

The Chairman said that Maricopa County will look for collaborative opportunities to work with enforcement agencies, social services, community groups, schools, and treatment programs. Chairman Stapley said, "This issue must be attacked aggressively and Board Members and the public must be educated on the devastating effects of this drug that is sweeping through County communities." He added, "We commend the State of Arizona for recently awarding grants to Community Bridges to design and implement an effective rehabilitation program specifically for methamphetamine abusers."

Fiscal responsibility: The Chairman stated that Maricopa County has long been a leader in managing the budget and governing with Fiscal Responsibility. One of the constitutional mandates for the County is to set an appropriate property tax rate once each year to balance the budget. He said, "I believe Maricopa County is one of the best managed counties in the nation. One of the hallmarks of our success has been our fiscally conservative approach to solving community issues and funding our mandated services. We are very serious about ensuring that we get results for the money we spend, and keeping our taxes as low as possible." He continued, "Each year, \$757 million or 36% of our total budget is devoted to law enforcement and justice issues. This is an element of society that government is responsible for, and this year I will be pursuing strategies that will stretch our resources even further and make the most efficient use of our dollars in criminal justice." This vision was outlined by national consultants, as a part of the County's new jail construction program 5 years ago, and endorsed by the citizens oversight committee. He added that one of the major goals in the coming year would be to evaluate and fund streamlined justice system programs that will reduce jail populations and delay the need to build additional detention facilities, thereby saving hundreds of millions of taxpayer dollars.

Successful diversion and treatment programs would be examined and financed to keep non-violent individuals out of County jails – an example of this is the mentally ill population who truly would derive greater benefit from treatment alternatives. In-jail drug treatment programs for inmates that enter the jail with drug and alcohol related illnesses would be continue, which should improve the recidivism rate and turn those individuals back to being productive members of the community. He promised that County government would also focus on juveniles through programs such as Teen Court, which will be expanded in the next several months. All of these initiatives will lower costs and provide safer neighborhoods.

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Debt free status: The Chairman said that using tax monies for results is only “one side of the equation.” Equally important is setting responsible tax policy. Mr. Stapley said, “As of July 1, 2004, Maricopa County has been General Obligation Bond debt free and is no longer carrying a secondary property tax rate for debt service. This is unique in the nation for any county of similar size.” This was done by utilizing a pay-as-you-go philosophy for funding capital building needs. Maricopa County is now poised to continue its innovative Capital Improvement Program that was begun in Fiscal Year 2000 as it continues to utilize accumulated budgetary savings and lease reversions to fund the County’s capital needs. He said, “As long as this policy is in place, Maricopa County will not need to ask the voters for a tax increase to fund new buildings and infrastructure. This County is one of the only major counties in the nation, and one of few local governments in Arizona, that does not impose taxes for bonds.”

Property taxes: Property values have increased phenomenally in the last year. Many people are worried that the big increase in their property values will result in a big property tax increase. The Chairman said, “The good news is that there are a lot of protections in place for taxpayers. The even better news is that Maricopa County intends to go further to protect taxpayers.”

Most property taxes are Primary Property Taxes to be used for operating purposes and monies largely go to education. County government also provides for the buildings, infrastructure and equipment the County needs to serve a rapidly-growing region from the operating budget within the County’s limited Primary Property Tax receipts. Increases in both taxable property values and tax collections are limited by the state’s constitution, except for voter approved overrides. The Primary Property Tax on existing properties is limited by statute to a 2% increase each year. However, the law does not similarly limit Secondary Property Taxes, which proceeds go to bonds and special districts.

Chairman Stapley said, “Since we are not issuing bonds for our capital needs, we are self-regulated on that (Secondary Property Tax) issue. Today, I am proposing that we put a self-imposed limit on Library and Flood Control property taxes at 2%, exactly the same limit as the primary levy. This self-imposed limit will hold the increase in Library and Flood Control taxes to no more than an overall two per cent increase on existing properties. Our self-imposed limit will reduce these Districts’ tax rates to offset some of the big increases in assessed values. The combined property tax rate controlled by the Maricopa County Supervisors, which is already at its lowest level in twenty-five years, will drop even more.” Chairman Stapley thanked all of the elected officials, department heads, management, OMB and all other County employees for their help and cooperation in the past and asked for continuing efforts for the future.

RECESS AND RECONVENE AT CHAIRMAN’S RECEPTION, LUNCHEON AND BUSINESS MEETING

Following brief closing remarks, Chairman Stapley asked those present to join him in a short reception to be held across Jefferson Street in the Old Maricopa County Courthouse, 125 W. Washington, Sixth Floor. Following the Reception, the Board recessed for a Senior Management Luncheon at 301 W. Jefferson, 10th Floor. Following the Luncheon, the Board reconvened at the Supervisors’ Auditorium, 205 W. Jefferson at 1:00 p.m., to take up the business meeting portion of the agenda, as follows:

Note: Actions by the Board are inclusive of the “Item Summary,” “Additional Information” and “Budgetary Details” sections of the listed item.

PET OF THE MONTH

Julie Bank introduced the “Pet of the Month” from Maricopa County Animal Care & Control – a white spotted terrier mix named Dot, who she termed as very loving and ready for a new family, preferably one

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with children. She said that many animals are displaced during holidays and anyone who has lost their pet should contact Animal Care & Control. She added that anyone who was wanting a pet to begin the new year should also call or come to an adoption center, one of which is at 5231 N. 35th Avenue in Phoenix. Supervisors Brock and Stapley remarked on the 100% success rate in the adoption of animals shown monthly at the Supervisors' formal meetings. Ms. Bank agreed and said that many of those animals have been chosen by people sitting in the audience or by County employees. Most of the Supervisors have adopted animals from AC&C and all agreed that these animals have made very fine pets for their families.

REWARDING IDEAS PROGRAM PRESENTATION

Candy Steill, District 4 and a member of the Rewarding Ideas Selection Committee, who choose winners from County employees who have submitted ideas that will save the County money by devising more cost-effective ways of doing business. Today's winning idea resulted in an intangible yearly savings of \$4,014 to the County. (C2006024000) (ADM3333-002)

NAME	DEPARTMENT	SUGGESTION	ANNUAL SAVINGS	CERTIFICATE OF APPRECIATION AND CHECK FOR
Crystal White and Lynn Fuhs	Human Services	Procedural change to client denial process.	\$1,436	\$193.50 each

MARICOPA COUNTY 2005 ACCOMPLISHMENTS VIDEO

Chairman Stapley referenced an "unexpected" second showing of this video for those who may have missed it during the morning meeting before calling for the featured items on the agenda. (ADM600)

FEATURED ITEMS

"Maricopa County providing regional leadership . . ."

TRIP REDUCTION PROGRAM EMPLOYEE RECOGNITION

Item Summary. Approve the employee recognition of Maricopa County's 59 Trip Reduction Program Agency Coordinators by providing each coordinator with two Harkins Movie Tickets in recognition of their contributions to the program and for their assistance in Maricopa County being awarded The 2005 Outstanding Trip Reduction Program Clean Air Campaign Award.

Additional Information. This recognition program is being implemented in accordance with Section X of the Maricopa County Compensation Plan. The majority of the funding for this incentive will come from Valley Metro who will send Maricopa County an estimated \$600. This award is a result of Maricopa County creating six new vanpools.

Budgetary Details. The net impact to Human Resources budget is estimated at \$79. (C3106009600) (ADM2375-001)

Scott Mara, Operations Manager in Human Resources, said that Maricopa County has displayed a strong commitment to the Trip Reduction Program, offering employees many options and benefits in which to participate so the yearly trip reduction goals are met. He said the County has more than 4,000 bus riders, 26 van pools and approximately 3,000 employees who have alternative work schedules. He added that

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this kind of participation has made the County a model nationally and Maricopa County was recently selected as one of the best work places for commuters in the United States by the EPA and the U.S. Department of Transportation. The recognition stated that Maricopa County's benefits meet certain standards of excellence. This program was designed by the EPA to improve the air quality and environment over the entire country. Valley Metro recognized Maricopa County with its 2005 Outstanding Trip Reduction Program Clean Air Campaign Award for employees over 500 last November. He said that Human Resources would thank the departmental Trip Reduction Coordinators by gifting them with some movie tickets. He thanked the Board for providing ongoing leadership and guidance to the County's Trip Reduction Program.

Supervisor Wilcox complimented Mr. Mara on the "great program" being run in the County and commented that it complimented the Chairman's comments on air quality in his acceptance speech at the Passing of the Gavel ceremony earlier in the day.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the requested employee recognition as stated above.

INSTALLATION OF A SOLAR THERMAL AIR CONDITIONING AND HEATING SYSTEM

Item Summary. Approve the Solar HVAC Equipment Agreement for installation of a Solar Thermal Air Conditioning and Heating System (SHVAC) to be installed at the Desert Outdoor Center, Lake Pleasant Regional Park. The agreement is between Maricopa County, through the Parks and Recreation Department, and S.O.L.I.D. USA, Inc. (SOLID) the U.S. licensee for S.O.L.I.D. GmbH. This agreement would authorize SOLID, selected as the contractor by Arizona Public Service (APS), to install, at no cost to the county, a flat panel solar thermal heating, ventilating and cooling system to be used as a "showcase" for its flat panel solar technology. Maricopa County will receive ownership and control of the SHVAC and the energy generated by the SHVAC. APS shall receive ownership of the green credits through the agreement with SOLID.

Additional Information. Maricopa County has desired to have a renewable source of energy at the Desert Outdoor Center, Lake Pleasant Regional Park, to further its goals of preserving and educating people about the conservation of natural resources. Maricopa County, through the Parks and Recreation Department, desires to enter into a Solar HVAC Equipment Agreement with SOLID. Through approval of this agreement:

- o SOLID will design, deliver and install the SHVAC System at the Desert Outdoor Center, Lake Pleasant Regional Park;
- o County will receive ownership and control of the SHVAC from SOLID at no cost to county;
- o County will receive ownership and control of the energy generated by the SHVAC System;
- o County will be responsible for operational and non-warranty maintenance costs;
- o County will be responsible for maintenance costs after the warranty period of the SHVAC System;
- o Operation and maintenance costs will be appropriately budgeted by Parks as required and;
- o APS shall receive ownership of the green credits through agreement with SOLID.

The term of the Solar HVAC Equipment Agreement is for a period from execution of the agreement and until SOLID/county declares the SHVAC operational or "in-service" and turns over ownership, in writing, to

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the county. At such time, the county will obtain all rights and responsibilities of ownership with an acquired fixed asset value of \$245,000. (C3006017000)

Bill Scalzo, Assistant County Manager, Community Services, said that once again, the Parks Department will assume the role of "pioneer" in County leadership in being the first in Arizona to establish a new Solar Thermal Heating and Air Conditioning System, which will be installed at the Desert Outdoor Center, Lake Pleasant Regional Park. The Center draws over 20,000 youngsters a year who go there to learn about the environment, often through the Earth Energy classes on renewable energy that are offered. He added that there have been special partnerships with the Boy Scouts and others for such services. The Center recently received a major grant from the State Parks Department to install a new "aquatic education" facility there. He said the main building at the Center is 14,000 square feet and this new solar system will "deal with that building."

Mr. Scalzo said he constantly looks for ways to provide great services through quality facilities and programs that offer opportunities and to do this while reducing operational costs. He said Parks had established a partnership with Arizona Public Service (APS) under a program called Project Soul. APS will donate \$20,000 in support of a new earth energy education program and introduced two representatives from APS, Dr. Peter Johnson, Manager for Technology Development, and Miss Janet Crowe, Renewable Energy Education and Outreach Coordinator. He said these two individuals will work with Parks, "to make us state-of-the-art in the use of alternative energy sources" for educational purposes and to explore the science and technology of solar energy. He added, "We are one of only five facilities in the State that are doing this kind of real-time educational program."

Supervisor Kunasek asked what happened to any excess power that is produced. Mr. Scalzo replied that there would be a storage capacity with a cooling tower to save and use it as it for use throughout the year, as needed. He reported that this economical system saves so much money that the Stadium District is investigating it for possible use at the ball park. All Board Members endorsed this plan.

Supervisor Kunasek asked what kind of benefits there are for SOLID since the County will pay nothing for this system. Mr. Scalzo said they get the green credits and it would be used as a model for others to come to learn about and expand the use of the system for long range benefit to the planet.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Solar HVAC Equipment Agreement for installation of a Solar Thermal Air Conditioning and Heating System (SHVAC) to be installed at the Desert Outdoor Center, Lake Pleasant Regional Park.

NEW DESIGN LOGO FOR ANIMAL CARE & CONTROL

Item Summary. Approve the new design for the Maricopa County Animal Care & Control (MCACC) Department logo.

Additional Information. MCACC, in cooperation with the Maricopa County Public Information Office, has worked with a graphics artist in creating a logo design that truly represents this agency and that respects Maricopa County's position and Seal. The proposed logo reflects the modern, progressive operation that the public expects. It portrays a dynamic image of compassion, community, service and enforcement. To maintain fiscal soundness and good management of the Department's resources, the implementation of the new logo will be phased in as supplies are depleted. The logo is to be used only on public education literature and flyers, uniform and vehicle emblems, and signage. It will not be used in any formal documentation or letterhead in accordance to the Maricopa County Graphic Standards. (C7906046M00) (ADM2300) (ADM148)

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Chairman Stapley stated that the two items for Animal Care and Control would be taken together with Julie Bank and Dr. Rodrigo Silva giving a presentation on a new logo for the department.

Dr. Silva said that Ms. Bank led this project with enthusiasm and professionalism and asked her to present the findings to the Board.

Ms. Bank displayed Animal Care and Control's (AC&C) new logo, and said, "As you know, we are considered a leader in the nation in animal care and control work and also a very visible face in the community." She explained that in trying to portray the County's kinder and softer side in animal care and control it was decided to modernize and update the existing logo. She said the new logo has a "much more sophisticated look" and incorporates Maricopa County's graphic standards as to fonts and colors. She said there is the logo, which would be used for promotional materials only, and also a new seal, which could be used on uniforms and caps. She explained that the logo would not be seen on any kind of public documents or formal letterhead where the Maricopa County seal would be used. She added that whenever the new logo is used the Maricopa County seal would also be used, adding that the logo design was a donation and would cost the County nothing.

Supervisor Wilcox stated that she understood there had to be one, uniform logo for use in all departments to represent the County. She was concerned that authorizing this department seal would "open the door for other departments to do the same thing."

David Smith responded, "There is only one County seal and the use of it is controlled by policy through the Board of Supervisors." He said the old department logo was never an official logo and was only used informally. "This would be the first departmental, complimentary departmental logo that the Board would be approving. We've had discussions about other departments wanting to come forward with their own ideas of logos, etc., but those others were not developed in graphic performance with the County's graphic standards." He felt they had represented more of a separatist identity rather than a complimentary identity to Maricopa County. He said that other departments may come forward but they would have to present something that is complimentary to all of the above details in their intra-community way, and be used in conjunction with and secondary to the official County seal. Discussion ensued on the appropriateness of approving this item and the parameters of its acceptable use.

Mr. Smith said, "I look at it as how to create the oneness of a large organization and yet still allow for a certain amount of differentiation." He said that very few departments in the County have the same broad interactive relationship with the community that would justify their use of a department logo in furthering its mission that Animal Care and Control has.

Motion was made by Supervisor Brock and seconded by Supervisor Wilson to accept the new logo design. Discussion identifying the "one and only" County Seal as the one on display in the auditorium ensued. Mr. Smith said that the new logo for AC&C should only be identified as a logo and never as a County departmental seal and it would only be used along with the official seal. Dr. Silva clarified and identified the differences between two items, the departmental logo and the department patch that would be worn on uniforms, etc. Chairman Stapley identified the motion as approving both the logo and the patch. Chairman Stapley said, "We may want to reconsider this (seal) at some time in the future if it doesn't work the way we envision it." Motion carried unanimously (5-0).

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DONATION OF A CARGO CRAFT ENCLOSED TRAILER

Item Summary. Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept a donation and addition to the fleet of a 2005 Cargo Craft enclosed trailer from Friends of Animal Care & Control, a 501(c)3 organization in Phoenix, Arizona.

Additional Information. The trailer has been fitted with 17 animal compartments, lighting, cooling, and water hookups to be used as a surgical recovery unit accompanying the Neuter Scooter – Mobile Surgical Unit.

Budgetary Details. Add the 2005 Cargo Craft enclosed trailer, Model XP7182, VIN 4D6EB18235C009155 to the Fund (573), Agency (791), Low Org (7912) fleet. The operational costs for the trailer will come from existing budgeted funds for FY 2005-06 and will be absorbed into the next year's budget. The donation is valued at \$26,840. (C7906054700) (ADM3104)

PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS

Chairman Stapley 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 Wilcox and seconded by Supervisor Kunasek, to recommend approval of the following liquor license applications:

- a. Application filed by Roger J. Scharenbroich for a Special Event Liquor License: (F23191) (SELL709)

Business Name: Knights of Columbus #12144
Location: 9728 Palmeras, Sun City, 85273
Date/Time: February 11, 2006; 4:00 pm to 11:30 pm

- b. Application filed by Al Corte for a Special Event Liquor License: (F23191) (SELL712)

Business Name: Civitan Foundation, Inc.
Location: 19421 W. Jomax Road, Wittman, 85361
Date/Time: February 4, 2006; 10:00 am to 6:00 pm
February 5, 2006; 10:00 am to 6:00 pm

- c. Application filed by John Bertaut for a Special Event Liquor License: (F23191) (SELL713)

Business Name: Knights of Columbus #11809
Location: 14818 W. Deer Valley Drive, Sun City West, 85375
Date/Time: January 24, 2006; 5:00 pm to 10:00 pm
March 4, 2006; 11:00 am to 2:00 pm

- d. Application filed by John Bertaut for a Special Event Liquor License: (F23191) (SELL714)

Business Name: Knights of Columbus #11809
Location: 19002 N. 128th Avenue, Sun City West, 85375

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Date/Time: February 28, 2006; 5:00 pm to 10:00 pm
March 28, 2006; 5:00 pm to 10:00 pm
May 9, 2006; 5:00 pm to 10:00 pm

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "nay."

ROAD DECLARED (ROAD FILE NO. A261)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted:

WHEREAS, pursuant to A.R.S. §28-6701, on the 7th day of December, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit: (C6406083000)

A roadway, with a variable width, together with all appurtenances and easements of record, lying within Section Four (4), in Township One (1) North, Range Two (2) West, and within Sections Thirty-three (33), and Twenty-eight (28) in Township Two (2) North, Range Two (2) West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway is described as follows:
The East 40 feet of the West half (W½) and the West 40 feet of the East half (E½) of said Section 4, in T.1 N, R.2W; and,
The East 40 feet of the West half (W½) and the West 40 feet of the East half (E½) of said Section 33, in T.2 N, R.2W; and,
The East 40 feet of the West half (W½) and the West 20 feet of the East half (E½) of said Section 28, in T.2 N, R.2W.

Said alignment is also known as 191st Avenue, from Van Buren Street to Indian School Road.

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in The Arizona Business Gazette; and

WHEREAS, no objections to the establishment, opening and declaration of said highway have been filed; and

WHEREAS, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

NOW, THEREFORE, BE IT RESOLVED that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

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BE IT FURTHER RESOLVED that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

BE IT FURTHER RESOLVED that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

BE IT FURTHER RESOLVED that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

DATED this 4th day of January 2006.

ROAD DECLARED (ROAD FILE NO. A354)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C6406087000)

WHEREAS, pursuant to A.R.S. §28-6701, on the 7th day of December, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A roadway of a width of 33 feet, together with all appurtenances and easements of record, lying within the Southeast quarter of Section Thirty-four (34), Township Two (2) South, Range Six (6) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

The North 33 feet of the East 242 feet of the Southeast quarter (SE4) of said Section 34.

Said alignment is also known as San Tan Boulevard on the west portion of the intersection at Higley Road.

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in The Arizona Business Gazette; and

WHEREAS, no objections to the establishment, opening and declaration of said highway have been filed; and

WHEREAS, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

NOW, THEREFORE, BE IT RESOLVED that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

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BE IT FURTHER RESOLVED that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

BE IT FURTHER RESOLVED that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

BE IT FURTHER RESOLVED that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

DATED this 4th day of January 2006.

EXCEPTION TO TFP FOR LAPTOP COMPUTER FOR METHAMPHETAMINE PROGRAM

Item Summary. Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an exception to the Technology Finance Program (TFP) for a laptop computer for the Arizona Methamphetamine Program.

Additional Information. The grant funding for the purchase of this computer was approved on July 24, 2002, by the Board of Supervisors (C5003021300). This authorization is required to complete the one-time purchase of this laptop computer within the grant period, which expires on December 31, 2006. This computer will be tracked separately from the Sheriff's Office computers that are included in the TFP with no automatic replacement from the general fund at the end of its useful live. (C5003021301) (ADM3900-002)

FUNDING FOR LAW ENFORCEMENT COSTS IN TONTO NATIONAL FOREST

Item Summary. Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an amendment to accept up to \$190,000 in reimbursement funding for overtime and operating costs associated with providing law enforcement to the area of Maricopa County that is within the boundaries of the Tonto National Forest. It also allows reimbursement of overtime for deputies working enforcement situations relating to fire emergencies.

Additional Information. This is an amendment to the Cooperative Law Enforcement Agreement between the Maricopa County Sheriff's Office and the U.S. Department of Agriculture, Forest Service, Tonto National Forest, 2006 Financial and Operating Plan. The reimbursement period is October 1, 2005 through September 30, 2006 (C5006514200). (C5006514201)

EQUIPMENT FOR HOMELAND SECURITY

Item Summary. Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an intergovernmental agreement (IGA) accepting \$1,182,647 in federal pass-through grant funds to purchase equipment that will enhance the safety of Deputies when responding to terrorist activities and strengthen the overall capability of the Sheriff's Office to help in the national effort to combat terrorism, including:

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- o Response and Rescue Vehicle for \$100,000,
- o COPLINK Software for \$541,271, and
- o Command Vehicle for \$541,376.

Additional Information. This is an IGA between the Arizona Department of Emergency Management and the Maricopa County Sheriff's Office. The funding originates from the United States Department of Homeland Security, Office for Domestic Preparedness, 2005 Homeland Security Grant Program Award No. 2005-GE-T5-0030. The term of this funding is October 1, 2004 through March 31, 2007.

Budgetary Details. The Sheriff's Office indirect cost rate for FY 2005-06 is 17.2%. Unrecoverable indirect costs associated with this grant are estimated to be \$203,415. Approve, pursuant to A.R.S. §42-17105, an increase to the Sheriff's Office (500) Grants Fund (251) associated with the grant. Intergovernmental agreement revenues are not local revenues for purposes of the constitutional expenditure limitation, therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5006516300)

LEASE FOR OFFICE SPACE

Item Summary. Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and execute a new full service lease for 16,305 rentable square feet of office space on the 5th Floor at 4041 N. Central Avenue, Phoenix, AZ for the Office of the Superintendent of Schools administration staff.

Additional Information. Lease No. L7382, with 4041 Central Plaza, LLC, lessor, has a lease term of 63 months, commencing on or about July 1, 2006, and terminating on or about September 30, 2011, and includes three months free rent. County parking is provided at no additional cost in the amount of one reserved space and at a ratio of approximately four parking spaces per 1,000 square feet of office space for unreserved spaces. The landlord will provide visitor parking spaces in the visitor parking area adjacent to the 4041 N. Central building. Maricopa County has the option to extend the term of the lease for five additional years. The county has a one-time right to terminate the lease after the 39th month provided written notice is given six months in advance and provided the County pays a termination fee equivalent to all unamortized tenant improvements and commissions calculated at 8% and three months of base rent.

Budgetary Details. Estimated relocation costs of \$211,000 for move related costs, voice-data costs, and signage associated with the relocation of the Office of the Superintendent of Schools to the leased office space is budgeted for in Appropriated Fund Balance-Relocations. The cost for new furniture will also be funded from this line item. Also, direct the Office of Management and Budget to include funding for this lease in the FY 2006-07 Office of the Superintendent of Schools General Fund budget.

The county is provided a tenant improvement allowance of not less than \$25 per square foot and a not less than \$1.50 per square foot moving allowance. Rental rates, plus applicable rental tax, are as follows:

Year	Rate per Square Foot	Monthly Rate	Annual Rate
1 (months 1 - 3)	\$0.00	\$0.00	\$226,232
1 (months 4 - 12)	\$18.50	\$25,136.88	
2 (months 13 - 15)	\$18.50	\$25,136.88	\$307,757
2 (months 16 - 24)	\$19.00	\$25,816.25	
3 (months 25 - 27)	\$19.00	\$25,816.25	\$315,909

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Year	Rate per Square Foot	Monthly Rate	Annual Rate
3 (months 28 – 36)	\$19.50	\$26,495.63	
4 (months 37 – 39)	\$19.50	\$26,495.63	\$324,062
4 (months 40 - 48)	\$20.00	\$27,175.00	
5 (months 49 – 51)	\$20.00	\$27,175.00	\$332,214
5 (months 52 - 60)	\$20.50	\$27,854.38	
6 (months 61 – 63)	\$20.50	\$27,854.38	\$83,563.00

In addition, lessee shall pay \$50 per hour per floor for any after-hour HVAC usage and all non-standard building operation and maintenance expenses associated with a county-required IT server room. (C3706001400)

GRANTS FOR ADULT PROBATION DEPARTMENT

Item Summary. Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to Accept the FY 2005-06 grants and other associated revenues for the Adult Probation Department of the Judicial Branch. For FY 2005-06, we anticipate accepting 16 new awards for grants fund revenue of \$4,347,929, and carrying-over grants fund revenue balances of \$922,311, on 9 previously accepted awards. Actual grant funding received is less than anticipated and budgeted.

Budgetary Details. The indirect cost rate as of July 2005 is 9.5%, as approved by the Department of Finance. Most of the grants for FY 2005-06 do not allow the indirect cost recovery, as reflected in the funding agreements. On the new awards, indirect costs are estimated to be \$408,327, with \$48,660 of indirect costs recoverable and \$359,667 unrecoverable. Approve a decrease to the Adult Probation Grant Fund (211) revenue and expenditure appropriation in the amount of \$359,704. This decrease is necessary because actual grant funding received is less than anticipated and budgeted. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditure of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1106002300)

TEEN COURT DIVERSION PROGRAM EXPANSION

Item Summary. Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to transfer funds for the expansion of the Teen Court Diversion Program to provide more juveniles with educational courtroom simulations as a community-based alternative to formal court intervention. (ADM1400)

Additional Information. Teen Court is a service provided by the Juvenile Probation Department as part of the Juvenile Court Diversion Activity in the Juvenile Early Intervention Program. The purpose of Teen Court is to provide educational courtroom simulations as a community-based alternative to formal court intervention to juveniles and families so that they can avoid future offenses. Teen Court has a current FY 2005-06 budget of \$243,602. The increased funding in this action will support personnel costs for two Juvenile Probation Officers and one Clerk, along with the supplies and services related to expansion of Teen Court opportunities. Additionally, funding is included for the lease of one laptop and one desktop computer. With this funding increase, the department anticipates that 216 more juveniles will be able to participate in Teen Court services, reducing the need for formal court intervention.

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Budgetary Details. Pursuant to A.R.S. §42-17106(b), approve the transfer of \$84,262 (\$168,523 annualized) from General Government (470) General Fund (100) Reserved Items (4711) for Justice Reserve to the Juvenile Probation (270) General Fund (100). (C2706005800)

GRANT FOR SCREENINGS AT JAIL AND DETENTION FACILITIES

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve amendments which will allow the Arizona Department of Health Services to reimburse Correctional Health Services and offset compensation for staff that performs syphilis screening at Maricopa County jail and detention facilities.

Additional Information. These are Amendments No. 2 and No. 3 of the intergovernmental agreement (IGA) on Contract Number HG354249 STD Services, between Maricopa County Correctional Health Services (Department 260) and Arizona Department of Health Services (ADHS). These amendments authorize the Director of Correctional Health Services to execute future amendments to this IGA which extends to December 2007. Acceptance of the IGA amendments will allow ADHS to reimburse Correctional Health Services and offset compensation for staff that performs syphilis screening at Maricopa County jail and detention facilities. The IGA was initially approved by the Board of Supervisors (February 19, 2003 and April 7, 2004), effective January 1, 2003 through December 31, 2007. By approving this agenda item, the Board of Supervisors will be authorizing the acceptance of grant funding that is budgeted through December 2007. Grant funding in the amount of \$41,284 during calendar year 2005 will offset operational expenditures to administer the program.

Budgetary Detail. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105 (C26010060). (C2606003000)

GRANT FOR PURCHASE OF TELEMEDICINE EQUIPMENT

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept a grant for Correctional Health Services to purchase additional telemedicine equipment to improve timeliness, efficiency and cost effectiveness of providing medically necessary and mandated medical and mental health services to inmates and arrestees in the Maricopa County Jails.

Additional Information. Approve the acceptance of United States Department of Health and Human Services, Health Resources and Services Administration, Grant No. D1BTH06322 for \$245,516.00. The grant period is September 1, 2005 through August 31, 2006.

Budgetary Details. Indirect costs are not recoverable. The FY 2005-06 indirect cost rate for Correctional Health Services is 6.74%. Unrecoverable indirect costs for the grant are \$16,547.78. (C2606004600)

HIPAA BUSINESS ASSOCIATE AGREEMENT

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize a "HIPAA Business Associate" agreement in order to provide secured, web-based access to limited member information to the Superior Court in Maricopa County and to the Maricopa County Correctional Health Services Department.

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Additional Information. This agreement, executed by the director of Health Care Mandates, is with Value Options, Inc. The Superior Court, the Arizona Department of Health Services, Value Options, Inc., and the Health Care Mandates Department have worked together to arrange for the development of a web-based computer resource that will provide access to member information for treatment and court administration purposes. The system currently operates on a largely paper-based system. This creates significant delays in identifying individuals in the criminal justice system and obtaining treatment for seriously mentally ill patients that have been booked into Maricopa County jails. The new web-based system has been developed by, and will be managed by, the Health Care Mandates Department. In order to obtain access to the Value Options member information data base, Value Options has requested that Health Care Mandates execute a HIPAA Business Associate Agreement. (C3906008000)

LAW ENFORCEMENT OFFICERS MERIT SYSTEM RESOLUTION SECTION 9

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an amendment to the Law Enforcement Officers Merit System Resolution Section 9, Powers and Duties of the Commission, to add the following language: "In addition, it shall be the duty of the Commission to serve as the independent personnel board of the county under A.R.S. §38-532(H) and to adopt policies and procedures as it may deem necessary or appropriate under such authority."

Additional Information. The intent of this action is to add identical language to the Law Enforcement Officers Merit System Resolution that already exists in the Employee Merit System Resolution, designating the Commission as the independent personnel board to hear Whistleblower complaints. When the new Whistleblower state statutes were initially passed, the Employee Merit System Resolution was amended to include this new authority however, the amendment to the Law Enforcement Officers Merit System Resolution was overlooked. This amendment will allow Law Enforcement Officers to file Whistleblower complaints with the Law Enforcement Officers Merit Commission. (C3106008600) (ADM3306-001)

PERSONNEL AGENDAS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, 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. The Clerk reported two changes to the personnel reports prior to the vote, the first on page 2 of the Maricopa County portion, Heather Lynn Mastron's name was removed for recalculation; on page 2 of the Judicial portion, Paul Zavesky's name, was deleted.

MARKET AND EQUITY COMPENSATION INCREASES

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to direct the Office of Management and Budget to transfer appropriated budget amounts, as necessary, from reserved contingency items to each department and fund, based on market and equity compensation increases approved by the Board on each Personnel Agenda.

Additional Information. The Office of Management and Budget (OMB), Human Resources and Employee Compensation Division of OMB has begun the review of various market and equity issues throughout the county. As these are finalized and implemented, the market and equity based salary increases will appear on the Personnel Agenda for Board approval. Once approved, OMB will adjust departmental personnel budgets to accommodate the funding necessary for these increases. To the extent that funds are available in the Justice and Health Reserves, market and equity adjustments for

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criminal justice and health related departments would be funded by the Justice and Health Reserves respectively. This will allow the funding in the Compensation and Health/Dental Premium Increase Reserve to be replenished providing the potential to address an increased number of market and equity issues.

Budgetary Detail. Amend agenda item C4905015600 to allow for the transfer for funds not-to-exceed \$2,500,000 from the Justice Reserve and \$2,000,000 from the Health Reserve in General Government (470) General Fund (100) and the Health Reserve in General Government (470) Detention Fund (255) in addition to the reserves previously identified. Pursuant to A.R.S. §42-17106(B), amounts are to be transferred from these reserved contingency funds:

- o Justice Reserve (not-to-exceed \$2,500,000 in the General Fund), Health Reserve (not-to-exceed \$2,000,000 in the General Fund), Compensation Reserve, and Health/Dental Premium Increase Reserve in General Government (470), General Fund (100),
- o Health Reserve, the Compensation Reserve and the Health/Dental Premium Increase Reserve in Detention Fund (255), and
- o Compensation Reserve and the Health/Dental Premium Increase Reserve in General Government Grants Fund (249).

If necessary, amounts may also be transferred from the Detention Fund Operating Contingency in General Government (470) Detention Fund (255). (C4905015601) (ADM3308) (ADM1825)

APPROPRIATION ADJUSTMENT

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following appropriation adjustment. (ADM1825)

Additional Information. This change is needed for administrative reasons in order to ensure a structurally balanced budget due to the loss of administration fee revenue associated with the Special Health Care District's withdrawal from participation in the county's benefits program. Effective January 1, 2006, the Special Health Care District will no longer be purchasing its employee benefits through Maricopa County and the county will no longer realize the administration fee it received. This adjustment does not alter the duly adopted budget for purposes of A.R.S. §42-17105, but rather reflects internal structural adjustments necessitated by reduction in revenues.

Budgetary Detail. An appropriation adjustment reducing the FY 2005-06 revenue appropriation in Employee Health Initiatives (350) General Fund (100) by \$548,747 and decreasing expenditure appropriation in General Government (470) General Fund (100) Contingency by \$548,747. (C4906033800)

AMENDMENT TO LEASE

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and execute a lease amendment that will delete Article No. 4 and Exhibit A of the current lease and confirm that the tenant improvements as outlined in the lease were not started or completed.

Additional Information. This is Amendment No. 3 to Lease No. L7291 with ALSACE, LLC for 8,709 square feet of office space at 926 E. McDowell Road, Phoenix, AZ, 85006. All other terms and conditions

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of the original agreement, and as modified by subsequent lease amendments, remain the same and in full force and effect. (C8600032403)

INCREASED FUNDING FOR TRANSPORTATION SERVICES FOR HIV/AIDS CLIENTS

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and execute an amendment that increases the contract dollar amount by \$25,076, to a contract amount of \$175,076, for the provision of HIV transportation services to those affected by HIV/AIDS.

Additional Information. This is Amendment No. 2 to Contract C8605824100 with the Area Agency on Aging, Region One, Inc., for the contract year March 1, 2005 through February 28, 2006. The Area Agency on Aging was a successful respondent to a Request for Proposals (MC1-329) issued by the Department of Public Health on August 9, 2001. The original contract was approved by the Board of Supervisors on February 20, 2002 (C86026141), and subsequently renewed by the Board on March 5, 2003 (C86037241), and March 3, 2004 (C86048241). (C8605824102)

GRANT FOR EPIDEMIOLOGIC RESEARCH

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept and approve a grant to be used to develop a partnership between the Maricopa County Department of Public Health (MCDPH) and the St. Joseph's Hospital and Medical Center and Dr. Richard Blinkhorn. This collaboration, with other tuberculosis experts in the valley, provides an opportunity for epidemiologic research.

Additional Information. The Grant No. C86060413 is with Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center on behalf of MCDPH. The term of the grant is from January 1, 2006 through January 1, 2009, with a dollar amount not-to-exceed \$691,128.88, over the three-year period.

Budgetary Details. For the entire multi-year duration of this grant, no general funds will be used to either sustain or supplement the grant. Approve revenue and expenditure adjustments to the Public Health Department's Grant Fund (Department 861, Fund 532) associated with the grant in an amount not-to-exceed \$691,128.88, over the next three years. MCDPH's indirect cost rate is 16.7% percent. The grantor does not allow indirect costs under this grant. Unrecoverable indirect costs are estimated at \$115,419. The appropriations adjustment is necessary because these funds were not included in the FY 2005-06 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8606041300)

SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an intergovernmental agreement (IGA) in the amount of \$8,000 to provide school-based tobacco use prevention and education services.

Additional Information. This IGA is with the Balsz School District. The term of the agreement is retroactive from July 1, 2005 through May 1, 2006, for a contract dollar amount not-to-exceed \$8,000. [Clerk's Note – This is not an official part of the minutes. This item was corrected on February 15, 2006.] (C8606400200)

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TECHNICAL ASSISTANCE CONSULTATION FOR A QUALITY MANAGEMENT PROGRAM

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a contract in the amount of \$30,000 for the provision of technical assistance consultation for Ryan White Title I Services in order to create a complete and comprehensive Quality Management Program.

Additional Information. This contract is with Training Resources Network, Inc. The term of the contract is retroactive to December 1, 2005, and continues through February 28, 2006, for a contract amount of \$30,000. This agreement is covered under MC1-1001 of the Maricopa County Procurement Code. (C8606798100)

REIMBURSEMENT OF COSTS FOR UNINTENTIONAL FIRE

Item Summary. Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an intergovernmental agreement (IGA) for reimbursement of costs, in the amount of \$1,970, associated with conduct of the Proposed Methods for Monitoring Burn-Area Management, pertaining to approximately 3.75 acres of the Cave Creek Regional Park, burned in the summer of 2005 by an unintentional human-caused fire.

Additional Information. This IGA, between Maricopa County through the Parks and Recreation Department (Department 300) and the Arizona Board of Regents on behalf of Northern Arizona University (NAU), specifies that the county will be required to compensate NAU on a cost reimbursable basis the amount of \$1,970. Period of this agreement is from August 18, 2005 through September 30, 2006.

Budgetary Details. Funding is available in Spur Cross Ranch Conservation Area Fund (225-306). (C3006021200)

TRAILS MAINTENANCE AT USERY MOUNTAIN REGIONAL PARK AND TONTO FOREST

Item Summary. Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an intergovernmental agreement (IGA) for maintenance of trails that services both Usery Mountain Regional Park and Tonto National Forest.

Additional Information. This IGA, between Maricopa County through the Parks and Recreation Department (Department 300) – Usery Mountain Regional Park and the USDA Forest Service on behalf of Tonto National Forest, replaces the Memorandum of Understanding (CS951238), approved by the Board of Supervisors, which terminates December 31, 2005. (C3006022200)

AGREEMENTS FOR NEW HOPE PROGRAM

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve agreements to rescue animals that have been deemed eligible for the New Hope Program.

Additional Information. Under the New Hope Program, Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the contractor. The cost for these services is \$27 for each animal rescued.

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- a. Internet Miniature Pinscher Services, Inc., a 501(C)3 non-profit corporation, P O Box 111863, Naples, FL 34018-0132. Animal Care & Control estimates 6 new hope rescues over the term of the agreement, for a total of \$162. The term of this agreement is from execution by the Board of Supervisors through January 3, 2007. (C7906050100)
- b. Arizona Pug Adoption & Rescue Network, a 501(C)3 non-profit corporation, 1244 E. Downing Street, Mesa, AZ 85203. Animal Care & Control estimates 6 new hope rescues over the term of the agreement, for a total of \$162. The term of this agreement is from execution by the Board of Supervisors through January 3, 2007. (C7906051100)

KENNEL PERMIT

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following kennel permits.

Additional Information. The term of the following kennel permits is January 4, 2006 through January 3, 2007:

- a. Vickie Hemen, d.b.a. Hempens House of Hounds, 2601 E. Louise Drive, Phoenix, AZ 85032, Permit #345. The cost of a kennel permit is \$90; a penalty fee of \$25; plus a return trip charge of \$50; totaling \$165. (Supervisorial District 3) (C7906052C00) (ADM2304)
- b. Mark Robison, d.b.a. Marylynns Kennels, 3812 N. 367th Avenue, Tonopah, AZ 85354-0073, Permit #365 The cost of a kennel permit is \$90; plus a return trip charge of \$50; totaling \$140. (Supervisorial District 4) (C7906053C00) (ADM2304)

FUND TRANSFERS

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to 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.

SOLICITATION SERIALS

Item Summary. Motion was made by Supervisor Wilcox, 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 Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award of Solicitation Serials

- 05171-S** **Ground Transportation Services** (\$1,000,000 estimate/three years with three one-year renewal options). Pricing agreement to provide ground transportation services for employees and jurors from the 6th Avenue Parking Garage to the Courts and the Security Building.
 - o Southwest Charter Lines

Contract Renewal - Extension

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

- 02107-S Elevator Service** (\$1,500,000 estimate/three years). Price agreement renewal for maintenance and repair of elevators as needed for various county facilities.
- o Centric Elevator Corporation
 - o Kone, Inc.
 - o Otis Elevator Company
 - o Southwest Elevator Company
 - o Thyssenkrupp Elevator

Correction

Correct price agreement expiration date and term for Serial 05102-S (Fire Alarm Services) from December 31, 2008 (three years with three one-year renewal options), to December 31, 2010 (five years with no renewal options). This item was approved at the December 7, 2005 Board of Supervisor's Formal Board Meeting.

AMENDMENTS TO FIVE-YEAR CAPITAL IMPROVEMENT PLAN

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize amendments to the FY 2005-06 Five-Year Capital Improvement Plan.

Additional Information. This action is necessary because the actual spending during FY 2004-05 for the Downtown Justice Center, Human Services Campus, New Administrative Services/ Forensic Science Center Parking and Public Health Facility was more than anticipated and the actual spending for the Northwest Consolidated Justice Courts project was less than anticipated. The requested action has a net impact of zero on the approved project budgets.

Budgetary Details. In accordance with A.R.S. §42-17106(B), authorize the following amendments, Fund (435):

- o Increase FY 2004-05 projected expenditures to final actual expenditures for the Downtown Justice Center, Function Class DCJC, Fund (435) by \$2,254,078, from \$2,000,000 to \$4,254,078, and adjust the project budget by decreasing Year 1 (FY 2005-06) by \$2,254,078, from \$30,250,000 to \$27,995,922.
- o Increase FY 2004-05 projected expenditures to final actual expenditures for the Human Services Campus, Function Class HHSC, Fund (435) by \$6,578,395, from \$4,604,413 to \$11,182,808, and adjust the project budget by decreasing Year 1 (FY 2005-06) by \$6,578,395, from \$11,981,290 to \$5,402,895.
- o Increase FY 2004-05 projected expenditures to final actual expenditures for the New Administrative Services/Forensic Science Center Parking Project, Function Class NNSP, Fund (435) by \$232,244, from \$1,531 to \$233,775, and adjust the project budget by decreasing Year 1 (FY 2005-06) by \$232,244, from \$894,559 to \$662,315.

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- o Increase FY 2004-05 projected expenditures to final actual expenditures for the Public Health Facility, Function Class PPHC, Fund (435) by \$210,483, from \$9,211,327 to \$9,421,810, and adjust the project budget by decreasing Year 1 (FY 2005-06) by \$210,483, from \$600,000 to \$389,517.
- o Decrease FY 2004-05 projected expenditures to final actual expenditures for the Northwest Consolidated Justice Courts, Function Class RNRC, Fund (435) by \$196,571, from \$3,500,000 to \$3,303,429, and adjust the project budget by increasing Year 1 (FY 2005-06) by \$196,571, from \$3,000,000 to \$3,196,571. (C7006017800) (ADM2000-003)

EMERGENCY MANAGEMENT OPERATIONS CENTER TESTING AND DEVELOPMENT

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve funds of not-to-exceed \$20,000, in order to proceed with geotechnical testing, development of concepts, and the development of a project budget for the replacement of the Emergency Management Operations Center.

Additional Information. The existing Emergency Management Operations Center is obsolete and incapable of meeting the demands of the Emergency Management Mission and Strategic Plan.

Budgetary Details. Pursuant to A.R.S. §42-17106(B), approve the transfer of not-to-exceed \$20,000, from Appropriated Fund Balance (480), General Fund (100) Contingency (4811) to a new line item in Appropriated Fund Balance (480), General Fund (100) Infrastructure/CIP (4813), entitled Emergency Operations Center. This action will allow the Facilities Management Department to proceed with testing and development with a cost not-to-exceed \$20,000. The requested action has a net impact of zero on the countywide budget. (C7006020800) (ADM800-003)

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

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, 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)

A333.009 Project No: TT186 – Indian School Rd (Litchfield Rd to Dysart Rd) - Agreement for Right
(JPM) of Entry - Parcel No.: 508-02-387– Copper State Growth Properties, L.L.C. - for the sum
of \$500.00.

A339.010 Project No: TE188 – RH Johnson Blvd. @ Stardust Blvd – Warranty Deed - Parcel No.:
(JPM) 232-17-953 – Robert S. Bailey and Janice V. Bailey - for the sum of \$2,700.00.

A339.054 Project No: TT123 – Brown Road – Warranty Deed - Parcel No.: 220-20-002B– Robert
(JPM/GL) C. Henry and Dolores J. Henry - for the sum of \$300.00.

A339.055 Project No: TT123 – Brown Road – Warranty Deed - Parcel No.: 220-20-009E– Jeffery
(JPM/GL) Craig Miller - for the sum of \$300.00.

X-0500 Project No: TT068 (68927) – Ellsworth Road (Germann to Baseline) - Agreement for
(CS) Removal and Compensation of Property from within Roadway Right of Way Area -
Parcel No.: 304-62-007D & 007F - E G 160 General Partnership - for the sum of
\$49,747.50.

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- b. Goodyear Gateway Partnership. (C6406093000) (C64011181YY)
- c. Hampden & Chambers, LLC. (C6406094000) (C64013742YY)

ANNEXATION

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the annexation by the City of Peoria of county right-of-way within the south 40' of Peoria Avenue from 40' east of 99th Avenue then east 1665', together with the north 40' of Peoria Avenue from 40' east of 99th Avenue then east 2400', in accordance with Ordinance No. 05-45. (C6406105700) (ADM4212)

Annexation of a portion of the southwest quarter of section 21 and the northwest quarter of section 28, all within township 3 north, range 1 east of the Gila and Salt River base and meridian, Maricopa County, Arizona, more particularly described as follows:

The south 40.00' of said southwest quarter of said section 21; except the west 40.00' feet and the east 200.00' thereof and; except any portion that has heretofore been annexed by the City of Peoria.

Together with:the north 40.00' of the west 1705.00 feet of said section 28; except the west 40.00' thereof and; except any portion that has heretofore been annexed by the City of Peoria.

COOPERATIVE HIGHWAY MAINTENANCE PROGRAM WITH CITY OF LITCHFIELD PARK

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an intergovernmental agreement (IGA) that provides an improved transportation system via a cooperative highway maintenance program.

Additional Information. This IGA with the City of Litchfield Park is for the exchange of services or reimbursement of services (Entente Agreement). The agreement will not exceed five years unless extended by appropriate actions by the county and the city. Either party may terminate this agreement at any time prior to the end of its duration by furnishing the other party with a written notice. This agreement looks beyond jurisdictional or geographical boundaries and instead focuses on the maintenance task and availability of the most economical resources. It provides the traveling public with a more seamless transportation system via a cooperative highway maintenance program. This agreement would specifically benefit areas between the county and the city where road maintenance could be most effectively done by the other party due to scheduled work within the immediate area. This agreement could occur with "routine" or "emergency" roadway conditions. Each individual maintenance task performed by or for the city shall be handled via a "Letter of Agreement" (LOA) approved and signed by the City Manager and the Maricopa County's Department of Transportation Director or their designee. The individual LOA would institute a tracking/accounting mechanism that would specify the particular services contracted for and show that services exchanged are of similar value or that the agency providing the services are reimbursed for actual costs. Both parties shall budget, finance and bear the expense of each individual maintenance task performed by the other party pursuant to the LOA. Nothing in this agreement shall be interpreted to enlarge or expand the authority of either party. Both parties, at all times are subject to existing county and city policies, such as planning, budgeting, and purchasing. (C6406106200)

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ROAD FILES VACATE AND ABANDON (ROAD FILE AB-117)

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) that the following resolution be adopted (C6406108700):

WHEREAS, pursuant to ARS §28-6701 and 28-7202 et seq., it appears to the Board that the abandonment of the following-described property may be effected without damage to the public or adjacent landowners:

A portion of 7th Street lying in the Southwest quarter of the Southwest quarter of Section 9, Township 5 North, Range 3 West, of the G&SRB&M, Maricopa County, Arizona described as follows: The West 60' of the South 675.90' of the Southwest ¼ of the Southwest ¼ of Section 9, T5N-R3E.

WHEREAS, the Board believing that the granting of said petition requesting abandonment is in the best interests of Maricopa County; and

WHEREAS, the County Engineer of Maricopa County, Arizona, has recommended the abandonment be approved; NOW, THEREFORE,

IT IS ORDERED that the above-described property be abandoned, subject to existing easements if any, and no rights or privileges to public utilities are affected by this abandonment, and the County Engineer is hereby directed to make a plat of the survey of same and cause it to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

DATED this 4th day of January, 2006.

ROAD FILES VACATE AND ABANDON (ROAD FILE AB-120)

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) that the following resolution be adopted (C6406109700):

WHEREAS, pursuant to ARS §28-6701 and 28-7202 et seq., it appears to the Board that the abandonment of the following-described property may be effected without damage to the public or adjacent landowners:

A portion of Culver Road lying in the Northeast quarter of the Northwest quarter of Section 4, Township 5 North, Range 3 West, of the G&SRB&M, Maricopa County, Arizona described as follows: The East 140.01' of the South 25' of the Southeast ¼ of the Southwest ¼ of the Northeast ¼ of Section 4, T1N-R7E

WHEREAS, the Board believing that the granting of said petition requesting abandonment is in the best interests of Maricopa County; and

WHEREAS, the County Engineer of Maricopa County, Arizona, has recommended the abandonment be approved; NOW, THEREFORE,

IT IS ORDERED that the above-described property be abandoned, subject to existing easements if any, and no rights or privileges to public utilities are affected by this abandonment, and the County Engineer is hereby directed to make a plat of the survey of same and cause it to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

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DATED this 4th day of January, 2006.

ROAD FILES VACATE AND ABANDON (ROAD FILE AB-123)

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) that the following resolution be adopted (C6406110700):

WHEREAS, pursuant to ARS §28-6701 and 28-7202 et seq., it appears to the Board that the abandonment of the following-described property may be effected without damage to the public or adjacent landowners:

A portion of 103rd Avenue lying in the Southwest quarter of the Southwest quarter of Section 5, Township 4 North, Range 1 East, of the G&SRB&M, Maricopa County, Arizona described as follows: The West 40' of the Southwest ¼ of the Southeast ¼ of Section 5, T4N-R1E EXCEPT; any portion lying north of the South ROW Line of the Estrella Roadway.

WHEREAS, the Board believing that the granting of said petition requesting abandonment is in the best interests of Maricopa County; and

WHEREAS, the County Engineer of Maricopa County, Arizona, has recommended the abandonment be approved; NOW, THEREFORE,

IT IS ORDERED that the above-described property be abandoned, subject to existing easements if any, and no rights or privileges to public utilities are affected by this abandonment, and the County Engineer is hereby directed to make a plat of the survey of same and cause it to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

DATED this 4th day of January, 2006.

BIDS AND AWARD FOR NORTHERN AVENUE AND 107TH AVENUE PROJECT

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the solicitation of bids for the Northern Avenue and 107th Avenue Intersection Improvement Project and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10%.

Additional Information. Currently the intersection at Northern Avenue and 107th Avenue is un-signalized and controlled with a four-way stop. A field investigation identified the need to improve southbound 107th Avenue, to add the outside lane from approximately 650' north of the intersection to 700' south of the intersection, as well as add an outside lane for westbound Northern Avenue for approximately 675' west of the intersection. Drainage improvements have also been designed and will be installed. The county will act as the lead agency and will own and maintain the traffic signal. The City of Peoria will contribute a not-to-exceed amount of \$140,586 and will be invoiced by the county on construction completion, per the IGA approved on February 2, 2005. (C6405202200).

Budgetary Details. Also approve an expenditure decrease of \$333,000 to Year 1 for Project T002, Project Reserve Year 1, Transportation Department (640), Capital Improvement Projects Fund (234). Approve an expenditure increase of \$333,000 to Project T155, Northern Avenue and 107th Avenue Intersection Improvement, Transportation Department (640), Capital Improvement Projects Fund (234). The countywide impact will be zero. (C6406114500)

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SRP DESIGN AND CONSTRUCTION AGREEMENTS

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve reimbursement and acceptance of SRP's Design and Construction Agreements for costs incurred in the relocation of their facilities that are in conflict with Maricopa County Department of Transportation.

Additional Information. The following projects are included:

- a. **Project T081 (68957), Gilbert Road: McDowell to SR-87 w/LWC.** The cost may not exceed the current estimate of \$5,047 by more than 10%. (Supervisorial District 2) (C6406115100)
- b. **Project T081 (68957), Gilbert Road: McDowell to SR-87 w/LWC.** The cost may not exceed the current estimate of \$18,917 by more than 10%. (Supervisorial District 2) (C6406116100)
- c. **Project T068 (68927), Ellsworth Road from Ray Road to Elliot Road – Phase 2.** The cost may not exceed the current estimate of \$51,777 by more than 10%. (Supervisorial District 1) (C6406117100)
- d. **Project T068 (68927), Ellsworth Road from Germann Road to Ray Road – Phase 1.** The cost may not exceed the current estimate of \$31,626 by more than 10%. (Supervisorial District 1) (C6406118100)

INTELLIGENT TRANSPORTATION SYSTEM SERVICES

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to award an on-call contract for pending and new projects requiring Intelligent Transportation System Services. The consultant will provide professional services in the area of ITS, advanced technologies, and the application of these technologies to the Department's transportation needs.

Additional Information. The On-Call Contract No. 2005-084 is with Lee Engineering, LLC. The contract is effective for a period of two years with an option to renew for three additional one-year periods following the Board of Supervisors' approval or until the expenditure of \$500,000, whichever occurs first. (C6406120500)

DESIGN CONCEPT REPORT FOR DYNAMITE ROAD, CAVE CREEK TO 56TH STREET

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a consultant services contract for the preparation of a Design Concept Report for Dynamite Road, Cave Creek Road to 56th Street.

Additional Information. This Consultant Services Contract No. 2005-006 is with Kirkham Michael, Inc. for the lump sum fee amount not-to-exceed \$289,967.84, for Dynamite Road, Cave Creek Road to 56th Street, Project No. T185. The Design Concept Report will be completed in 330 calendar days from the Notice-to-Proceed. (C6406123100)

NEW TRAFFIC CONTROLS

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following new traffic controls:

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- a. **Happy Valley Parkway from State Route 303 Loop to Lake Pleasant Parkway** – Approve a 45 mph speed limit zone on unincorporated right-of-way. (C6406124500) (F23193)
- b. **Elk Avenue at Connecticut Avenue** – Approve a one-way stop on unincorporated right-of-way for eastbound traffic. (C6406127500) (F23193)
- c. **Willowbrook Drive from 100 feet north of Boswell Boulevard to 100 feet west of 107th Avenue** – All traffic to stop before entering or crossing a through street within the prescribed limits of unincorporated right-of-way. (C6406128500) (F23193)
- d. **127th Avenue from 100 feet north of Georgia Avenue to 100 feet south of Bethany Home Road** – All traffic to stop before entering or crossing a through street within the prescribed limits on unincorporated right-of-way. (C6406129500) (F23193)

TRAFFIC CONTROL CHANGES

Item Summary. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following traffic control changes:

- a. **24th Street from Carefree Highway to .65 north of Joy Ranch Road** – Approve a 45 mph speed limit zone (from a 50 mph speed limit zone) on unincorporated right-of-way. This rescinds the 50 mph speed limit zone dated July 21, 1993. (C6406125500) (F23193)
- b. **16th Street from Carefree Highway to Joy Ranch Road** – Approve a 45 mph speed limit zone (from a 50 mph speed limit zone) on unincorporated right-of-way. This rescinds the 50 mph speed limit zone dated March 20, 1989. (C6406126500) (F23193)
- c. **Chandler Heights Road from Cooper Road to Gilbert Road** – Approve a 45 mph speed limit zone (from a 50 mph speed limit zone) on unincorporated right-of-way. This partially rescinds the 50 mph speed limit zone dated October 15, 1973. (C6406130500) (F23193)
- d. **Queen Creek Road from Gilbert Road to Lindsay Road** – Approve a 45 mph speed limit zone (from a 50 mph speed limit zone) on unincorporated right-of-way. This partially rescinds the 50 mph speed limit zone dated October 15, 1973. (C6406130500) (F23193)
- e. **Cooper Road from Riggs Road to Chandler Heights Road** – Approve a 45 mph speed limit zone (from a 50 mph speed limit zone) on unincorporated right-of-way. This partially rescinds the 50 mph speed limit zone dated September 24, 1973. (C6406130500) (F23193)
- f. **Ocotillo Road from Arizona Avenue to McQueen Road** – Approve a 45 mph speed limit zone (from a 50 mph speed limit zone) on unincorporated right-of-way. This partially rescinds the 50 MPH speed limit zone dated October 15, 1973. (C6406130500) (F23193)

APPOINTMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following appointments to the Travel Reduction Program Regional Task Force.

- a. Mr. Daniel L. Mather, representing Supervisorial District 3, who is replacing the resigning Ms. Penny Allee Taylor. The term will be effective January 31, 2006 through January 31, 2008. [Clerk's Note: This is not an official part of the minutes. On February 2, 2006, the Board of Supervisors approved the effective date to begin February 1, 2006.] (ADM2358-001)

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- b. Re-appoint Mr. Gary Ewing, representing Supervisorial District 5, whose term is effective beginning January 31, 2006 through January 31, 2008. [Clerk's Note: This is not an official part of the minutes. On February 2, 2006, the Board of Supervisors approved the effective date to begin February 1, 2006. On February 15, 2006, the Board of Supervisors approved the correction to the representing District from District 5 to District 4.] (C8506013000) (ADM2358-001)

SETTING OF HEARINGS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to set the following public hearings. All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted:

- a. **Road File Declaration** – Set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, February 1, 2006.
 - i. **Road File No. 5342** In the vicinity of Rockaway Hills and 27th Avenue. (C6406095000)
 - ii. **Road File No. 5343** In the vicinity of Hastings Way and 27th Avenue. (C6406096000)
 - iii. **Road File No. 5344** In the vicinity of Hastings Way and 19th Avenue. (C6406097000)
 - iv. **Road File No. 5349** In the vicinity of Patton Road and 247th Avenue. (C6406102000)
 - v. **Road File No. 5350** In the vicinity of Rockaway Hills and 35th Avenue. (C6406103000)
 - vi. **Road File No. 5351** In the vicinity of Rockaway Hills and 35th Avenue. (C6406104000)
 - vii. **Road File No. 5346** In the vicinity of Anthem Way east of Daisy Mountain Drive. (C6406111000)
 - viii. **Road File No. 5347** In the vicinity of Hastings Way, Anthem Way, and Liberty Bell Way. (C6406112000)
 - ix. **Road File No. 5348** In the vicinity of Memorial Drive and Daisy Mountain Drive. (C6406113000)
 - x. **Road File No. A341** In the vicinity of Tuthill Road and Medlock Drive (C6406119700)
 - xi. **Road File No. 5345** In the vicinity of Daisy Mountain Drive and Anthem Way. (C6406122000)

- b. **Franchise** – Set a public hearing for 9:00 a.m., Wednesday, February 1, 2006, to solicit comments on the application filed by West End Water Co. for a public service franchise extension for a domestic water distribution system. (F17643)

HEARING SET – PLANNING AND ZONING

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for February 1, 2006, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2005-065

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INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA SENIOR LIVING HEALTHCARE REVENUE REFUNDING BONDS (IMMANUEL CAMPUS OF CARE PROJECT)

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM4792)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA SENIOR LIVING HEALTHCARE REVENUE REFUNDING BONDS (GNMA COLLATERALIZED MORTGAGE LOAN - IMMANUEL CAMPUS OF CARE PROJECT), SERIES 2006A, ITS SENIOR LIVING HEALTHCARE REVENUE REFUNDING BONDS (IMMANUEL CAMPUS OF CARE PROJECT), SUBORDINATE SERIES 2006B; SENIOR LIVING HEALTHCARE REVENUE REFUNDING BONDS (IMMANUEL CAMPUS OF CARE PROJECT) JUNIOR SUBORDINATE SERIES 2006C, AND ITS SENIOR LIVING HEALTHCARE REVENUE REFUNDING BONDS (IMMANUEL CAMPUS OF CARE PROJECT) JUNIOR SUBORDINATE SERIES 2006D IN AN AGGREGATE PRINCIPAL (THE "BONDS") IN AN AGGREGATE PRINCIPAL AMOUNT NOT IN EXCESS OF \$33,000,000

ASRS CLAIMS

No Claims were presented at this time. (ADM3309-001)

CANVASS OF ELECTIONS

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the canvasses of elections submitted by special districts, see below.

Roosevelt Irrigation District ADM4319

CLASSIFICATION CHANGES

No classification changes were received from the Assessor for approval at this time. (ADM723)

COMPROMISES

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the requested compromises as payment in full. This item was discussed in Executive Session on December 19, 2005. (ADM407)

Brisby, Michelle	\$10,000.00
Zirkle, Doris	\$7,385.37

COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the Treasurer's Statement of Collections and Investment summary reports for April 2005, May

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2005 and November 2005, as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4006)

DUPLICATE WARRANTS

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

COUNTY

NAME	WARRANT	FUND	AMOUNT
Jeremy Markle	260017970	Payroll	\$1,501.23
Blanca Cordova	260023022	General	\$94.09

SCHOOLS

NAME	SCHOOL	WARRANT	AMOUNT
Gwen Matheny	East Valley Institute of Technology	160055017	\$400.95
Gwen Matheny	East Valley Institute of Technology	160054936	\$1,509.22
Kendra Krause	Laveen SD #59	160052989	\$862.80
Barbara Preston	Madison SD #38	1639139	\$1,613.21
Lushanya Echeeverria	Osborn SD #8	160035782	\$468.25

PRECINCT COMMITTEEMEN

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with lists dated January 4, 2006, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

REDEMPTION OF WAIVERS FOR INDIVIDUALS AND ORGANIZATIONAL EXEMPTIONS

Pursuant to A.R.S. §42-11153B, Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the redemption of waivers for individuals and organizations requesting exemptions for the 2005 tax year during the period of July 23, 2005 through December 9, 2005. The list is on file in the Clerk of the Board's office and retained in accordance with the Department of Library, Archives, and Public Records retention schedule. (ADM721)

SECURED TAX ROLL CORRECTIONS

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

DATE	FROM	TO	AMOUNT
2005	60000	60000	-\$5,634.99

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SETTLEMENT OF TAX CASES

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the settlement of tax cases dated January 4, 2006. (ADM704)

2004
TX 2004-000122
2004/2005
ST 2004-000346

STALE DATED WARRANTS

No warrants were presented for approval at this time. (ADM1816)

TAX ABATEMENTS

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

Parcel #	Year	Proposed Abatement	Parcel #	Year	Proposed Abatement
166-01-003G	1997	\$1,755.49	137-28-089D	1995	\$102.63
504-45-014A	1999	\$15,958.33	137-28-089D	1996	\$71.29
219-47-045D	1982	\$231.24	137-28-089D	1997	\$67.54
219-47-045D	1983	\$231.26	137-28-089D	1998	\$62.55
219-47-045D	1984	\$224.02	137-28-089D	1999	\$56.71
219-47-045D	1985	\$339.54	137-28-089D	2000	\$51.60
219-47-045D	1986	\$662.15	137-28-089D	2001	\$46.38
219-47-045D	1987	\$556.83	137-28-089D	2002	\$275.25
219-47-045D	1988	\$573.63	137-28-089D	2003	\$284.98
219-47-045D	1989	\$737.88	137-28-089D	2004	\$234.91
503-51-003	1997	\$172.95	900-96-208	1996	\$257.83
219-47-045D	1990	\$772.07	944-71-826	2001	\$299.56
137-28-089D	1993	\$525.24	944-71-826	2003	\$364.83
137-28-089D	1994	\$441.32			

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

No member of the public came forward to comment at this time. (ADM605)

SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS

Supervisor Wilcox noted the new format of the Newline newspaper and urged everyone to read it when it is distributed monthly. She also commented on her enjoyment of the new format for the agenda. (ADM606)

Supervisor Kunasek thanked Max Wilson for his work as Chairman during 2005 and said he has appreciated the many nuances Mr. Wilson has added since he came on the Board.

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Chairman Stapley clarified comments he made earlier about the newly proposed Prescription Drug Discount Card, and said he'd had a number of questions from staff and the public regarding how this would be implemented. He said there are many ways to do this and issued a challenge to David Smith and his staff to consider the best of these. He added that when a plan is completed, it would need to be entered as a future agenda item for a vote. He asked that they include an option to first make it available to County employees, followed by "everybody that touches the County" through the different departments and programs, and to include major employers, school districts, utility companies, high tech industries, etc. He said, "These cards really work. There is no data base. There is no cost to the County other than figuring out how to create a 'County brand.' The sky's the limit...there's no limit on the number of cards we can issue and these cards will be honored by participating pharmacies." He added that he expected there to be wide-spread acceptance once a way is found to get the cards distributed. He said even those who have insurance could benefit from using them for medications that are not on the County's benefits list. He encouraged ideas from everyone on getting this plan implemented.

PLANNING AND ZONING AGENDA

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

CONSENT AGENDA DETAIL:

1. **Z2005-072** **District 3**
Applicant: Earl, Curley & Lagarde, PC for OPUS West Corporation
Location: Northwest corner of Chauncey Lane and 70th Street (in the northeast Phoenix/north Scottsdale area)
Request: Major Amendment to a Precise Plan of Development for an office complex in the C-2 CUPD zoning district (approx. 7.1 acres) – North Scottsdale Corp Center Phase II

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2005-072, subject to the following stipulations "a" through "n". Commissioner Jones seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "North Scottsdale Corporate Center Phase II", consisting of eight (8) full-size sheets prepared by DFD Cornoyer Hedrick, stamped received November 8, 2005, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Amended Narrative Report for North Scottsdale Corporate Center II", consisting of 11 pages, dated revised November 2, 2005, and stamped received November 8, 2005, except as modified by the following stipulations.
- c. Landscaping of the site shall be generally consistent with the landscape plan entitled "North Scottsdale Corporate Center Phase II", consisting of one (1) full-size sheet prepared by Pinnacle Design, Inc. stamped received November 8, 2005, except as modified by the following stipulations.

- d. Development and use of the site shall comply with all use regulations and development standards of the C-2 CUPD zoning district as approved under Z2000063 and amended by Z2001118.
- e. Prior to zoning clearance, the applicant shall provide written confirmation from the City of Phoenix stating that the location of the proposed driveways is acceptable to the city.
- f. Prior to construction, a Flood Plain Use Permit shall be obtained in conjunction with the necessary building permits.
- g. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- h. 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.
- i. All trees shall be double-staked when installed.
- j. A continuous parapet shall screen all roof-mounted equipment.
- k. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened from view.
- l. All interior roadways will be constructed to the minimum commercial/nonresidential standards of Maricopa County or City of Phoenix standards (where applicable).
- m. Major changes to this plan of development (the precise plan of development 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 the Planning and Development Department. For the purpose of this application, a minor amendment may include changes to the location, configuration, and/or type of the site plan, adjustments to interior streets, etc., as long as such amendment does not increase the overall intensity, and otherwise complies with the C-2 CUPD development standards approved for site.
- n. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.

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

REGULAR AGENDA DETAIL:

- 2. Z2003-106 District 2**
Applicant: Robert & Loretta Walker for Earl & Margaret Walker
Location: West of the northwest corner of University Drive and Signal Butte Road (in the east Mesa area)
Request: Special Use Permit (SUP) for a mini-warehouse and commercial storage in the Rural-43 and R1-6 zoning districts (approx. 6.0 ac.) – Signal Butte Storage

COMMISSION ACTION: Commissioner Porter moved to recommend approval of Z2003-106, subject to the following stipulations “a” through “v”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the site plan entitled “SUP Signal Butte Storage”, consisting of three (3) sheets, dated (revised) October 22, 2005, and stamped received November 2, 2005, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Signal Butte Storage”, consisting of six (6) pages, dated (revised) October 24, 2005, and stamped received November 2, 2005, except as modified by the following stipulations.
- c. All trees shall be double-staked when installed.
- d. All landscaping shall be maintained in good health and replaced as necessary for the life of the Special Use Permit (SUP) approval.
- e. All landscaping within the County right-of-way shall be in compliance with Maricopa County Department of Transportation (MCDOT) regulations.
- f. In accordance with Maricopa County Department of Transportation (MCDOT) the applicant shall:
 - o Provide total half-width of 55 feet of right-of-way on University Drive.
 - o Provide an additional 10-foot easement for roadway purposes for future use.
 - o Require on-site retention for all site drainage, outside of 65’ ultimate right of way/roadway easement.
 - o Show driveway width for number 19 & 30 on any required building, grading or drainage plans consistent with site plan.
- g. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- h. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- i. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance (MCZO).

- j. Signage will be limited to what is indicated on the site plan.
- k. The maximum height of the office building shall be limited to the base zoning district. All storage units shall be limited to a 9' height and canopies shall be limited in height to what is indicated on the site plan.
- l. Prior to approval of any permits for development of the site, an approval of the new onsite wastewater system must be received from Maricopa County Environmental Services Department (MCESD).
- m. Prior to a drainage clearance, the applicant shall provide an approval letter from Salt River Project (SRP) accepting the drainage report and retention shown on the Grading & Drainage plan.
- n. Prior to drainage clearance, the applicant shall complete the following. If any such items require changes to the Special Use Permit (SUP) site plan or boundary, a major or minor amendment may be required in accordance with the Maricopa County Zoning Ordinance (MCZO). The "existing drainage channel" as labeled on the site plan is considered to be part of the SUP.
 - o Redesign the drainage to accept off-site flows approaching the project site from the northeast, west of Signal Butte Road. Presently the concrete wall diverts water on adjacent property.
 - o Recalculate the required North Retention Basin volume using 0.95 for the runoff coefficient which will increase the provided volume.
 - o Redesign the provided North Retention Basin volume with the correct width and depth to provide the required volume. The width of 50 and 70 feet and a depth of 2.4 feet are incorrect according to the cross-sections.
 - o Recalculate the required South Retention Basin volume using 0.95 for the runoff coefficient which will increase the provided volume.
 - o Redesign the provided South Retention Basin volume with the correct length, width and depth. The length of 385 feet, width of 30 feet, and depth of 2.5 feet can not be verified on the construction plans.
 - o The existing 18-foot wide Salt River Project (SRP) utility easement located along the southern project boundary shall be reviewed and approved by said utility company since said utility easement is located within the south retention basin.
 - o Redesign the south retention area to eliminate the proposed ponding against the building wall or provide documentation prepared by a structural engineer and a geotechnical engineer to ensure the footing will not settle due to saturation of the soil or heave if there are expansive soils, thereby damaging the building. Presently the structural engineer only observes this retention basin as a landscape area without any water level depicted by the civil engineer.
 - o Provide calculations that the proposed basins will be evacuated within 36-hours, either by percolation, the use of drywells, or other means.
 - o Change the 18 inch Waterman Automatic flap gates to 8 inches to comply with our bleed-off requirements.
 - o Design an ultimate outfall in the concrete perimeter wall along the existing wash to convey the 100 year peak runoff event.
- o. A continuous parapet shall screen all roof-mounted equipment.

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- p. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened.
- q. Prior to zoning clearance, the applicant shall be required to combine the existing three (3) parcels into two (2) such that the Special Use Permit (SUP) area consists of only one (1) parcel.
- r. The applicant shall submit a written report outlining the status of the development at the end of five (5) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- s. This Special Use Permit shall expire twenty-five (25) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- t. Major changes to this Special Use Permit 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. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- u. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- v. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Darren Gerard reported on the background of this case.

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

- 3. **Z2005-023** **District 3**
Applicant: Dick Cannon for Abbyron – Desert Hills LLC
Location: South of Desert Hills Drive and west of Central Avenue (in the north Phoenix area)
Request: Rezone from Rural-43 to Rural-43 RUPD (approx. 100.41 acres) – Cielo Grande

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COMMISSION ACTION: Commissioner Aster moved to recommend approval of Z2005-023, subject to the following stipulations “a” through “k”. Commissioner Smith seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the preliminary plat/zone change exhibit entitled “Cielo Grande at Desert Hills”, consisting of three (3) full-size sheets prepared Fleet Fisher Engineering, stamped by the Civil Engineer November 28, 2005, and stamped received November 29, 2005, except as modified by the following stipulations.
- b. Development and use of the site shall be generally consistent with the project narrative entitled “Cielo Grande at Desert Hills Preliminary Plat Residential Unit Plan of Development”, consisting of thirteen (13) pages, dated November 28, 2005, and stamped received November 29, 2005, except as modified by the following stipulations.
- c. The development of the site shall be subject to the Residential Unit Plan of Development (RUPD) standards as identified in the following table.

Development Standard	Rural-43 Standard	Rural-43 RUPD Standard (proposed)
Maximum Building Height	30’/2 stories	30’/ 1 story ⁵
Front Yard Setback	40’	40’ ^{1, 4}
Side Yard Setback	30’	20’ ^{1, 4}
Street-side Setback	20’	20’ ^{1, 4}
Rear Yard Setback	40’	30’ ^{1, 2, 4}
Minimum Lot width	145’	120’ ³
Maximum Lot Coverage	15%	25%
Minimum Lot Area	43,560 sq. ft.	35,000 sq. ft.
Lot Area per Dwelling Unit	43,560 sq. ft.	49,500 sq. ft.
Building Separation (same lot)	15’	15’
Maximum Fence Height	6’	6’
Percent Hillside Disturbance	15%	15%

¹ Setback orientations for cul-de-sac lots as shown on “Cul-de-sac Setback Detail”.

² Lots 1 through 4, and 70 through 73 shall observe a rear setback of 40’.

³ Lot 70 shall be allowed to observe a lot width of 83’.

⁴ All structures, including the primary residence, accessory structures, and fencing (except for retaining walls) shall be confined to the area contained within the lot’s buildable area.

⁵ Basement not included in height measurement.

- d. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
 - 1. Provide a total half-width of 65 feet of right-of-way on Desert Hills Drive.
 - 2. Provide a total half-width of 65 feet of right of way on 7th Avenue.
 - 3. Provide a total half-width of 40 feet of right-of-way on Central Avenue.
 - 4. Construct to county standard, ultimate half-width improvements, including pavement, curb, gutter, and sidewalk, for perimeter roadways.
- e. All trees shall be double-staked when installed.

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- f. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted.
- g. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- h. All interior streets within the proposed development are to be constructed to minimum County standards.
- i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- j. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- k. Noncompliance with the conditions of approval will be treated as a violation in accordance with Chapter 14 (Violation and Penalty) of the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).

Darren Gerard outlined the commission action on this case and said there had been some concern about equestrian use prior to stipulation adjustments that addressed it, and he said both the Commission and staff recommend approval.

Gary Hayes, the applicant, appeared and said that he agreed with all stipulations as stated above. Several Supervisors congratulated Mr. Hayes on the innovative use of the land in this project.

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

MEETING ADJOURNED

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

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board