

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
March 6, 2002**

The Board of Supervisors of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., March 6, 2002, in the Board of Supervisors' Auditorium, 205 W. Jefferson, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman; Andy Kunasek, Max W. Wilson, Mary Rose Wilcox (arrived late) Norma Risch, Deputy Clerk of the Board; and Shirley Million, Administrative Coordinator. Also present: David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the members will be recorded as follows: (aye-no-absent-abstain).

INVOCATION

Jessie Gallagher, Clerk of the Board's Office, delivered the invocation.

PLEDGE OF ALLEGIANCE

Margaret Henning, Human Resources, led the assemblage in the Pledge of Allegiance.

PET OF THE MONTH

Julie Banks introduced Bambi, an eight-week old Lab-mix puppy as the "Supervisor's Pet of the Month" from Maricopa County Animal Care & Control. Chairman Stapley asked to hold him while he announced the new Board activity that will feature a dog or cat at one Board meeting every month to encourage residents who are watching the broadcast to go to the animal shelter and adopt a pet from among the many fine animals that are being housed there. The County has launched a strong campaign to do everything possible to reduce the euthanasia rate at the shelter even further than the reductions made in recent years. (ADM2300)

PLAQUE TO ROSS FARNSWORTH, JR. - CONTINUED

Presentation of a plaque to Ross Farnsworth, Jr., in appreciation for his service and dedication to the Hospital and Health System Board of Directors from October 1999 through December 2001. (ADM650)

This presentation was continued to the March 20, 2002, meeting.

MARICOPA COUNTY SAVINGS BOND CAMPAIGN

Connie Yanez, 2001 Savings Bond Campaign Chair and an employee of the Flood Control District, reported on the results of the 2001 Maricopa County Savings Bond Campaign. Savings Bond enrollments were increased last year by 18.1%. She said that an increasing number of employees are taking advantage of this way to long-term family savings. She introduced her committee members and thanked them for their help. She announced that Judy Fisher will be the campaign captain for the 2002 campaign. Chairman Stapley thanked Ms. Yanez for her hard work and dedication to this campaign and presented her with a plaque of appreciation. (ADM650)

Vince DeCain, representing the U.S. Treasury Department, presented the County with the U.S. Treasury's Patriotic Service Award in recognition of the County's ongoing support and promotion of the sale of U.S. Savings Bonds. He thanked the efforts made to educate the County's employees on the benefits received from supporting U.S. Savings Bonds and presented the award to Chairman Stapley.

REWARDING IDEAS AWARDS

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Jesse Locksa, Sheriff's Office, announced that employee savings suggestions reported at this time would save more than \$7,500 for the County. Checks for \$672 along with a Certificate of Appreciation were presented to Jerry Zeman and Donna Gutherie, County Attorney's Office, for their money-saving suggestion. Employees Patsy Caldera, Melissa Manos and Michelle Hernandez, Elections Department, each received a Certificate and a check for \$87 in recognition of the money-saving suggestions they generated. A California Adventure Trip has been donated to the Rewarding Ideas Program and will be used to encourage employees to submit new money-saving suggestions between now and June 30, 2002. Mr. Locksa said that employee suggestions for the Rewarding Ideas Awards during the past year alone have resulted in a savings for the County of more than \$383,000. (C31020157) (ADM3333-002)

~ Supervisor Wilcox entered the meeting ~

INDUSTRIAL DEVELOPMENT AUTHORITY BOARD OF DIRECTORS MEMBER CHANGE

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to remove Gary Gibbons from the Maricopa County Industrial Development Authority Board of Directors, effective upon Board of Supervisors action. (This was Addendum item A-1.) (ADM4500-1)

HEARING SET – ORGANIZATION OF THE SPECTRUM IRRIGATION WATER DELIVERY DISTRICT

Pursuant to A.R.S. §48-261, §48-263, §48-3422, this was the time to consider all objections to the organization of Spectrum Irrigation Water Delivery District IWDD No. I-C-02-003, within the general vicinity of southeast Gilbert (Williams Field Road on the north, Lindsay Road on the west, Queen Creek Road on the south, and the half mile alignment between Val Vista and Greenfield Roads on the east), and to determine whether or not to proceed with the organization.

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to schedule a hearing for 9:00 a.m., Wednesday, April 3, 2002, and set the amount of bond at \$200 to cover the cost of organization. This was Addendum item A-2. (ADM4302)

PUBLIC HEARING - PLANNING AND DEVELOPMENT

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to change a street name in the Plat of Anthem Unit 21B in Anthem, Maricopa County from Heyerdahl Drive to Ashton Drive. The request was made by Anthem Arizona LLC, to correct a platting error. (C44020050) (ADM2018)

ROAD DECLARED (ROAD FILE NO. A118-R)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the following resolution be adopted: (C64021685) (F22865)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 6th day of February, 2002, 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 portion of 133rd Avenue, together with all appurtenances and easements of record, lying within the Northeast quarter of Section Three (3) in Township One (1) South, Range One (1) West, of the

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Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway lying 50 feet West and 30 feet East on each side of the following described line:

Beginning at a point on the centerline of South Mountain Road alignment, also being the Southwest corner of the Southeast quarter of the Northeast quarter (SE4 NE4) of said Section Three; Thence Northerly along the West line of the East-half of the Northeast quarter (E2 NE4) 2,640 feet more or less to the intersection of Baseline Road and 133rd Avenue.

Easements and portions of easements of record lying within this alignment of said roadway are recorded in: Dkt. 2457, Pg. 244.

(Said alignment is also known as 133rd Avenue, from South Mountain Road alignment to Baseline Road.)

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and the Arizona Business Gazette; and

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

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

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

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

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

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

DATED this 6th day of March 2002.

ROAD DECLARED (ROAD FILE NO. A131)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the following resolution be adopted: (C64021705) (F23007)

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WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 6th day of February, 2002, 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 80 feet, together with all appurtenances and easements of record, said roadway lying within the West half of the East half of Section Twenty-eight (28), Township One (1) North, Range Seven (7) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and is described as follows:

The North 40 feet of the Northwest quarter of the Southeast quarter (NW4 SE4) and the South 40 feet of the Southwest quarter of the Northeast quarter (SW4 NE4) of said Section Twenty-eight (28).

(Said roadway also known as Pueblo Avenue from 88th Street to 90th Street in an unincorporated area.)

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and the Arizona Business Gazette; and

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

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

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

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

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

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

DATED this 6th day of March 2002.

ROAD DECLARED (ROAD FILE NO. A172)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the following resolution be adopted: (C64021695) (F23008)

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WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 6th day of February, 2002, 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 40 feet, together with all appurtenances and easements of record, lying within the West half of Section Twelve (12), Township Three (3) North, Range One (1) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway lying 40 feet on the North side of the following described line:

Beginning at the centerline intersection of 75th Avenue and Acoma Drive, also being the West quarter (W4) corner of said Section 12, thence Easterly along the East-West mid-section line to the centerline intersection of 73rd Avenue alignment and Acoma Drive, also being the Southwest corner of Inland Ranchos Subdivision, according to plat of record recorded in Book 137, page 05, Maricopa County Records.

Easements and portions of easements of record lying within this alignment of said roadway are recorded in: Rec. No. 96-0606287.

(Said roadway also known as Acoma Drive from 75th Avenue to 73rd Avenue in an unincorporated area.)

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and the Arizona Business Gazette; and

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

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

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

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

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

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

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DATED this 6th day of March 2002.

ROAD DECLARED (ROAD FILE NO. A188)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the following resolution be adopted: (C64021675) (F23009)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 6th day of February, 2002, 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, together with all appurtenant rights, being a strip of land, described as three parcels, lying within Sections Four (4), Eight (8) and Nine (9) in Township Six (6) North, Range Four (4) East, Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway is described as follows:

Parcel 1: (Lying within Section 8 and 9)

That portion of said Section 8 and 9 lying within the Southeast quarter Southeast quarter (SE4SE4) and the Northeast quarter of the Southeast quarter (NE4SE4) of said Section Eight (8) and within the West half (W1/2) of said Section Nine (9), said portion being a strip of land having a variable width, being Eighty (80) feet wide within said SE4SE4, recorded in Docket 10189, pages 291 & 220, M.C.R. and being 100 feet wide within said Northeast quarter of the Southeast quarter (NE4SE4) of Section 8 and 100 feet wide in said West half (W2) recorded in Recorder No.96-0606286, M.C.R. and made of record at the Arizona State Land Department, said strip has a centerline described as follows:

BEGINNING at a point which lies N00° 04'31"E (North, record), 26.26 feet from the Southeast corner of said Section 8, common with the Southwest corner of said Section 9: THENCE, S37°00'59"E (S37°05'31"E, record), 96.11 feet to the, TRUE POINT OF BEGINNING of this strip with a initial width of 80 feet, being 40 feet on each side of this herein described centerline; THENCE, on a curve to the right with a tangent bearing of N37°00'59"W, a central angle of 37°05'31" and a radius of 286.48 feet; THENCE, Northerly, 185.46 feet along the arc of said curve to the Point of Tangency; THENCE, N00°04'31"E, 256.04 feet along the East line of said Section 8, to a tangent curve to the left, having a central angle of 43°00'00" and a radius 286.48 feet; THENCE, Northwesterly, 215.00 feet along the arc of said curve to the Point of Tangency; THENCE, N42°55'29"W (N43°00'00"W, record), 9.66 feet to a tangent curve to the right, having a central angle of 32°48'53" and a radius 286.48; THENCE, Northwesterly 164.07 feet along the arc of said curve to the Point of Tangency; THENCE, N10°06'36"W (N10°11'07" W, record), 247.62 feet to a tangent curve, to the right, having a central angle of 22°22'55" (22°22'53", record) and a radius 286.48 feet; THENCE, Northerly 111.91 feet along the arc of said curve to the Point of Tangency; THENCE, N12°16'17"E (N12°11'46"E, record), 136.64 feet to a tangent curve, to the right, having a central angle of 18°41'01" and a radius of 286.48 feet; THENCE, Northeasterly 93.42 feet along the arc of said curve to the Point of Tangency; THENCE, N30°57'18"E (N30°52'47"E, record), 25.11 feet to point on the north line of the Southeast quarter of the Southeast quarter (SE1/4 of SE1/4), which bears N00°04'31"E, 1322.28 feet from the Southeast corner of said Section 8 and S89°59'12"W (S89°58'12"W, record) 121.93 feet (122.20 feet, record) from the Northeast corner of said SE1/4 of SE1/4, said point is also the terminus of said 80 foot strip, the side line of said strip to be lengthen or shortened so as to end said north line; THENCE, continuing along said centerline on a width of 100 feet, as shown in Arizona State Land Department

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R/W No. 16-53759, and recorded in Recorder No. 96-0606286, Maricopa County Records, N30°57'18"E, 23.12 feet (23.67 feet, record) to a tangent curve, to the left, having a central angle of 25°55'05" (25°55'08", record) and a radius of 286.48 feet; THENCE, Northeasterly 129.59 feet along the arc of said curve to the Point of Tangency; THENCE, N05°02'10"E (N04°57'39"E), 330.71 feet to a tangent curve, to the right, having a central angle of 19°10'55" (19°10'52", record) and a radius of 286.48 feet; THENCE, Northeasterly 95.91 feet along the arc of said curve to the Point of Tangency; THENCE, N24°13'02"E (N24°08'31"E, record) 43.52 feet to a point on the East line of said Section Eight (8), said point bears N00°04'31"E, 1926.11 feet (1926.05 feet, record) from the Southeast corner of said Section; THENCE continuing N24°13'02"E (N24°12'06"E), 139.42 feet to a tangent curve to the left, having a central angle of 21°45'42" (21°45'40", record) and a radius of 403.28 feet; THENCE Northerly, 153.17 feet along the arc of said curve, to the Point of Tangency on a Reverse Curve to the right; THENCE Northeasterly along said curve with a radius of 384.71 feet which bears S87°33'02"E (S87°33'34"E, record), and a central angle of 32°14'06" (32°14'08", record) an arc distance of 216.44 feet to a Point of Tangency; THENCE, N34°41'33"E (N34°40'34"E, record), of 31.63 feet to a tangent curve to the left, having a central angle of 25°13'45" (25°13'42", record) and a radius of 222.40 feet; THENCE Northerly, 97.93 feet along the arc of said curve, to the of Point of Tangency; THENCE, N09°27'51"E (N09°26'52"E, record), 116.82 feet to a tangent curve to the right, having a central angle of 11°57'10" (11°57'11", record) and a radius of 569.23 feet; THENCE, Northerly, 118.75 feet, along the arc of said curve, a Point of Tangency on a Reverse Curve to the left; THENCE, Northerly along said curve with a radius of 294.97 feet, which bears N68°34'58"W (N68°34'57"W, record), having a central angle of 22°53'15" (22°53'14", record), and an arc distance of 117.23 feet, to a Point of Tangency; THENCE, N01°31'53"W (N01°29'11"W, record), 78.69 feet to a tangent curve to the right, having a central angle of 27°18'18" (27°18'19", record) and a radius of 125 feet; THENCE Northerly 59.57 feet, along the arc of said curve, to the Point of Tangency; THENCE, N25°50'07"E, 50.00 feet to the terminus of this herein described centerline and 100 foot strip;

EXCEPT, any portion thereof lying West of a line described as follows: Beginning at the West quarter corner (W4) of said Section 9; THENCE, N00°02'34"E, 480.71 feet along the West section line to the most northerly right-of-way line of that certain road described in Recorder No.96-0606286, M.C.R.; THENCE leaving said West line, S89°56'30"E, 20.37 feet to a tangent curve to the right having a central angle of 25°46'36", a radius of 577.89 feet; THENCE Easterly 259.98 feet, along the arc of said curve to a Point of Tangency; THENCE S64°09'54"E, 36.45 feet to the point of intersection of the westerly right-of-way line of that certain right-of-way known as School House Road, made of record at the Arizona State Land, R/W No. 16-93870, shown in Book 328 of Maps, page 25, to the TRUE POINT OF BEGINNING of said line; THENCE, from a local tangent bearing of S37°38'00"W, and along said westerly right-of-way line, on a curve to the left with a central angle of 12°38'01", a radius of 627.96 feet, Southwesterly an arc distance of 138.47 feet to a point of intersection with the westerly right-of-way line of that certain right-of-way known as Spur Cross Road, made of record at the Arizona State Land Department, R/W No. 16-53759, recorded in Recorder No. 96-0606286, Maricopa County Records.

Parcel 2: (Lying within Section 4 and 9)

That portion of the right-of-way for School House Road (also known as Spur Cross Road), made of record in Arizona State Land Department Right-of-Way document No.16-93870, said portion is lying North of the that certain right-of-way described in Recorder No.96-0606286, M.C.R., made of record in Arizona State Land Department Right-of-Way document No. 16-53759, said portion is described as follows: Beginning at the West quarter corner (W4) of said Section 9; THENCE, N00°02'34"E, 480.71 feet along the West section line to the most northerly right-of-way line of that certain road described in Recorder No.96-0606286, M.C.R.; THENCE leaving said West line along said northerly right-of-way line, S89°56'30"E, 20.37 feet to a tangent curve to the right having a central

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angle of 25°46'36", a radius of 577.89 feet; THENCE Easterly 259.98 feet, along the arc of said curve to a Point of Tangency; THENCE S64°09'54"E, 36.45 feet to the TRUE POINT OF BEGINNING at the point of intersection of the westerly right-of-way line of that certain right-of-way also known as School House Road, made of record at the Arizona State Land, R/W No. 16-93870, shown in Book 328 of Maps, page 25, M.C.R., with the most northerly right-of-way line of Right-of-Way No. 16-53759; THENCE, from a local tangent bearing of N37°38'00"E, on a curve to the right with a central angle of 36°15'20", a radius of 627.96 feet, an arc distance of 397.36 feet to a point of tangency; Thence, continuing along said westerly right-of-way of the roadway known as School House Road, N74°43'12"E, a distance of 299.12 feet to a tangent curve to the left, with a radius of 517.96 feet, a central angle of 46°33'25", an arc distance of 420.88 feet to the Point of Tangency; Thence, N27°19'54"E, a distance of 1120.05 feet to a point on the Southwesterly boundary of the "West Side Lode" Mining Claim, Mineral Survey No. 2727-A, said point also bears S68°57'04"E, a distance of 1869.20 feet from the Northwest corner of said Section 9; Thence along said boundary, S36°05'42"E, a distance of 122.98 feet; Thence, leaving said boundary, and along the Easterly boundary of said School House Road, S27°19'54"W, a distance of 1065.42 feet to a curve to the right, having a radius of 627.96 feet, a central angle of 46°33'25", a distance of 510.26 feet to the Point of Tangency; Thence, S74°43'12"W, a distance of 299.12 feet, to a tangent curve to the left, having a radius of 517.96 feet, a central angle of 48°30'42", a distance of 438.55 feet to a point on the east right-of-way line of said right-of-way, R/W No. 16-53759; Thence, along said right-of-way, N01°28'12"W, a distance of 54.17 feet, to a tangent curve to the right, having a radius of 75.00 feet, a central angle of 27°18'18", an arc distance of 35.74 feet to the Point of Tangency; Thence, N25°50'07"W, a distance of 50.00 feet; Thence, N64°09'54"W, a distance of 63.55 feet to the TRUE POINT OF BEGINNING.

Parcel 3: (Lying within Section 4 and 9, the West Side B, Phoenix, Columbian and Catherine Mining Claims)

That portion of the right-of-way for School House Road (also known as Spur Cross Road), said portion is lying within portions of Sections 9 and 4 in said T.6N., R.4E, and within the West Side Lode Mining Claim, Mineral Survey No. M.S.2727-A, West Side Lode Mining Claim, Mineral Survey No. M.S.2727-B, Phoenix Lode Mining Claim, Mineral Survey No. M.S.2727-B, Columbian Mine Lode Mining Claim, Mineral Survey No. M.S.2685 and the Catherine Lode Mining Claim, Mineral Survey No. M.S.4096;

Beginning on the Southwesterly boundary of the "West Side Lode" Mining Claim, Mineral Survey No.2727-A, at a point which bears S36°05'42"E, a distance of 261.93 feet, from the most Westerly corner of said Mineral Survey; Thence, leaving said boundary, along the west right-of-way line of said School House Road the following courses, N29°07'40"E, a distance of 371.52 feet; Thence, N16°41'49"E a distance of 149.23 feet; Thence, N01°17'53"E, a distance of 65.11 feet; Thence, continuing along said west right-of-way line N13°42'11"E, a distance of 179.85 feet; Thence, N02°08'24"E, a distance of 40.02 feet, to a tangent curve to the right, having a radius of 155.00 feet, a central angle of 49°34'00"; Thence northeasterly an arc distance of 134.09 feet to the Point of Tangency; Thence, N51°42'32"E, a distance of 157.13 feet, to a tangent curve to the right, having a radius of 455.00 feet, a central angle of 46°52'30", a distance of 372.25 feet, to the Point of Tangency; Thence, S81°24'57"E, a distance of 99.49 feet; Thence, N80°16'01"E, a distance of 19.41 feet; Thence, N47°09'43"E, a distance of 87.25 feet; Thence, N53°52'44"E, a distance of 102.18 feet, to a point on the Southerly boundary of the "Catherine Lode" Mining Claim, Mineral Survey No.4096; Thence, along said Southerly boundary, S39°51'47"E, a distance of 47.26 feet, to the most southerly corner of said mine claim; Thence, northeasterly along the Easterly boundary of said mine claim, N53°55'14"E, a distance of 158.81 feet; Thence, leaving said boundary and along the Easterly boundary of School House Road, on a non-tangent curve to the right, from a local

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tangent bearing of S06°59'11"W, having a radius of 200 feet, a central angle of 46°53'38", a distance of 163.69 feet, to a point of a tangency; Thence, continuing, along said boundary, S53°52'44"W, a distance of 112.25 feet; Thence, S47°09'43"W, a distance of 113.49 feet; Thence, S80°16'07"W, a distance of 85.97 feet; Thence, N81°24'57"W, a distance of 117.22 feet, to a tangent curve to the left, having a radius of 345.00 feet, a central angle of 46°52'30", an arc distance of 282.25 feet, to a Point of Tangency; Thence, S51°42'32"W, a distance of 157.13 feet, to a tangent curve to the left, having a radius of 45.00 feet, a central angle of 49°34'00", an arc distance of 38.93 feet, to a Point of Tangency; Thence, S02°08'24"W, a distance of 51.16 feet; Thence, S13°42'11"W, a distance of 179.04 feet; Thence, S01°17'53"W, a distance of 68.60 feet; Thence, S16°41'49"W, a distance of 170.58 feet; Thence, S29°07'40"W, a distance of 434.28 feet; to a point on the Southwesterly boundary of the "West Side Lode" Mining Claim, Mineral Survey No.2727-A; Thence, N36°05'42"W, a distance of 122.98 feet to the TRUE POINT OF BEGINNING.

Said roadway also known as Spur Cross Road, from Honda Bow Road to Spur Cross Conservation Area, within Supervisor District Two (2).

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and the Arizona Business Gazette; and

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

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

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

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

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

BE IT FURTHER RESOLVED that the County Attorney be directed and authorized, and he is hereby so 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 6th day of March 2002.

ROAD DECLARED (ROAD FILE NO. A200)

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No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the following resolution be adopted: (C64021725) (F23010)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 6th day of February, 2002, 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 50 foot roadway known as Wood Avenue, together with all appurtenances and easements of record, as shown on "Desert Village No. 2", a subdivision of the Southwest quarter (SW1/4) in said Section Twenty-three (23) in Township One (1) North, Range Seven (7) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is recorded in Book 77 of Maps, page 25, Maricopa County Records, said roadway is described as follows:

Wood Avenue from 102nd Street also known as 218th Street, recorded in said Book 77 of Maps, page 25, to 104th Street also known as 220th Street, recorded in said Book 77 of Maps, page 25.

Easements and portions of easements of record lying within this alignment of said roadway are recorded in, Book 77 of Maps, Page 25.

(Said alignment is also known as Wood Avenue from 102nd Street to 104th Street.)

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and the Arizona Business Gazette; and

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

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

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

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

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

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

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DATED this 6th day of March 2002.

ROAD DECLARED (ROAD FILE NO. 5228)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the following resolution be adopted: (C6402162B) (F23011)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 6th day of February, 2002, 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:

Those certain streets consistent with the rights-of-way, as depicted in Montana Farms, a subdivision as shown in Book 486 of Maps, Page 46, M.C.R., and described as follows:

1. Cotton Lane from Maryland Avenue to a point approximately 884.24 feet south.
2. Maryland Avenue from Cotton Lane to 172nd Avenue.
3. 171st Avenue to end of cul-de-sac.
4. 172nd Avenue to end of cul-de-sac.

General vicinity of Bethany Home Road and Cotton Lane.

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and the Arizona Business Gazette; and

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

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

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

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

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

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

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DATED this 6th day of March 2002.

ROAD DECLARED (ROAD FILE NO. 5229)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the following resolution be adopted: (C6402160B) (F23012)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 6th day of February, 2002, 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:

All streets consistent with the rights-of-way as depicted in Lone Mountain Ranch, a subdivision as shown in Book 435 of Maps, Page 17, M.C.R.

General vicinity of 56th Street and Lone Mountain Road.

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and the Arizona Business Gazette; and

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

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

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

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

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

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

DATED this 6th day of March 2002.

ROAD DECLARED (ROAD FILE NO. 5233)

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No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) that the following resolution be adopted: (C6402161B) (F23013)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 6th day of February, 2002, 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:

Whitman Drive and Freedom Way, as depicted in the amended Map of Dedication, as shown in Book 482 of Maps, Page 41, M.C.R., and also; Tract "C", as depicted in the Map of Dedication, Whitman Drive addition, as shown in Book 527 of Maps, Page 11, M.C.R., and also; Tracts "A" and "B", as depicted in the Map of Dedication, Whitman Drive Additions, as shown in Book 527 of Maps, Page 12, M.C.R.

General vicinity of Gavilan Peak Parkway and Anthem Way.

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and the Arizona Business Gazette; and

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

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

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

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

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

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

DATED this 6th day of March 2002.

STREET LIGHTING IMPROVEMENT DISTRICTS ORGANIZED

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to organize the following districts for the purpose of establishing street lighting facilities and purchasing

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electric services for the lighting of public streets and parks within the following areas. Also appoint the Superintendent of Streets and District Engineer of each of the districts. Petitions representing 100% of the property owners of each subdivision has been presented requesting the formation of the following street lighting improvement districts. Inasmuch as these are 100% districts, the hearings to organize will be held at this time and date.

**ORDER ESTABLISHING
APACHE COVE STREET LIGHTING IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, praying for the establishment of Apache Cove Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 6th day of March, 2002, at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows: (C64021847) (ADM4302)

PARCEL NO.1:

The East half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section 24, Township 1 North, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the South 433.26 feet of the West 301.04 feet; and also

EXCEPT the West 20 feet; and also

EXCEPT the South 50 feet of the East 30 feet.

PARCEL NO. 2:

The West half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section 24, Township 1 North, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT any portion lying South of an Easterly prolongation of the South line of Cactus Street as shown on plat of GRANITE REEF VISTA, according to Book 37 of Maps, page 23, records of Maricopa County, Arizona; and also

EXCEPT the North 150 feet; and also

EXCEPT the West 30 feet.

PARCEL NO. 3:

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BEGINNING at the Southwest corner of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section 24, Township 1 North, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Thence North 0 degrees 12 minutes East 653.44 feet to a point in the center of Palo Verde Avenue, as shown on the plat of Granite Reef Vista, according to Book 37 of Maps, page 23, records of Maricopa County Arizona;

Thence North 89 degrees 42 minutes East 30 feet to the TRUE POINT OF BEGINNING;

Thence North 89 degrees 42 minutes East 300 feet;

Thence North 0 degrees 12 minutes East 160 feet;

Thence South 89 degrees 42 minutes West 300 feet;

Thences South 0 degrees 12 minutes West 160 feet to the TRUE POINT OF BEGINNING;

EXCEPT the South 10 feet.

PARCEL NO. 4:

The South 160 feet of the Northeast quarter of the Southwest quarter of the Northeast quarter of Section 24, Township 1 North, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the West 330 feet of the North 150 feet of the South 160 feet; and also

EXCEPT the West 30 feet of the South 10 feet of the West 330 feet.

PARCEL NO. 5:

Tract "A", VELDA ROSE ESTATES EAST UNIT FIVE, according to Book 182 of Maps, page 37, records of Maricopa County, Arizona;

EXCEPT COMMENCING at the Southwest corner of said Tract "A";

Thence North 00 degrees 12 minutes 00 seconds East, along the West line of said Tract "A", a distance of 206.78 feet to the TRUE POINT OF BEGINNING, said point being on a circular curve, concave Easterly, having a radius of 225 feet and a central angle of 24 degrees 15 minutes 46 seconds;

Thence Easterly along said curve, said curve being the Southerly line of Albany Street, a distance of 95.28 feet to a point of reverse curvature, concave Southerly, having a radius of 175 feet and a central angle of 10 degrees 17 minutes 13 seconds;

Thence Easterly along said curve a distance of 31.42 feet to the Northwest corner of Lot 432 of said VELDA ROSE ESTATES EAST UNIT FIVE;

Thence South 00 degrees 10 minutes 49 seconds East, a distance of 106.37 feet;

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Thence South 89 degrees 49 minutes 11 seconds West, a distance of 69.18 feet;

Thence North 32 degrees 57 minutes 30 seconds West, a distance of 47.54 feet;

Thence South 89 degrees 49 minutes 11 seconds West, a distance of 32.00 feet to the TRUE POINT OF BEGINNING.

And further declares that said district is now established under the name of Apache Cove Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

Upon motion made and unanimously carried the foregoing order is declared adopted this 6th day of March 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

**ORDER ESTABLISHING
SIGNAL BUTTE MANOR III STREET LIGHTING IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, praying for the establishment of Signal Butte Manor III Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 6th day of March, 2002 at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows: (C64021857) (ADM4302)

Final Plat of Signal Butte Manor III as recorded in Book 577, Page 24 of the Maricopa County Records Office, Maricopa County, Arizona

And further declares that said district is now established under the name of Apache Manor Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

Upon motion made and unanimously carried the foregoing order is declared adopted this 6th day of March 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

**ORDER ESTABLISHING
APACHE MANOR STREET LIGHTING IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, praying for the establishment of Apache Manor Street Lighting Improvement District, under the provisions

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of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 6th day of March, 2002 at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows: (C64021867) (ADM4302)

A portion of the northeast quarter of Section 21, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

For a Point of Reference, commence at the Northeast corner of Section 21, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Run Thence S0° 03' 05" W, along the East line of said Section 21, also being the centerline of Ellsworth Road, a distance of 1,123.25 feet to the POINT OF BEGINNING;

Run Thence S0° 03' 05" W, along said East line, a distance of 826.75 feet;

Run Thence S89° 56'30"W, leaving said East line, a distance of 768.67 feet to a point on a non-tangent concave westerly and having for its principle elements a radius of 2,219.86 feet and a central angle of 4° 09' 17";

Run Thence northerly along the arc of said curve a distance of 160.86 feet to a Point of Tangency;

Run Thence N0° 04' 36" E, a distance of 666.04 feet;

Run Thence N89° 56' 27" E, a distance of 762.48 feet to the POINT OF BEGINNING.

EXCEPT the East 65.00 feet thereof.

Contains 13.25 Acres, more or less (Net).

And further declares that said district is now established under the name of Apache Manor Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

Upon motion made and unanimously carried the foregoing order is declared adopted this 6th day of March 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

ORDER ESTABLISHING

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SAGEWOOD STREET LIGHTING IMPROVEMENT DISTRICT

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, on praying for the establishment of Sagewood Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 6th day of March, 2002, at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows: (C64021877) (ADM4302)

The East Half of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 14, Township 1 North, Range 7 East of the G & S.R.B. & M, Maricopa County, Arizona. Except the South 40 feet and East 25 feet thereof

The West Half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 14, Township 1 North, Range 7 East of the G & S.R.B. & M, Maricopa County, Arizona. Except the South 40 feet and East 25 feet thereof

The South 25 feet of the East Half of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 14, Township 1 North, Range 7 East of the G & S.R.B. & M, Maricopa County, Arizona. Except the West 25 feet thereof

The South 25 feet of the West Half of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 14, Township 1 North, Range 7 East of the G & S.R.B. & M, Maricopa County, Arizona. Except the East 25 feet thereof

And further declares that said district is now established under the name of Sagewood Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

Upon motion made and unanimously carried the foregoing order is declared adopted this 6th day of March 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

**ORDER ESTABLISHING
DESERT COVE STREET LIGHTING IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, praying for the establishment of Desert Cove Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 6th day of March, 2002 at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who

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appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows: (C64021887) (ADM4302)

The South 625 feet of the North 1459.13 feet of the West 470 feet of the East half of the Northeast quarter of Section 24, Township 1 North, Range 6 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Northeast quarter of said Section 24;

Thence South 89 degrees 51 minutes 35 seconds West (assumed bearing) along the North line of the Northeast quarter of Section 24 a distance of 1323.95 feet to the Northwest corner of the East half of said Northeast quarter of Section 24;

Thence South 00 degrees 11 minutes 20 seconds West along the West line of said East half a distance of 834.13 feet to the POINT OF BEGINNING;

Thence continuing South 00 degrees 11 minutes 20 seconds West along said line a distance of 625.00 feet;

Thence North 89 degrees 51 minutes 35 seconds East parallel to the North line of the Northeast quarter of Section 24 a distance of 470.00 feet;

Thence North 00 degrees 11 minutes 20 seconds East parallel to the West line of the East half of said Northeast quarter a distance of 625.00 feet;

Thence South 89 degrees 51 minutes 35 seconds West parallel to the North line of the Northeast quarter of Section 24 a distance of 470.00 feet to the POINT OF BEGINNING.

And further declares that said district is now established under the name of Desert Cove Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

Upon motion made and unanimously carried the foregoing order is declared adopted this 6th day of March 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

EXPENDITURE FOR THREE INTERMEDIATE SEDANS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the expenditure of \$2,697 for the additional cost of three intermediate sedans. The County Attorney's Office used the estimated purchase price per Equipment Services when estimating vehicle replacement expenditures for the FY 2001-2002 budget. However, the vehicle cost increased when the final bid was negotiated and accepted. (C19020388) (ADM400)

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SETTLEMENT OF DRABICKI v. HERON FINANCIAL CORPORATION

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the settlement of Drabicki v. Heron Financial Corporation II, et al., CV 2001-010675. There is no financial impact. (Discussed in Executive Session of February 19, 2002.) (C19020410) (ADM409)

PURCHASE OF TWO TAPE BACK-UP DEVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase of two tape back-up devices to replace obsolete aging equipment in the amount of \$33,100, in accordance with Budget Administrative Memo No. 8. (C19020428) (ADM400-002)

FILING OF CROSS-APPEAL – HOME DEPOT v. MARICOPA COUNTY

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the filing of a cross-appeal to the County of Appeals in the matter of Home Depot v. Maricopa County, TX 2000-000014. (C1902044M) (ADM413)

INTERGOVERNMENTAL AGREEMENT WITH DEPARTMENT OF PUBLIC SAFETY (DPS)

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an Intergovernmental Agreement between the State of Arizona, through the Department of Public Safety (DPS), and the Maricopa County Sheriff's Office for reimbursement for all payroll expenses of the Sheriff's Office deputy assigned to the Gang Intelligence Team Enforcement Mission (GITEM) for an approximate annual value of \$46,901. (C50020552)

WAIVER TO THE MARICOPA COUNTY COMPENSATION PLAN

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a waiver of the Maricopa County Compensation Plan, Section VI.A., to allow a retroactive salary advancement, effective December 10, 2001, to February 4, 2002, for Linda Owens (\$14.62 to \$14.99). In November 2001, the Clerk's Office submitted performance increases for departmental personnel to be effective December 10, 2001. Linda Owens, Courtroom Clerk, had transferred to Superior Court on May 28, 2001, and transferred back to the Clerk of Superior Court on July 16, 2001. When she returned, her probationary status in Superior Court transferred with her in error, making her ineligible for a merit increase. The retroactive adjustments are calculated as follows: December 12, 2001 to February 1, 2002 (320 hours); \$14.62 to \$14.99; \$118.40. (C16020068) (ADM3308)

REMODEL THE SOUTHEAST AREA FACILITY

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the remodel of the Southeast Area Facility at 222 East Javelina Avenue, Mesa, at a cost not-to-exceed \$75,000. The Southeast facility is faced with security and confidential issues due to the present configuration. Two of the four Conference Officers (Conference Officers conduct para-judicial conferences to establish, modify or enforce child support orders or enforce parenting time orders) presently have to bring their clients behind the Filing Counter to conduct negotiations. Two problems exist: (ADM1002)

- a) the four Conference Officers are not in one confidential area with security and panic buttons available. This creates security issues for staff and confidential issues for clients.

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- b) the present configuration of the facility has the clients going behind the Filing Counter to reach the Conference Officers. This area is restricted to the public because it offers accessibility to files, exhibits and moneys that are confidential and highly controlled.

The request for remodeling would resolve these issues by removing an old vault, reconfiguring workstations behind the Filing Counter and constructing offices for the Conference Officers to be in one area with appropriate security. This will create workflow and productivity improvements as well as more efficient space utilization. (C1602007M)

AGREEMENT WITH THE CITY OF PHOENIX

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and authorize the execution of an agreement with the City of Phoenix allowing two 4-inch fiber optic telecommunication conduits within the City of Phoenix right-of-way, per Agreement RP-02008-06. This is a revocable permit allowing encroachment of underground conduits within the City of Phoenix right-of-way to connect the new Forensic Science Center and Parking Structure to the County's telecommunication and data backbone. There is no cost associated with this agreement. (C40020120) (ADM418)

PERSONNEL AGENDA

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Personnel Agenda (Judicial Branch and Maricopa County). (List on file in the Clerk of the Board's Office.)

CHANGES TO LEAVE PLAN AND EMPLOYEE MERIT SYSTEM RULES 1 AND 12

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve changes to the Maricopa County Leave Plan and the Maricopa County Employee Merit System Rules 1 and 12 as recommended by the Merit Commission with an amendment to the Commission's recommended pre-holiday leave provision, effective upon approval. Section VI of the Employee Leave Plan requires that the Human Resources Department, in consultation with Appointing Authorities, to use market data, market demand, County financial resources, and other pertinent factors as the basis for recommendations to the Board of Supervisors for changes and adjustments deemed necessary to maintain a competitive position with respect to the labor market. To maintain a competitive edge, the Human Resources Department proposes the following changes to the current Employee Leave Plan: (C31020146) (ADM3320) (ADM3330)

- a) Short Term Disability (STD): The current plan calls for employees to exhaust all leave accruals prior to receiving benefits from their STD insurance. The change would allow employees to elect whether they would like to use all, part, or none of their PTO accruals prior to obtaining their STD benefit. In the 2002 Benefit Plan STD won't be available until they've been out for 14 calendar days.
- b) Donation of Leave: Currently, employees cannot receive donations if they are receiving a Workers' Compensation benefit. The change would allow them to receive donations to offset the difference in wages between the benefit and their normal net pay. Also, the condition for which donated leave is used must be expected to occur a minimum of six weeks. The proposal is to reduce that condition to two weeks. This change will align the leave plan with the new two-week exclusionary period for short-term disability.

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- c) Pre-Holiday Pay: Employees will be allowed to combine PTO with pre-holiday leave. Appointing Authority will have option to approve use of pre-holiday leave between September 1 and March 1.
- d) Other Changes: The addition of a definition for the term "immediate family member" (employee's spouse, child or parent). This is necessary to differentiate between the definition of family member when using Bereavement Leave, and definition of immediate family member when taking accrued time or leave without pay where there may be Family and Medical Leave Act implications.

FUND TRANSFERS

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 Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

BID SERIALS

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

Award of Bids:

01120-RFP ELECTRONIC PRODUCTS AND SERVICES (\$75,000,000 est./three (3) years, with two (2), 1-year renewal options) (This item continued from meeting of February 20, 2002.)

Cooperative Pricing Agreement to provide electronic data base products and services to the Maricopa County Library District (Lead Agency) and seven other municipal library systems within the County (Chandler, Glendale, Mesa, Peoria, Phoenix, Scottsdale and Tempe). It is estimated that Maricopa County's expenditures under this contract will be \$3,000,000 over the contract term. This is an initial award representing total estimated expenditures. Other contractors will be added to the contract as the evaluation process continues.

- . Ebsco Publishing
- . Gale Group, Inc.
- . Info USA Marketing, Inc.

01101-SC HVAC SERVICE AND REPAIR (\$8,000,000 est. three (3) years with two (2), one-year renewal options)

Pricing agreement to provide for heating/ventilation/air conditioning service, repair and major project retrofits on County facilities as required.

- . Bel-Aire Mechanical Inc
- . Energy Systems Design Inc
- . Johnson Controls
- . Kinetics Systems Inc
- . Metro Mechanical Inc
- . Midstate Mechanical Inc
- . Mk Mechanical Inc

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- . Pro Services
- . The Trane Company

- 01162-C SWAT EQUIPMENT VEHICLE** (\$115,000 est./One-Time Purchase)
Pricing agreement for one-time purchase of a swat equipment vehicle for use by the Sheriff's department.
 - . Quality Vans

- 01171-C BARRICADES, TYPE II, III, VERTICAL, BARRICADE FLASHERS AND RELATED HARDWARE** (\$250,000 est/three (3) years with two (2) one-year renewal options)
Pricing agreement for the purchase barricades, barricade flashers and related hardware for use by MCDOT during highway maintenance.
 - . Centerline Supply West Inc
 - . Contractors Traffic Control Supply
 - . Interplex Solar

- 01181-C INSTITUTIONAL MATTRESSES** (\$250,000 est/two (2) years, with three (3), one-year renewal options)
Pricing agreement for the purchase of Institutional Mattresses to be utilized by the Sheriff's Office and Juvenile Probation.
 - . Chestnut Ridge Foam Inc

- 01194-ROQ JEWISH RELIGIOUS SERVICES – MCSO** (\$120,000 est/three (3) years with two (2), one-year renewal options)
A three (3) year contract to provide Jewish Religious Services to MCSO inmates.
 - . Ernest G. Michel

- 01196-C REDI-MIX CONCRETE** (\$280,000 est./two (2) years with three (3), one-year renewal options)
Pricing agreement to purchase concrete redi-mix and gabions for use by the MCDOT and Flood Control Departments on an as required basis.
 - . Maccaferri Gabions, Inc
 - . Shorty's Concrete
 - . United Metro Materials
 - . Vulcan Materials-Western Division

Sole Source:

First American Real Estate Solutions for Metroscan data, maps and other related material. This software is used by various County departments to do research on legal cases such as tax appeals. Value of the award is subject to individual departmental budgetary authorizations. This sole source was advertised in accordance with the County's sole source procurement procedures. (C73020081)

Increase In The Contract Amount For The Following Contract(s). This request is due to an increased usage by County departments:

00136-RFP AERIAL IMAGING SERVICES

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Increase in price agreement value from \$1,500,000 to \$2,250,000 through the contract expiration date of November 30, 2003. This request is a result of additional projects undertaken by Flood Control, Engineering and Planning, Parks and Recreation, and MCDOT. This increase will also allow for the use of color photography. Maricopa Association of Governments and the Homeland Security Office have expressed interest in funding and acquiring color images. Therefore, funding for this task will very likely come from external sources. The original price agreement was approved by the Board on October 30, 2000. All contract pricing remains as originally awarded.

. Landata Airborne Systems Inc.

Intergovernmental Cooperative Purchasing Agreements:

- a) Execution of an Intergovernmental Cooperative Purchasing Agreement with Dysart Unified School District No. 89. (C73020092)
- b) Execution of an Intergovernmental Cooperative Purchasing Agreement with Alhambra Elementary School District No. 68. (C73020102)

DONATION

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept a donation of a DELL laptop computer from Dave Loftus, dba Pet-Ark, Inc. of Bremerton, Washington valued at \$100. (C79020607) (ADM2300)

KENNEL PERMITS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the issuance of kennel permits for the following, terms are March 6, 2002, through March 5, 2003. (ADM2304)

- a) Lisa and Steven Walk, dba Legend Kennels, 36721 West Indian School Road, Tonopah (C7902062C)
- b) Mark Robison, dba Marlynns Kennel, 3812 North 367th Avenue, Tonopah (C7902064C)

RENEWAL OF KENNEL PERMIT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve renewal of a kennel permit for Stephanie Swim, dba Cantina Kennels, 19836 North 37th Avenue, Glendale, Permit No. 292 for the term of March 6, 2002, through March 5, 2003.(C7902063C) (ADM2304)

ANNUAL LICENSE FEES WAIVED FOR ALL ACTIVE, WORKING SERVICE DOGS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the waiver of the annual license fees for all active, working municipal police departments, Maricopa County Sheriff's Department and Maricopa County Parks and Recreation Department. Animal Care & Control estimates an annual loss of revenue of \$1,500 based on average number of qualified dogs from 24 municipalities, the Maricopa County Sheriff's Department, and the Maricopa County Parks and Recreation Department, beginning July 1, 2003. (C79020657) (ADM2300)

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SELLING ADVERTISING SPACE POLICY AND PROCEDURES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the policy entitled, "Selling Advertising Space Policy and Procedures" to allow AC&C to initiate a pilot program to offer for sale commercial advertising space on blank portions of county publications distributed to the public in response to statutory duties. Also, AC&C requests approval for the dog licensing program to sell advertising space on the blank portions of the dog license application and certificate beginning July 1, 2002. AC&C anticipates \$69,600 in revenue for FY 2003. Revenue generated from the sale of advertising space on the blank portions of the dog license application and certificate will be deposited into Fund 572. (C79020667) (ADM2306)

CANCELLATION OF CONTRACT WITH MARICOPA COMMUNITY MEDICINE ASSOCIATES, INC.

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve cancellation of contract between Maricopa County Correctional Health Services and Maricopa Community Medicine Associates, Inc, (MCMA) effective May 1, 2002. MCMA is an independent contractor responsible for providing medical services to inmates housed in Maricopa County jail and detention facilities. A letter advising MCMA of CHS's desire to cancel (provided under separate cover) was sent via certified mail January 31, 2002. (C26990011YY)

AMENDMENT TO VOLUNTARY VEHICLE REPAIR AND RETROFIT PROGRAM

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 4 to the Voluntary Vehicle Repair and Retrofit Program with the Arizona Department of Environmental Quality. This amendment will increase the funding by \$320,000 for a new agreement total amount of \$2,972,800. All other terms and conditions remain the same. No matching funds are required and the grant covers County indirect costs. By approving this agenda item, the Board will be authorizing the acceptance of grant funding that is not budgeted, thus causing a budget amendment to be authorized. This amendment will increase Environmental Services revenue and expenditure for FY 2002 by \$320,000. (C8899012204)

AMENDMENT TO CONTRACT WITH FOUNDATION FOR SENIOR LIVING, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 3 to the current contract with the Foundation for Senior Living, Inc. (FSAL). The amendment increases the contract amount by \$65,000 from \$504,530 to \$569,530. The additional funding is a result of an increase in funding provided to Maricopa County by Southwest Gas Corporation. This new funding will be consolidated with other low-income home weatherization funding from the Arizona Department of Commerce and Arizona Public Service for a special project. Fifty low-income senior citizen homes in the Avondale area at the Vianney Villas complex will be targeted for new heater/cooling units and other weatherization improvements. (C2202103103)

SOLE SOURCE PROCUREMENT WITH JOHNS HOPKINS UNIVERSITY - CONTINUED

Approve a sole source procurement with Johns Hopkins University to purchase the Career Transcript System for use by the Human Services Department Workforce Development Division. The total cost of the system will not exceed \$39,500. (C22021381)

The Chairman continued this item to the March 20, 2002, meeting.

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INTERGOVERNMENTAL (REVENUE) AGREEMENT WITH CITY OF PHOENIX

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve an intergovernmental (revenue) agreement with the City of Phoenix in the amount of \$300,000 to cover expenses associated with collaboratively participating in a research and experimentation grant sponsored by the U.S. Department of Labor under the Workforce Investment Act (WIA) of 1998. The grant will provide information to the Department of Labor on various methods of identifying training options for 240 WIA program participants over the term of the contract. The contract is effective February 1, 2002, and ends December 31, 2003. (C22021542)

AMENDMENT TO CONTRACT WITH ARIZONA BOARD OF REGENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 2 to contract with the Arizona Board of Regents, for and on behalf of Arizona State University (ASU) and ASU's Community Health Services to provide Well Women Health Check services to uninsured or underinsured women. The amendment subtracts \$5,979 in funding for the contract term January 1, 2001, to December 31, 2001, for a new contract dollar amount not-to-exceed \$33,881. All other terms and conditions remain unchanged. (C8601050102)

AMENDMENT TO CONTRACT WITH CATHOLIC HEALTHCARE WEST

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 2 to contract with Catholic Healthcare West, a California public benefit corporation dba St. Joseph's Hospital & Medical Center to provide Well Women Health Check services to uninsured or underinsured women. The amendment adds \$3,174 in funding for the contract term January 1, 2001, to December 31, 2001, for a new contract dollar amount not-to-exceed \$52,999. All other terms and conditions remain unchanged. (C8601054102)

MEDICARE FEDERAL HEALTH CARE PROVIDER/SUPPLIER ENROLLMENT APPLICATION

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the Chairman to sign a Medicare Federal Health Care Provider/Supplier enrollment application from the federal Centers for Medicare & Medicaid Services. Once approved by Medicare, the application will allow the Maricopa County Department of Public Health's (MCDPH) Healthcare for the Homeless Program to bill Medicare for services provided to Medicare eligible clients. (C8602125M) (ADM2150)

CONTRACT WITH AIDS PROJECT ARIZONA, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a contract with AIDS Project Arizona, Inc., for the provision of HIV targeted outreach services to African American individuals and families affected by HIV/AIDS. The term of the contract is from March 1, 2002, to February 28, 2003, for a contract amount not-to-exceed \$145,000. (C86026251)

PURCHASE OF VIDEO PRODUCTION EQUIPMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the purchase of video production equipment in the amount of \$35,000, to support the County's newly hired Video Production Specialist. This position reports to the Communications Director in the County Administrator's Office but works closely with the Video Production Specialist in the Department of

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Telecommunications. Telecom currently owns one set of portable field production equipment (1 camera, 1 tripod). A second camera and tripod are necessary for the new Video Production Specialist to be fully effective. (C76020148) (ADM5300-002)

ALLOCATION OF SCAAP FUNDS AND RESOLUTION REGARDING REAL PROPERTY ACQUISITION

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an allocation and fund transfer of \$2,100,000 of SCAAP funds to the Capital Improvement Fund and approve the creation of a new project entitled "Human Services Campus" with a budget of \$2,100,000, thereby increasing the Capital Improvement budget by \$2,100,000, with an offsetting increase to budgeted Eliminations. Also adopt a resolution authorizing real property acquisition by dedication, donation, purchase or under the power of eminent domain for fee title to or any necessary interest on property located South of Jackson Street, between 9th Avenue and 13th Avenue, for purposes of facilitating construction of a Human Services Campus (Project No. 2000120940) and other County structures, utilities, roads, parking structures and areas, and other improvements necessary for the full use of such facilities as a matter of public use and necessity and authorizing payment of relocation benefits. (C7002081B) (ADM810)

RESOLUTION

RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THAT FEE TITLE TO OR ANY NECESSARY INTEREST IN CERTAIN REAL PROPERTY BE ACQUIRED BY MARICOPA COUNTY BY DEDICATION, DONATION, PURCHASE OR UNDER THE POWER OF EMINENT DOMAIN AND IF NECESSARY PROVIDE RELOCATION ASSISTANCE FOR PURPOSES OF FACILITATING CONSTRUCTION OF A HOMELESS ASSISTANCE FACILITY, UTILITIES, ROADS, PARKING STRUCTURES, AND OTHER IMPROVEMENTS NECESSARY FOR THE FULL USE OF SUCH FACILITIES, AS A MATTER OF PUBLIC USE AND NECESSITY.

BE IT RESOLVED by the Board of Supervisors of Maricopa County, Arizona, as follows:

SECTION 1 - PUBLIC NECESSITY: We find it necessary and essential as a matter of public welfare that Maricopa County acquire certain real property hereinafter described for purposes of facilitating construction of a Homeless Assistance Facility, utilities, roads, parking structures, and other improvements necessary for the full use of such facilities.

SECTION 2 – ACQUISITION AUTHORIZATION: Pursuant to A.R.S. §12-1111, the acquisition of fee title, including particularly any temporary right of entry and use for archeological or environmental testing, to or any necessary real property interest in those certain real property described as follows:

EXHIBIT "A"

PARCEL 1:

Lots 4, 5, 6 and Lots 10 through 24, inclusive, Block 2, MARSHALL'S SUBDIVISION (a subdivision of Lots, 1, 2, 3, 4, 5, 6, 7 and 8 Block 31 of NEAR'S ADDITION, according to the plat of record of said Block 31 in the office of the County Recorder of Maricopa County, Arizona, in Book 3 of Maps, page 73): Together with that appurtenant portion of

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the East – West alley, as shown on and dedicated by subdivision map of said MARSHALL'S SUBDIVISION, lying between the Southerly prolongation of the East line of Lot 9, Block 2, and the Southerly Prolongation of the West line of Lot 1, Block 2, of said plat; per resolution recorded in Document No. 98-1064633.

PARCEL 2:

That certain abandoned alley south of Lot 22, Block 2, MARSHAL'S SUBDIVISION Book 3 of Maps, page 73, described in Docket 12549, page 1072, more commonly known as vacant parcel of land located near the northeast corner of 13th Avenue and Harrison Street, Phoenix, Arizona.

To include full-width perimeter streets and. all alleys, including the relocation of any associated easements and utility improvements thereon, and including the acquisition of any remainder(s) to said parcels which, if not acquired, would constitute uneconomic remnant(s), as illustrated on Exhibit "B."

EXHIBIT "B"

PARCEL 1:

Lot Seven (7) through Twenty-four (24), inclusive of SUBDIVISION OF LOTS 1, 2, 3, 4, 6, 7 and 8, BLOCK 30, NEAR'S ADDITION, according to the plat of record in the office of he County Recorder of Maricopa County, Arizona in Book 2 of Maps, page 28.

PARCEL 2:

Lot Five (5), Block Thirty (30), NEAR'S ADDITION, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona in Book 1 of Maps, page 33 and re-survey in Book 2 of Maps, page 61;

EXCEPTING THEREFROM that part of Lot 5, in Block 30 of NEAR'S ADDITION to the City of Phoenix in Book 1 of Maps, page 33 and re-survey in Book 2 of maps, page 61; and those portions of Lots 16 through 24, inclusive in the SUBDIVISION OF LOTS 1, 2, 3, 4, 6, 7 and 8 BLOCK 30, NEAR'S ADDITION, in Book 2 of Maps, page 28, lying North of and immediately adjoining a line which is parallel with and 33 feet South of the monument line of Jackson Street as established by said City, said monument line being a line which extends from City Survey monument No. 10-21 in the centerline of 11th Avenue to City survey monument No. 10-23 in the center of 9th Avenue;

AND the North 60 feet of Harrison Street (abandoned by instrument recorded in Docket 9471, page 933) formerly known as Gray Street and Gray Avenue, lying between a line which extends from the Southeast corner of Lot 15 in the SUBDIVISION OF LOTS 1, 2, 3, 4, 6, 7 and 8 BLOCK 30, NEAR'S ADDITION to the Northeast corner of Lot 1, in Block 2 of AMENDED PLAT TO IRVINE ADDITION, and a line which extends from the Southwest corner of Lot 5, in Block 30 of NEAR'S ADDITION to the Northeast corner of Lot 1, in Block 2 of AMENDED PLAT TO IRVINES ADDITION, and a line which extends from the Southwest corner of Lot 5 in Block 30 of NEAR'S ADDITION to the Northwest corner of Lot 23 in said Block 2, the said Subdivision, Amended Plat and Addition being plats of record, respectively, in Book 2, of Maps, page 28, Book 1 of Maps, page 29 and in Book 1 of Maps, page 33;

AND the East half of that part of 11th Avenue (abandoned by instrument recorded in Docket 13708, page 828) lying between the Westerly prolongation of the South right-of-way line of

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Jackson Street also being the South line of the North 33 feet of Lot 5, Block 30 NEAR'S ADDITION to the City of Phoenix, Book 1 of Maps, page 33 and the Westerly prolongation of the South line of said lot 5, Block 30 NEAR'S ADDITION to the City of Phoenix;

AND the North half of that part of Harrison Street (abandoned by instrument recorded in Docket 13708, page 828) lying between the centerline of 11th Avenue and the West line of Lot 5, Block 30 NEAR'S ADDITION to the City of Phoenix, in Book 1 of Maps, page 33.

PARCEL 3:

Lots Five (5), Six (6) and Eleven (11) through Twenty-four (24), inclusive, Block One (1) MARSHAL'S SUBDIVISION according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 3 of Maps, page 73;

AND that part of the West half of 11th Avenue (abandoned by instrument recorded in Docket 13708, page 828) lying between the Westerly prolongation of the South right-of-way line of Jackson Street also being the South line of the North 33 feet of Lot 5, Block 30, NEAR'S ADDITION, in Book 1 of Maps, page 33 and the Westerly prolongation of the South line of said Lot 5, Block 30 NEAR'S ADDITION;

AND the North half of that part of Harrison Street (abandoned by instrument recorded in Docket 13708, page 828) lying between the Southerly prolongation of the West line of Lot 18, Block 1, MARSHALL'S SUBDIVISION in Book 3 of Maps, page 73 and the Southerly prolongation of the centerline of 11th Avenue.

Said acquisition is hereby authorized by eminent domain in the event that said real property is not acquired by dedication, donation or purchase; and the appropriate Maricopa County officials are authorized and directed to take all legal action necessary to acquire fee title to or any necessary real property interest in, including particularly any temporary right of entry and use for archeological or environmental testing, and possession of, said property under the power of eminent domain.

SECTION 3 – EXPENDITURES: The duly authorized disbursing agents of Maricopa County shall be the Facilities Management Director, and he is hereby, authorized and directed to pay all sums necessary to acquire the property and interests described above, including rights of entry and temporary construction easements with respect thereto, and to pay for all title reports, appraisals, title insurance charges, escrow fees and all other costs necessary for the acquisition of said property and interests.

SECTION 4 – AUTHORIZATION: The duly authorized disbursing and relocation agents of Maricopa County shall be the Facilities Management Director, and he is hereby, authorized and directed to provide relocation benefits and assistance for displaced businesses in those circumstances where displacement results from the acquisition of real property by Maricopa County in furtherance of construction of a Homeless Assistance Facility, utilities, roads, parking structures, and other improvements.

SECTION 5 – RELOCATION GUIDELINES: The Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs, 49 C.F.R. Part 24, shall be followed by Maricopa County, unless some provision therein conflicts with Arizona law, in which case the laws of the State of Arizona shall govern.

SECTION 6 – ARIZONA STATUTES: Maricopa County shall comply with, and provide relocation benefits assistance consistent with, the provisions of A.R.S. § 11-961 et seq.

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SECTION 7 – DELEGATION OF AUTHORITY TO ADOPT PROCEDURES FOR APPEAL: The Chief Administrative Officer of Maricopa County is hereby authorized to adopt procedures for an administrative appeal process for relocation benefits and assistance provided to businesses displaced as a result of a real property acquisition in furtherance of construction of Homeless Assistance Facility and other County structures, utilities, roads, parking structures and areas, and other improvements necessary for the full use of such facility.

SECTION 8 – EFFECTIVENESS: The authorizations set forth herein, including the authorization to exercise the power of eminent domain and the relocation benefits and assistance program established shall become effective immediately.

ADOPTED on this 6th day of March 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

CALL FOR BIDS AND AWARD – VARIOUS PROJECTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to adopt plans and specifications, authorize a call for bids, and award construction contracts to the lowest responsible bidders provided that the bids are not more than 10% over the engineer's estimate for the following projects.

- a) Central Courts Infrastructure Improvements, Replace VAV Boxes, Project No. 2000143495 is funded for this FY in the FY 2001-2002 Major Maintenance Program budget, Fund 100, Agency 473, Org. 4732, Object Code 0825.02, and for next year in the FY 2002-2003 Major Maintenance Program budget submission, Fund 100, Agency 480, Object Code 0825.02. (C70020795)
- b) Materials Management Building Infrastructure Improvements, HVAC Replacement, Project No. 2001202677 is funded for this fiscal year in the FY2001/02 Major Maintenance Program budget, Fund 100, Agency 470, Org. 4732, Object Code 0825.02, and for next year in the FY2002/03 Major Maintenance Program budget submission, Fund 100, Agency 480, Object Code 0825.02. (C70020805)
- c) Utility/Infrastructure Relocation and Installation for the New Public Services Building, Project No. 1998937402 is funded for this fiscal year in the FY2001/02 Capital Improvement Plan for the construction of the New Public Services Building. (C70020835)

SELECTION OF DESIGN BUILD TEAM – MAINTENANCE FACILITY AT DURANGO

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Facilities Management Department (FMD) to complete the selection of a design build team through the issuance of a Request-for-Proposal for the Capital Improvement Plan project entitled "Facilities Management Department Maintenance Facility at Durango". Project No. 2000106346 is funded in the FY 2001-2002 Capital Improvement Plan, Fund 455, Agency 409, Org No. 4091, Object Code 915.01, Special Revenue Detention Fund and will be located at the Durango Complex near 27th Avenue and Esterbrooks Boulevard south of the current Maricopa County Flood Control District Operations Facility. After selection of the design build team, FMD will submit the project to the Facilities Review Committee for review and final consideration before making a recommendation to the Board regarding contract award. The final recommendation will identify the apparent most advantageous design build team selected on the basis of quality and price. The cost of this phase of the project selection process is

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six-tenths of 1% of the final design and construction estimate; this amount will reduce to four-tenths of 1% of the final design and construction estimate if the contract for design build is awarded. (C70020828)

EASEMENTS, RIGHT-OF-WAY DOCUMENTS

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)

A091.004 Project No: 69010 - 193rd Avenue (Belinda Dr. - Norwich Drive) - Agreement for Right of
(AC) Entry - Parcel No. 503-79-014F - Allen Cutbirth, Louise Cutbirth, Jimmie D. Deshazo
and Jeanetta Deshazo – for the sum of \$100.00.

A091.004 Project No: 69010 - 193rd Avenue (Belinda Dr. – Norwich Drive) - Easement and
(AC) Agreement for Highway Purposes – Parcel No. 503-79-014F - Allen Cutbirth, Louise
Cutbirth, Jimmie D. Deshazo and Jeanetta Deshazo - for the sum of \$2,196.00.

A091.004 Project No: 69010 - 193rd Avenue (Belinda Dr. - Norwich Drive) - Purchase Agreement
(AC) and Escrow Instructions - Parcel No. 503-79-014F – Allen Cutbirth, Louise Cutbirth,
Jimmie D. Deshazo and Jeanetta Deshazo.

A139.004 Project No: 69010 - 12th Street (Cloud Road - Joy Ranch Road) - Agreement for Right
(AC) of Entry – Parcel No. 211-68-052A - Evelyn Felice, Trustee - for the sum of \$100.00.

W-6254 Project No: 16100 - 27th Avenue (Twin Peaks Lane to New River Road) – Warranty
(LJS) Deed - Parcel No. 202-11-022J - Daniel A. Kilsby and Betsy W. Kilsby - for the sum of
\$1,672.00.

W-6254-1 Project No: 16100 - 27th Avenue (Twin Peaks Lane to New River Road) – Temporary
(LJS) Construction Easement and Agreement for Highway Purposes - Parcel No. 202-11-
022J - Daniel A. Kilsby and Betsy W. Kilsby - for the sum of \$100.00.

W-6254 & Project No: 16100 - 27th Avenue (Twin Peaks Lane to New River Road) – Purchase
W-6254-1 Agreement and Escrow Instructions - Parcel No. 202-11-022J - Daniel A. Kilsby and
(LJS) Betsy W. Kilsby.

CONTRACT WITH PARSONS TRANSPORTATION GROUP

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Consultant Services Contract 2002-41 in an amount not-to-exceed \$267,767.84 with Parsons Transportation Group to perform a corridor improvement study for SR 303L, MC-85 to Riggs Road, Work Order No. 60601019. (C64021915)

MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA - WITHDRAWN

This item was withdrawn - no personnel changes were submitted at this time.

AMENDMENT TO CONTRACT WITH INFORMATION NETWORK CORP (INC)

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Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Amendment No. 3 to the contract with Information Network Corp (INC) to update Contract Language, remove Pharmacy Benefits Management (PBM) Objectives, Tasks and Costs, and extend the term of the contract for six months from April 1, 2002, through September 30, 2002, for an aggregate term of December 1, 1998, through September 30, 2002, and increase the not-to-exceed amount by \$1,056,451 from \$6,330,229 to \$7,386,680. This contract termination notice for convenience has been reduced to 30-days written notice. (C6099110103)

CONTRACT WITH CATHOLIC HEALTHCARE WEST ARIZONA

Motion was made by Supervisor Brock, seconded by Supervisor Wilson and unanimously carried (5-0) to approve a new contract with Catholic Healthcare West Arizona for provision of hospital services for Maricopa Integrated Health System – Health Plan (MIHS-HP) members through St. Joseph’s Hospital and Medical Center and Chandler Regional Hospital. The term of the contract is upon Board approval through September 30, 2003. This contract will be funded through the pool established by Agenda C60020671, for all hospital services for an amount not-to-exceed \$62,010,000 through September 30, 2002. This contract has a 90-days termination for convenience provision. (C60020031)

CONTRACT WITH JOHN C. LINCOLN HEALTH NETWORK dba JOHN C. LINCOLN HOSPITAL – NORTH MOUNTAIN AND JOHN C. LINCOLN HOSPITAL – DEER VALLEY

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve a new contract with John C. Lincoln Health Network, dba John C. Lincoln Hospital – North Mountain and John C. Lincoln Hospital – Deer Valley for provision of hospital services for Maricopa Integrated Health System – Health Plan (MIHS-HP) members. The term of the contract is upon Board approval through September 30, 2002. This contract will be funded through the pool established by Agenda C60020671, for all hospital services for an amount not-to-exceed \$62,010,000 through September 30, 2002. This contract has a 90-days termination for convenience provision. (C60020611)

CONTRACT WITH ADVANCED PCS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve contract with Advanced PCS to provide Pharmacy Benefits Management (PBM) Services to Maricopa Integrated System-Health Plans (MIHS-HP) effective March 7, 2002, through February 29, 2004. The aggregate contract not-to-exceed amount is \$560,000 (\$260,000 per year). This contract may be extended for additional periods, not-to-exceed a total term of five years. Either party can terminate this contract with 90-days written notice. (C60020741)

CONTRACTS FOR MOBILE DENTAL SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve two new contracts for Mobile Dental Services with the following. Contractors will provide dental services to Maricopa Integrated Health System-Health Plan (MIHS-HP) members, according to their particular Health Plan Dental Coverage, who reside in home and community based facilities and to children in elementary schools, for an initial two-year term of March 1, 2002, through February 28, 2004, with an option to extend up to three additional one-year periods. The initial not-to-exceed amount is \$1,000,000. Either party may terminate this contract with 90-days written notice to the other party. (C60020801ZZ)

- Coronado Dental Care (60020811)

- Healthy Kids & Seniors (C60020821)

PURCHASE OF EIGHT-PORT VOICEMAIL CARD

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the purchase of an eight-port voicemail card for automated call distribution to support Maricopa Integrated Health System – Health Plans Customer Service at a cost of \$4500. The Office of Management and Budget has reviewed supporting information and Equipment Purchase Request Form – Exemption to Budget Balancing Plan has been submitted. (C60020831) (ADM2100-002)

CONTRACT WITH CATHOLIC HEALTHCARE WEST FOR GROUP PURCHASING ORGANIZATIONS SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve a new contract with Catholic Healthcare West (CHW), for Group Purchasing Organization (GPO) Services. The term of this contract is January 3, 2002, through January 2, 2007, with an option to renew up to five one year terms. Cost for this service is \$15,000 per year for a total contract cost of \$75,000. (This item was continued from meeting of February 20, 2002.) (C90020741)

CONTRACT WITH CAMERON AND COMPANY, INC.

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve contract with Cameron and Company, Inc., for the provision of Pharmacy Registry Services to Maricopa Integrated Health System Pharmacies Care System effective March 1, 2002, through February 29, 2004. The not-to-exceed amount is \$400,000 for the contract term. This contract may be extended for additional periods, not-to-exceed a total term of five years. Either party can terminate this contract with 90-days written notice. (C90020881)

EXEMPTION TO MARICOPA COUNTY COMPENSATION PLAN

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve an exemption to the Maricopa County Compensation Plan to authorize Maricopa Integrated Health System (MIHS) to offer a productivity premium to MIHS Home Health Care nurses (RN and LPN) as an incentive to reward productivity that exceeds specific daily visit standards, effective on February 20, 2002. The estimated annual expense is \$26,500. (C90020936) (ADM3308)

PURCHASE OF EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the purchase of the following equipment:

- a) Upright plasma freezer for the Maricopa Medical Center Laboratory at a cost of \$7,463.16. The Office of Management and Budget has reviewed supporting information and Equipment Purchase Request Form – Exemption to Budget Balancing Plan has been submitted. (C90020951) (ADM2100-002)
- b) Redundancy server and additional storage to support the ChartMaxx medical records system for the Maricopa Medical Center at a cost of \$812,268. The Office of Management and Budget has reviewed supporting information and Equipment Purchase Request Form – Exemption to Budget Balancing Plan has been submitted. (C90020961) (ADM2100-002)

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APPOINT ART WIRTZ, US FOREST SERVICE, TO THE MARICOPA COUNTY TRAILS COMMISSION

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to appoint Art Wirtz of the US Forest Service to the Maricopa County Trails Commission, representing District 2. The term of the appointment will be from March 6, 2002, through December 31, 2004. (C02020117) (ADM3244)

RE-APPOINT PENNY ALLEE TAYLOR TO THE TRAVEL REDUCTION PROGRAM REGIONAL TASK FORCE

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to re-appoint Penny Allee Taylor to the Travel Reduction Program Regional Task Force representing District 3. The term of the appointment shall expire on January 31, 2003. (C03020107) (ADM2125)

RE-APPOINT FRANKLIN B. FISCHER TO THE TRAVEL REDUCTION PROGRAM REGIONAL TASK FORCE

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to re-appoint Franklin B. Fischer to the Travel Reduction Program Regional Task Force representing District 3. The term of the appointment shall expire on January 31, 2003. (C03020117) (ADM2125)

CODE ENFORCEMENT REVIEW

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to allow oral argument in the review of Hearing Officer's Order of Judgement in the zoning code violation case of JNC Carefree, LLC, Case No. V2001-00376, and schedule a public hearing for 9:00 a.m., Wednesday, March 20, 2002. (ADM3417-09)

HEARING SET - PLANNING AND DEVELOPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to schedule a public hearing for 9:00 a.m., Wednesday, April 3, 2002, to change a street name from Courage Court to Acadia Court in the plat of Anthem Unit 19 in Anthem, Maricopa County, Arizona. The request is made by Anthem Arizona LLC and the Maricopa County Addressing Official to correct a duplication error with the addresses on Courage Way in the Plat of Anthem Unit 6 in Anthem. (Clerk's Note: See minutes of April 3, 2002, for correction of the April 3, 2002. date (above) to April 17, 2002) (C44020060) (ADM2018)

PRECINCT COMMITTEEMEN

There were no requests to approve the appointment or removal of precinct committeemen pursuant to A.R.S. 16-231.B. (ADM1701)

SECURED TAX ROLLS

No tax roll changes were reported at this time. (ADM705)

OFFICIAL APPOINTMENT AND OATH OF OFFICE OF WENDY E. DONAHUE - COUNTY RECORDER

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Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the Official Appointment and Oath of Office of Wendy E. Donahue as special deputy recorder in the Office of the County Recorder.

OFFICIAL APPOINTMENT AND OATH OF OFFICE OF GALE BARCLAY - CLERK OF THE SUPERIOR COURT

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the Official Appointment and Oath of Office of Gale Barclay as special deputy clerk in the Office of the Clerk of the Superior Court.

DUPLICATE WARRANTS

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

COUNTY

Name	Warrant	Fund	Amount
Richard Bojorquez-Davila	22033185	Payroll	\$978.46
Kristen Hutchison	00320514513	Expense	\$1027.00
Bothaina Natour	003386	991 fund	\$314.85
Tina Sly	42-0068358	040 fund	\$231.00
Total Access Group Inc.	00320524278	Expense	\$1,010.00

SCHOOL

Name	School	Warrant	Amount
Sarah E. Beal	Avondale	12-0085180	\$753.65
Aida Castillo	Mesa	72-0041540	\$414.80
Juana Chamorro	Mesa	72-004379	\$318.68
Aqra Infrastructure	Higley #60	60017016	\$1058.75
Mir Mohammed Khan	Mesa	72-31605	\$57.94
Maria Montesdeoca	Mesa	72-43624	\$80.67
Sharon Oglesby	Mesa	72-0042175	\$184.70
Wendy Perry	Mesa	72-0042181	\$417.03
Emily A. Sigley	Mesa	72-0039900	\$123.25
Susan Temere	Litchfield #79	12-94516	\$36.94
Texas Temple	Gila Bend	12-0090340	\$277.05

STALE DATED WARRANTS

Pursuant to A.R.S. §11-644, motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following claims as legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

William J. Adams, Jr./AFSCME	\$ 4,112.60	Matilda D. Stevenson	\$ 85.00
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David W. & Frances Stewart	3,643.16	Gary Davidson	37.29
Transnation Title	208.76	R. Scott Wood	1,784.20
David W. Pew	78.12		

CANVASSES OF ELECTIONS SUBMITTED BY SPECIAL DISTRICTS

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried to accept the canvasses of elections submitted by special districts listed below, and on file in the Office of the Clerk of the Board.

Electrical District No. 6 (ADM4469)
 Electrical District No. 8 (ADM4475)
 Maricopa Water District (ADM4391)

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the settlement of tax cases, list dated March 6, 2002. (ADM704)

TX 00-000738 – Outside Counsel
 TX 01-000115 – Outside Counsel

HEARING SET - PLANNING AND DEVELOPMENT CASES

No Planning and Development hearings were set at this time.

CLASSIFICATION CHANGES

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

PARCEL NO.	YEAR	OWNER	CLASS FROM	CLASS TO
102-20-599	2001	Howard Strader	LC/4	LC/3
102-20-599	2000	Howard Strader	LC/4	LC/3
102-20-599	1999	Howard Strader	LC/6	LC/5
103-20-066	2001	Felix Medina	LC/4	LC/3
105-56-021	2001	Octavio Samaniego	LC/4	LC/3
111-20-008	2001	Greiner Patrick	LC/3	LC/6
116-25-130	2001	Ray Wright	LC/4	LC/3
116-25-130	2000	Ray Wright	LC/4	LC/3
122-39-059	2001	Gwendolyn Venerable	LC/4	Mixed
142-63-055	2001	Clara Wilson	LC/4	LC/3
142-63-055	2000	Clara Wilson	LC/4	LC/3
142-63-055	1999	Clara Wilson	LC/6	LC/5
150-24-199	2001	Zenaida Everland	LC/4	LC/3
150-24-199	2000	Zenaida Everland	LC/4	LC/3
152-04-008	2001	Rexe Glasco	LC/4	LC/3
152-04-008	2000	Rexe Glasco	LC/4	LC/3

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166-29-361	2001	Arilyn R Porphir	LC/4	LC/3
166-29-361	2000	Arilyn R Porphir	LC/4	LC/3
207-39-013	2001	Sarah Farrar	LC/4	LC/3
207-39-013	2000	Sarah Farrar	LC/4	LC/3
207-39-013	1999	Sarah Farrar	LC/6	LC/5
215-64-100	2001	Ivan Kobey	LC/4	LC/3
215-64-100	2000	Ivan Kobey	LC/4	LC/3
215-64-100	1999	Ivan Kobey	LC/6	LC/5
217-23-470	2001	Norman Skelton	LC/4	LC/3
217-23-470	2000	Norman Skelton	LC/4	LC/3
217-23-470	1999	Norman Skelton	LC/6	LC/5
302-04-714	2001	Randal Rios	LC/4	LC/3
302-04-714	2000	Randal Rios	LC/4	LC/3
302-04-714	1999	Randal Rios	LC/6	Mixed

COMPROMISES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held February 19, 2002.) (ADM407)

Steve Criscione	\$38,000.00
Christine Davis	50,000.00
Salvador Figueroa	900.00
Mohammed Hassan	900.00
Ildefonso Inclan	3,500.00
Esmerelda Llamas	4,100.00
Carlos Martinez	768.00
Dustin Mills	2,000.00
Scott Morris	12,688.00
Stefan Morris	500.00
Beatriz Nogueron (Soriano)	1,200.00
Jose L. Quiroz	338.75
Jeffrey Rumback	3,875.54
Trinidad Salgado	975.00
Tiffany Thompson	2,000.00
James Weenen	1,000.00

WRITE-OFF

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the requested write-off as payment in full for the following case: (Discussed in Executive Session held February 19, 2002.) (ADM407)

Larry Ceballos	\$23,170.44
John Rubel	10,682.49
Daniel Whiteman	9,704.00

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PUBLIC COMMENT

Eric Andrewson, a deputy with the Sheriff's Office for 10 years, asked to clarify his position in a matter that was scheduled to come before the Board at a later time and he indicated his belief that the issue would also affect past and future deputies injured in the line of duty.

Deputy Andrewson and Lt. Hineman were badly injured September 2, 2000, while on duty on their motorcycles as a part of a DUI task force at Saguaro Lake when they were struck and injured by a vehicle driven by a drunk driver. He said they have "endured numerous surgeries and unbelievable pain and suffering throughout the ordeal." He explained that the County's Risk Management Lien Policy has stalled the legal action they have taken with an outside insurance company in this matter. He indicated that other municipal authorities, namely Chandler's City Council, have acted to waive workers compensation recompense in ways he believed would be beneficial for himself, Lt. Hineman and other County officers injured in the line of duty if Maricopa County would also take the same actions. Otherwise, he did not believe a fair compensation for pain and suffering would be given to them, their families and all future injured officers. (ADM605)

Supervisor Kunasek asked to remind viewers that the Supervisors were prohibited by statute from answering charges or making any comment in response to remarks made by a citizen during the portion of the meeting devoted to public comment.

Lt. William D. Hineman also spoke to this issue and said he had been a County employee for 13 years and was proud to be a Maricopa County Sheriff's Deputy. He indicated he would also be speaking for both himself and Deputy Andrewson (the previous speaker). He said they were both struck by an impaired driver while sitting at the side of the road on their motorcycles. He said that they both received severe injuries, both have permanent disabilities and both have endured countless past surgeries and still expect future surgeries. He said he was bedridden for six weeks and away from work for nine months. He admitted that they both had received administrative leave with full pay while they were off work which they appreciate. He said that the issue goes beyond that because their pay was for 40 hours a week but their pain and suffering extended well beyond 8:00 to 5:00. He said their duties were to protect the citizens of Maricopa County and to make the streets and roads safe for drivers. He asked that this be taken into consideration in making a decision for changes to the personnel rules to allow fair compensation and equitable division of 3rd party insurance monies administered as a result of such on-duty injuries.

SUPERVISORS' COMMENTS

Supervisor Brock commented on bid-serial item, 01194-ROQ, for a three-year contract to provide Jewish religious services to inmates. He asked to be briefed, by purchasing and/or the Sheriff's Office on this matter, saying that a professional staff was already in place to provide for the religious needs of inmates and questioned the need of an additional quarter-million-dollars of taxpayer monies for this item. He said that he believed that the various faiths should make their religious leaders available to inmates at no charge to the public coffers. (ADM606)

PLANNING AND DEVELOPMENT

David Smith left the dais at the end of the regular portion of the meeting. Members, as given above, remained in session. Joy Rich, Director of Planning and Development, Darren Gerard, Chief Planner, and David Benton, County Counsel for Planning, came forward to present the following Planning and Zoning cases. Votes of the members will be recorded as follows: (aye-no-absent-abstain).

~ SUPERVISOR WILCOX LEFT THE MEETING ~

CONSENT AGENDA DETAIL:

1. **S2001-010** **District 4**
Applicant: True West Realty L.L.C.
Location: Northeast corner of 191st Avenue and Thomas Road (in the Goodyear area)
Request: Final Plat in the Rural-43 zoning district for Litchfield Farms

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the final plat.

2. **S2001-053** **District 4**
Applicant: Litchfield Ventures L.L.C.
Location: Southwest corner of Perryville Road and Indian School Road (in the Goodyear area)
Request: Final Plat in the Rural-43 zoning district for Litchfield Farms II

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the final plat.

3. **Z2001-144** **District 3**
Applicant: Starbridge Communications Group for Sprint PCS for Robert Gavin
Location: 44827 N. New River Rd. – northeast side of New River Rd. between Mano Dr. and Sabrosa Dr. (in the New River area)
Request: Special Use Permit for a wireless communications facility the Rural-43 zoning district for Sprint PCS Antenna – Aegean Site (0.02 acres)

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2001-044, subject to the following stipulations “a” through “k”. Commissioner DiCiccio seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan entitled “Sprint PCS Aegean Special Use Permit for wireless communication facility outdoor equipment & replacement powerline pole with antenna”. Consisting of six full-size sheets, dated revised January 4, 2002, and stamped received January 8, 2002, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled “Narrative Report for Sprint PCS Wireless Antenna” consisting of five pages, dated January 8, 2002 and stamped received January 8, 2002 except as modified by the following stipulations.
- c. 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.

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- d. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- e. Prior to drainage clearance for building permit, a drainage report must be submitted for review and approval by the Flood Control District.
- f. The ground equipment site will be walled in by a six-foot (6') high CMU wall that includes a parking area within the site.
- g. Driveway within the County right-of-way shall be paved or surfaced at the discretion of MCDOT.
- h. Driveway and parking area must meet EPA requirements for dust control.
- i. This Special Use Permit shall expire 25 years from the date of approval by the Board of Supervisors, upon expiration of the lease to the applicant(s), or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration. Any request for an extension shall be made at least six months prior to the expiration date.
- j. The applicant shall submit a written report outlining the status of the development at the end of 20 years from the date of approval of the Special Use Permit by the Board of Supervisors. This report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- k. Any antenna arrays being placed on this monopole shall be of a minimum size(maximum array width of four feet center-to-center of antennae) and under no circumstances are large catwalk types of antenna arrays to be installed.

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the special use permit subject to stipulations "a" through "k."

REGULAR AGENDA DETAIL:

- 4. Z 98-108 District 4**
Applicant: Lemme Engineering for Advantage Storage and Lynn Wright
Location: West of the southwest corner of El Mirage Road and Glendale Avenue (in the west Glendale area)
Request: Rezone from Rural-43 and C-2 to C-3 P.D., with a Plan of Development for R.V. storage, for Advantage Storage (6.04 acres)

COMMISSION ACTION: Commissioner Harris moved to recommend approval of Z 98-108, subject to the following stipulations "a" through "n". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 6-0. Commissioner DiCiccio was out of the hearing room.

- a. Development and use of the site shall comply with the site plan entitled "Site Plan- Advantage Storage", consisting of one (1) sheet, dated (revised), January 21, 2002, and stamped received, January 22, 2002, except as modified by the following stipulations.

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- b. Development and use of the site shall comply with the narrative report entitled "Zoning Application", consisting of 4 pages, dated (revised) January 21, 2002, and stamped received, January 22, 2002, except as modified by the following stipulations.
- c. All outdoor lighting shall comply with Section 2318 of the Maricopa County Zoning Ordinance.
- d. 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 H.V.A.C. units shall be ground-mounted.
- e. 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.
- f. The applicant shall surface the site with a dust proof material that satisfies the requirements of MCDOT and C.E.S.
- g. The applicant shall provide a status report regarding dust suppression on the site to the Maricopa County Department of Transportation within two years of approval by the Board of Supervisors.
- h. The applicant shall provide staff with elevations of the proposed sign for review and approval prior to receiving building permits for said sign.
- i. The applicant shall provide ultimate half-street improvements on Glendale Avenue in coordination with the City of Glendale.
- j. The applicant shall plant 24" box drought tolerant trees spaced 30' apart along the inside of the wall to provide additional screening for the site.
- k. All trees shall be double staked.
- l. Major changes to this plan of development (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- m. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- n. A new site plan, incorporating changes as outlined in the Flood Control District memo dated February 4, 2002, shall be provided by the applicant within 90 days of Board of Supervisors approval.

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Joy Rich, Director of Planning and Development, outlined the Commission action on this rezoning request. She said that Litchfield Park and Luke Air Force Base endorsed this request and staff and the Planning commission recommend approval. There were no speakers on this matter.

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

5. **Z 99-65** **District 1 (This case continued from meeting of February 6, 2002.)**
 CONTINUED TO MAY 15, 2002, MEETING
- Applicant:** Joyce Biler for Ed Nassar
Location: Southeast corner of the Galveston Street alignment and Power Road (in the southeast Gilbert/Mesa area)
Request: Rezone from Rural-43 to C-3 C.U.P.D. with a Precise Plan of Development for a commercial center, T-Bar-J Ranch (approximately 5.16 acres)

COMMISSION ACTION: Commissioner Pugmire moved to recommend denial of Z 99-65 as this request does not comply with the Mesa General Plan, which therefore violates Commission policy of supporting City Plans. In addition, there is no way of reconciling the uses occurring on the property with either the Mesa General Plan or the Maricopa County Zoning Ordinance. Commissioner Clayburg seconded the motion, which passed with a majority vote of 5-1, with Commissioner Jayne dissenting.

Joy Rich, Director of Planning and Development, said this item has been continued four times since August 2001, and it is the subject of a current code violation case. The City of Mesa's General Plan is the governing plan for the area and the City of Mesa is in opposition to this request. The center would be in close proximity to Williams Gateway Airport, and the airport concurs with Mesa's opposition to the request.

Gordon Sheffield, Senior Planner with the City of Mesa's Planning Division, said their position on the issue is threefold. 1. It is inconsistent with the city's general plan. 2. Insufficient development standards have been provided and it is inconsistent with the city's design guidelines for the future. 3. It is incompatible with the use being considered for proximity to the airport which Mesa desires be kept industrially focused. They are primarily recommending denial of this matter because of the C-3 zoning request which would allow a wide range of commercial uses to develop in the area. In response to a question from Supervisor Kunasek, Mr. Sheffield maintained that a restaurant, done in a way that would be compatible with their guidelines for an industrial setting, would be acceptable.

Joyce Biler, representing the applicant, addressed the long delay and blamed their original engineer for poor product and bad advice that had to be overcome and redone by the new engineer and architect who were recently hired to complete the necessary plans. She said that relocation of the Power Road alignment would be taken into consideration in the latest plans and that Mr. Nassar is willing to sign a navigation easement over his property to satisfy the objections of the City and Williams Gateway and is willing to negotiate on other matters of concern to bring the property into compliance.

Supervisor Brock asked when the engineering firm and architect were hired. Ms. Biler answered that the engineers were contracted in February and Michael Chantelle, architect, came forward to say that he had been working on the project for four months but had only spent the last 45 days on the site plan and rezoning. Previously unexpired contractual agreements with the former engineer had held up the hiring of a new engineering firm and Mr. Chantelle said that the former engineer had been the cause of many delays and problems in resolving this matter expeditiously.

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Supervisor Brock asked if a 60-day continuance would allow enough time for the architectural and engineering renderings to be completed and submitted to the County's planning staff for review and suggestions. Mr. Chantelle said the site plan was completed and the engineering firm had given them the first week in April as their completion date. He felt that everything should be ready for planning at that time.

Supervisor Brock asked if these new plans would comply with the City of Mesa's requirements and general plan standards. Mr. Chantelle answered that this would really relate to the realignment of Power Road. He said they would like a delay on all the design standards until the Power Road realignment is accomplished because to comply with current standards would cause any work that is done now to be ripped out when that realignment takes place. He said their proposal was to bond to those improvements and they will stipulate to meeting Mesa's design guidelines as part of the bonding.

Supervisor Brock asked Ms. Biler what they would have to do to comply with the City of Mesa's and the County's guidelines and standards, and such things as screening walls, temporary and permanent landscaping, curb, gutter and sidewalk were discussed.

Supervisor Brock summarized a portion of the complaint against this rezoning request by saying that Mr. Nassar has continued to operate illegally in a residential zone over a period of years, that the matter has considerable opposition and has already been continued four times because the applicant failed to meet the necessary deadlines. He cautioned Mr. Nassar that if this were to be continued for another 60 days that he must meet all conditions as set forth at this time.

Supervisor Kunasek asked Joy Rich when planning would need the engineering and architectural documentation in order for them to have time to complete their portion of this matter.

Ms. Rich indicated that April 1st would give the needed time for MCDOT's traffic study, the Flood Control District's grading and draining plan and Planning's review of the site plan if the continuance was to the May 15th meeting. The applicant indicated that they could have the necessary paperwork to Planning by April 1.

Chairman Stapley asked what would be done if the applicant meets the requirements on time and Mesa still opposes approval of it; and added, what if it is approved and the applicant just continues to operate it, as it is today, how long could this go on before Mr. Nassar would be out of compliance?

Ms. Rich replied that if the applicant is in substantial compliance with the City of Mesa's guidelines the Planning Department would give a recommendation for approval on the request. If the Board votes "no" on April 15 and he continued to operate he would be brought before a Code Enforcement Hearing Officer for a resolution and probably be fined as a result. It would then be determined whether to file it as a criminal case in Superior Court. If the Board approves the rezoning and he continues to operate "as is" the suggestion was made that a stipulation be added to attach deadline dates after which the Code Enforcement process would begin if he did not comply.

Chairman Stapley asked Mr. Sheffield what the City of Mesa's reaction would be as it relates to the opposition he expressed if this was continued another 60 days. Mr. Sheffield said they have three issues and would want all of them to be satisfied. He advised that the City must comply with state statutes that require a particular type of zoning be applied to any properties the City annexes when County zoning must be converted to city zoning. He said that if the Board approves the C-3 zoning then the City would also have to apply their C-3 zoning code to the property if they annex it, and they feel C-3 is too broad for what they want in the industrialized area they foresee for that area.

Zoning allowances for properties was discussed and the determination made that the desired storage facility rather than applicant's plans for a restaurant was the contentious point since the C-3 zoning was required for a storage facility, while a C-2 zone would be appropriate for the restaurant. Ms. Rich said that an amended application would be required if the zoning request was changed to C-2 and this would take another 30-day continuance.

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to continue this matter one final time to the May 15, 2002, meeting. Applicant was told that this would absolutely be the final continuance that would be afforded him, and that he must submit all revised case material including site plan, elevation drawing, traffic report and grading/drainage plan to staff by April 1, 2002, for review. If this case is not ready for presentation to the Board of Supervisors, if the bonding is not in place or if it has not met the City of Mesa design guidelines, by the May 15, 2002, date, the applicant was told to expect denial of his rezoning request.

6. **Z2000-144** **District 2**
 Applicant: Eric Howe for Sierra Investment Group
 Location: 9421 E. Main Street (in the east Mesa area)
 Request: Special Use Permit for a mobile home park in the C-3 and R-5 zoning districts for Arizona Acres (21.08 acres)

COMMISSION ACTION: Commissioner Jayne moved to recommend approval of Z2000-144, subject to the following stipulations "a" through "p". Commissioner Beckley seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan entitled "Arizona Acres Request for a Special Use Permit for 20 Years", consisting of 3 sheets, dated (revised), April 17, 2001, and stamped received, January 29, 2002, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report, untitled, consisting of 4 pages, dated (revised), December 7, 2000, and stamped received, January 29, 2002, except as modified by the following stipulations.
- c. The applicant shall provide a revised drainage report to the Flood Control District within 90 days of Board of Supervisors approval. This revised drainage report shall address the following items:
 - i. Reanalysis of "South Wash" now that it has been improved to a gunite-lined channel, including any potential on-site backwater effects on the earthen ditch draining to the southeast corner of the park and the channel along the westerly side of the park ("West Channel").
 - ii. The impact of West Channel in terms of 100-year peak flow, channel capacity, and potential on-site backwater effects on "Central Wash"
 - iii. Reanalysis of "Central Wash" taking into consideration any backwater effects from "West Channel" and any overbank flows in segments with less than a 12-foot bottom width.

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- d. A revised site plan indicating the changes required by the Flood Control District (memo dated 1-24-02) and MCDOT (memo dated 1-9-02) shall be provided to staff within 90 days of Board of Supervisors approval.
- e. Central Wash shall be kept free of any obstructions that may impede stormwater flows. Any obstructions along this wash channel shall be removed.
- f. The fence located across the 8-foot wide earthen ditch draining to the southeast corner of the park shall be removed or replaced with a swing gate.
- g. The applicant shall coordinate with the property owner(s) to the east to provide future secondary access to the site via Balsam Avenue. Evidence of this coordination shall be provided to staff within one year of approval by the Board of Supervisors.
- h. This Special Use Permit shall expire 20 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.
- i. All new mobile homes permitted and any new improvements on the subject site must meet current zoning standards for mobile home parks as outlined in Article XXIII, Section 2317 of the Maricopa County Zoning Ordinance.
- j. The applicant shall submit a written report outlining the status of the development at the end of three years from the date of approval by the Board of Supervisors. This status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- k. Combination of spaces to provide the necessary setbacks shall be provided through the "Slight Refinement" process administered by staff. Other minor changes will be accomplished through the Administrative Amendment process.
- l. RV spaces shall be dust proofed or paved to standards acceptable to MCDOT and C.E.S. and shall be clearly delineated on the revised site plan required by stipulation "d". These spaces must meet the requirements of Article XXIV; Section 2401.1.cc. RV parking located within park boundary areas and easements shall be eliminated.
- m. The applicant shall provide a 6-foot high masonry wall in place of the existing wood and chain link fences. A portion of the wall along the eastern boundary, at the Balsam Avenue alignment, shall be left open for future emergency access provisions. Completion of these items shall occur within five years of Board of Supervisors approval. The existing 5.5 foot tall wall along the western property line does not need to be replaced.
- n. Accessory structures crossing space lines or in violation of the Uniform Building Code shall be moved, removed or demolished upon resale of the respective units.
- o. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation 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.

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- p. 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.

Joy Rich, Director of Planning and Development, explained the Planning Commission action on this matter, and said that "a whole collection of violations had occurred over the years" in this existing mobile home park and they were endeavoring to bring the park into compliance by setting definite guidelines that must be complied with as new mobile homes are moved in to replace current mobile homes as they are moved out. She said the original stipulation "i" had been modified by Planning Commission to "give as wide a berth as possible to the property owner in bringing this into compliance" by allowing this to apply only to new homes as they are moved in instead of having a time limit when all must be in compliance. Staff concurs with the changes made by the Planning Commission.

Eric Howe, property owner, had a question on having to dust proof some of the very small spaces, that are seldom used, as they are being required to do by MCDOT. Chairman Stapley said that it would be problematic if Mr. Howe did not comply with standards as they are set when everyone else has to comply with them. He indicated that dust proofing could be done with grass and was relatively inexpensive.

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (4-0-1) to concur with the Planning Commission recommendation for approval subject to stipulations "a" through "p" as given above.

- 7. **Z2001-099** **District 2** (This case requires a ¾ vote to approve, due to opposition from adjacent property owners.) **CONTINUED**
Applicant: Michael Cronin for Sprint PCS and Rio Verde Home Owners Association
Location: 26526 Avenida Del Rey (in the Rio Verde area)
Request: Special Use Permit for a wireless communication facility in the R1-8 zoning district for Rio Verde (0.04 acres)

COMMISSION ACTION: Commissioner Beckley moved to recommend approval of Z2001-099, subject to the following stipulations "a" through "n". Commissioner Harris seconded the motion, which passed with a majority vote of 6-1, with Commissioner DiCiccio dissenting.

- a. Development and use of the site shall comply with the site plan entitled "Special Use Permit for Wireless Communication Facility – Monopole and Associated Ground Equipment", consisting of seven full size sheets, dated November 5, 2001, and stamped received November 5, 2001, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Narrative Report for Sprint PCS Wireless Antenna", consisting of five pages, dated November 5, 2001, and stamped received November 5, 2001, except as modified by the following stipulations.
- c. Major changes to this plan of development (the site plan and narrative report)/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.

- d. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- e. This Special Use Permit shall expire 25 years from the date of approval by the Board of Supervisors, upon expiration of the lease to the applicant(s), or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration. Any request for an extension shall be made at least six months prior to the expiration date.
- f. A status report shall be submitted by the applicant within five years from the date of Special Use Permit approval by the Board of Supervisors. The report shall be reviewed by staff of the Planning and Development Department to determine compliance with the stipulations of Special Use Permit approval. A second status report shall be submitted by the applicant within 20 years from the date of Special Use Permit approval by the Board of Supervisors.
- g. The location of the monopole shall be shifted to the west to more closely align with the existing Salt River Project power line poles.
- h. The monopole shall be a rust color similar to the existing Salt River Project power poles.
- i. The wall surrounding the Special Use Permit area shall have a maximum height of eight feet.
- j. The walled ground equipment area shall be reduced in size to 25 feet by 55 feet.
- k. Two 24" box trees shall be installed outside the west side of the ground equipment area and three 24" box trees shall be placed outside the north side of the ground equipment area to provide additional buffering.
- l. The access way to the site from Avenida del Rey will be dust-proofed in accordance with Maricopa County guidelines for dust proofing.
- m. A sign shall be installed at the entry to the access way on Avenida del Rey identifying the access as a private drive.
- n. Any antenna arrays being placed on this monopole shall be of a minimum size (maximum array width of four feet center-to-center of antennae) and under no circumstances are large catwalk types of antenna arrays to be installed.

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to continue this item.

Joy Rich, Director of Planning and Development, asked that a date certain be given for this continuance and Paul Golab recommended the earlier motion be rescinded and another motion, with a date certain, be entered.

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Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to rescind their earlier action and to continue this matter to the May 15, 2002, meeting.

- 8. Z2001-104 District 4**
Applicant: Camelback Jackrabbit L.L.C.
Location: Northeast corner of Jackrabbit Trail and Camelback Road (in the Goodyear area)
Request: Rezone from Rural-43 to R1-10 R.U.P.D.

COMMISSION ACTION: Commissioner Beckley moved to recommend approval of Z2001-104, subject to the following stipulations "a" through "k". Commissioner DiCiccio seconded the motion, which passed with a majority vote of 7-0.

- a. Development of the site shall comply with the zoning exhibit entitled "Preliminary Plat of Jackrabbit Estates" consisting of six full-size sheets, dated revised November 15, 2001, and stamped received December 3, 2001, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled "A Narrative Report of Jackrabbit Estates", consisting of five pages, dated revised November 28, 2001 and stamped received November 30, 2001, except as modified by the following stipulations.
- c. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for Camelback Road and 70' for Jackrabbit Trail shall occur prior to zoning clearance.
- d. All interior streets within the proposed development are to be constructed to minimum County standards.
- e. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- f. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- g. 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.
- h. Prior to or concurrent with the submittal of a final plat for any portion or phase of this development, a final landscape plan (inclusive of a full amenity package with BBQs, ramadas, trails, tot lots, etc.) is to be submitted.
- i. 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 H.V.A.C. units shall be ground-mounted.
- j. Major changes to the R.U.P.D. plan shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning

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Commission. Minor changes may be administratively approved by the Planning and Development Department.

- k. 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.

Joy Rich, Director of Planning and Development, outlined the Commission action on this item. There were no speakers. Subsequent to the Planning Commission hearing, staff received a letter of concern from Environmental Services about water and wastewater provisions to the site. They requested an additional stipulation "l" be added to address these issues, as below.

Mr. Curley, for the applicant, said that Supervisor Wilson had requested that some of the play areas be enlarged to include a ball field. The client has eliminated five small lots (#296 to #300) designated as play areas and combined the footage with the large play area in the original plan to comprise an area of around three acres, 390 ft. by 250 ft., for a very large play and recreational area, see new stipulation "m" below.

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried, (4-0-1) to concur with the Planning Commission recommendation for approval subject to stipulations "a" through "k" and to include two new stipulations "l" and "m" as given below.

- l. **Prior to approval of the final plat the applicant shall obtain or demonstrate that the wastewater treatment facility serving the subdivision has received Maricopa Association of Governments 208 plan approval in accordance with A.A.C. Title 18, Chapter 5, Article 3; that the subdivision is in accordance with the approved MAG 208 plan; and that the subdivision is identified as within the service area of the facility.**
- m. **The applicant shall delete Lots 296-300 in order to provide a tract for common open space of sufficient size to accommodate a multi-purpose field. This shall be shown on the final plat.**

- 9. **Z2001-151 District 4**
Applicant: Beus Gilbert, PLLC for Bauza Holdings, LLC, Olcor Holdings LLC, Macanudo Investors LP, and Rio Verde Diversified II LP
Location: Northwest corner of Citrus Avenue and Olive Avenue (in the Glendale area)
Request: Rezone from Rural-43 to Rural-43 P.A.D., R1-6 R.U.P.D./P.A.D., R1-8 R.U.P.D./P.A.D., C-2 P.D./P.A.D. for White Tank Mountain Ranch (613.4 acres)

COMMISSION ACTION: Commissioner Jayne moved to recommend approval of Z2001-151, subject to the following stipulations "a" through "s". Commissioner DiCiccio seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the zoning exhibit entitled "Proposed Rezoning Map and Residential Unit Plan of Development for White Tank Mountain Ranch Rezoning from Rural-43 to RUPD", consisting of one sheet, dated (revised) December 12, 2001, and stamped received January 8, 2002, except as modified by the following stipulations.

- b. Development of the site shall be in conformance with the narrative report entitled "White Tank Mountain Ranch", consisting of 31 pages plus exhibits, dated (revised) January 8, 2002, and stamped received January 8, 2002, except as modified by the following stipulations.
- c. All preliminary plats for White Tank Mountain Ranch shall be in conformance with approved zoning parcels (including # of lots, area, and density) as set forth in "Exhibit K" of the zoning narrative and the approved land use plan of the Development Master Plan.
- d. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for Perryville Road, 65' for Citrus Road, 70' for Olive Road and 55' for Peoria Avenue shall occur prior to zoning clearance.
- e. Prior to or concurrent with the submittal of a preliminary plat for any portion or phase of this development, a landscape plan is to be submitted which is consistent with the master conceptual landscape plan within the zoning narrative report.
- f. All interior streets within the proposed development are to be constructed to minimum County standards.
- g. Per Maricopa County Department of Transportation the following items shall be addressed with the platting of this development:
 - An updated traffic impact study shall be submitted and approved prior to submittal of the first preliminary plat. The applicant shall comply with recommendations in the approved analysis.
 - A minimum of two access points shall be provided to each individual unit or phase of the development.
 - All arterial and collector alignments shall be designed with bike lanes.
- h. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- i. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- j. An archaeological survey of the subject property shall be conducted, prior to the filing of the first preliminary plat, to locate and evaluate cultural resources that might be present.
- k. The total number of dwelling units for the White Tank Mountain Ranch Development Master Plan shall not exceed 1,732, unless modification approval is provided by the Maricopa County Board of Supervisors.
- l. The applicant shall provide a minimum of 65 acres of useable open space in conjunction with this project.
- m. 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.

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- n. Written notification shall be provided to all future homeowners that they are located within the state-defined territory in the vicinity of a military airport and may be subject to loud noise from military aircraft. Such notification shall be recorded on all final plats; be posted in Wigwam Creek South home sales office(s); and be included in all covenants, conditions, and restrictions (CC&Rs).
- o. To help mitigate the impact of noise from military aircraft, all residential dwelling units shall be constructed to achieve a 25-decibel noise reduction.
- p. 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 H.V.A.C. units shall be ground-mounted
- q. Prior to final plat approval, a licensed engineering investigation of the site shall be conducted and submitted identifying any fissures that affect the site and that the report shall include suggested mitigation of those fissures. A note stating that earth fissures may be present on the site shall be included on the final plat.
- r. Major changes to the R.U.P.D. plan 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.
- s. 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.

Joy Rich, Director of Planning and Development, outlined the Planning Commission action on this rezoning request for White Tank Mountain Ranch. This Development Master Plan (DMP) was originally approved by the Board on June 20, 2001, and this rezoning case implements that approval of the DMP. Letters of opposition have been received but no one spoke on the matter at the Planning Commission hearing. Staff and Planning Commission recommend approval. Mr. Paul Gilbert was present but there were no questions for him to address and he did not speak.

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

MEETING ADJOURNED

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

Don Stapley, Chairman of the Board

ATTEST:

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Norma Risch, Deputy Clerk of the Board