

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
April 21, 2004**

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., April 21, 2004, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3, Fulton Brock, District 1, Don Stapley, District 2, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney.

**INVOCATION**

Michael Jeanes, Clerk of Superior Court, delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Camila Fernandez, Planner, Planning and Development Department, led the assemblage in the Pledge of Allegiance.

**CONTRACT AND RECEIPT OF FUNDING FROM VALLEY OF THE SUN UNITED WAY**

Presentation from Paul Luna, President, Valley of the Sun United Way and action regarding approval of a contract and receipt of \$170,500 in funding provided by Valley of the Sun United Way to the Maricopa County Human Services Department for the purpose of providing emergency utility assistance for low-income households in select areas of Maricopa County. Services will be provided through the Maricopa County Community Action Programs during the contract period of May 1, 2004, to May 1, 2005, or until all funds are expended if prior to May 1, 2005. It is anticipated that nearly 900 households will be assisted with utility bills as a result of receipt of this funding. (This item continued from meeting of April 7, 2004.) (C22050881) (ADM2500)

Chairman Kunasek introduced the newly appointed Human Services Department Director, Annette Stein, who has been with the County for eight years and formerly managed the Healthcare for the Homeless Clinic and has been active in planning the new Human Services Campus.

Ms. Stein thanked him. She explained that Valley of the Sun United Way has been a long-time partner with the County. She said the \$170,500 funding would supplement federal funding being received for the low-income home energy assistance program. The money will be used for the County's Community Action Programs to provide emergency utility assistance for low income families with young children, persons with disabilities and the elderly. The anticipation is that an additional 900 families will benefit from this supplementary funding.

Paul Luna, President of Valley of the Sun United Way, said that currently the funding received by Maricopa County assists only 6.2% of eligible low-income households. He said that the average Maricopa family pays approximately 5.3% of their annual income for utility costs the working poor pay close to 12% of their income for utility services. The loss of utility service and high summer electric bills present significant crises for the elderly and families with young children, who are the most vulnerable to the summer heat. Increased utility costs during hot Arizona summers can force a loss of utility services. Approval of this funding contract will help prevent such a crisis for 2,000 additional individuals this summer. He said this contract is an extension of the many different ways Valley of the Sun United Way already partners with the County, such as with the Human Services Campus, the County's Bank One Ballpark Suite which is opened to community groups and a newly created employee assistance program. He also asked to express recognition of County Administrator David Smith who is active in various ways

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throughout the United Way Association and is a member of their Board of Directors and Strategic Planning Committee. He said that Mr. Smith has been very valuable in their organizational change and in developing a Community Impact Agenda to help them focus their resources in ways that allow the greatest impact throughout Maricopa County.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the contract with the Valley of the Sun United Way as given above. The Supervisors said the acceptance was with the heartfelt gratitude of the Board of Supervisors and the entire county. As for Mr. Smith, Supervisor Wilcox said, "he leaves a mark wherever he goes."

Chairman Kunasek also commented on the remarks about David Smith and said he'd wondered how many hours he has in his daily clock and that he gets so much done that "it seems to be more than the 24 that the rest of us have." He agreed that Phoenix summers seem to keep getting warmer and longer and the assistance provided by the funds from Valley of the Sun United Way will be greatly appreciated.

**REWARDING IDEAS AWARDS**

Chuck Bryant, member of the award's suggestion approval board said that the Rewarding Ideas Merit Award Board recommended awards for the following Maricopa County employees whose ideas this month will provide a tangible savings to the County of \$51,720 annually. (C2004010M) (ADM3333-002)

~ Supervisor Wilcox left the meeting ~

<b>NAME AND DEPARTMENT</b>	<b>IDEA</b>	<b>SAVINGS</b>	<b>AWARD</b>
Darrell Courtright, Facilities Management	Special plumbing equipment for jail cells to reduce maintenance.		\$100
Vera Rintala, Equipment Services	Protection of lubrication pit from oil with a rolling drain pan.		\$100
Ted Collins, MCDOT	In-house printing of specs	\$2,040	\$408
Pam Morrow, Adult Probation	Housing CMU within the jails saves in mileage costs per case.	\$49,680	\$2,500

~ Supervisor Wilcox returned to the meeting ~

The following is agenda item #6 which the Chairman said would be heard at this time.

**APPOINTMENT OF JUSTICE OF THE PEACE**

Supervisor Wilson gave his regrets at the death of Justice Gerald Ashton and sent condolences to his family in the name of the Board. He introduced Gerald Williams whom he planned to nominate to fill the empty bench seat. He said he had interviewed a number of worthy men and women for this replacement and Mr. Williams background as a military judge and as an attorney had influenced his decision.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to appoint Gerald Williams as Justice of the Peace for the North Valley Justice Precinct.

Colin Campbell, Presiding Judge of the Superior Court administered the oath of office to Mr. Williams.

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Mr. Williams said he considered public service both an honor and a solemn duty and he appreciated the trust placed in him.

**CODE ENFORCEMENT REVIEW – CARA STEELE**

Chairman Kunasek called for a public hearing on the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2002-00440, Cara Steele. (This hearing continued from meeting of March 17, 2004.) (ADM3417-023)

Miss Steele was present and addressed the Board saying that she has applied for the variance and asked for an extension of time.

Joy Rich, Chief Regional Development Services Officer, said that a variance had been applied for yesterday and requested a continuance to June 16 to assure that progress was being made towards compliance.

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to continue this item to the June 16, 2004, meeting.

**PUBLIC HEARING – ENVIRONMENTAL SERVICES – AIR POLLUTION RULE 331**

Chairman Kunasek called for a public hearing, as required by ARS §49-479(b), to solicit comments on proposed revisions to Maricopa County Air Pollution Control Regulation Rule 331 (Solvent Cleaning) and the Appendix To Rule 331 and on submitting the rules as revisions to the (Arizona) State Implementation Plan (SIP). Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations Rule 331 and the Appendix To Rule 331 and to submit the rules as revisions to the (Arizona) State Implementation Plan. (C88040377) (ADM2354)

Al Brown, Director of Environmental Health Services, said this rule adoption was essential for the ozone pollution problem in Maricopa County. He said great progress had been made locally in meeting the ozone one-hour standard but the new ozone eight-hour standard adopted by the EPA in 1997 had not yet been attained. The longer standard is deemed necessary because of the numerous health study findings of damage to humanity by prolonged breathing of ozone.

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) to approve the revisions to Maricopa County Air Pollution Control Regulation Rule 331 and the Appendix To Rule 331. A copy of Rule 331 and the Appendix is on file in the Clerk of the Board's Office.

**PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS**

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

Application filed by Michael John Barro for a Transfer-of-Location Transfer of a Series 7 Liquor License: (LL6118)

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Business Name: Barros Pizza  
Location: 41111 North Daisy Mountain Drive, Anthem  
Former Location: 4248 West Bell Road, No. 10, Glendale

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

**ONE-TIME ADDITION TO THE FLEET OF RED-LINED VEHICLE (1999 CHEVY TAHOE)**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a one-time addition to the Sheriff's Office fleet of a red-lined vehicle (No. 32954). This is a 1999 Chevy Tahoe currently scheduled to be removed from service. This vehicle will continue to be used in the Sheriff's Office Lake Patrol Division (5037) until the end of its useful life. The estimated annual cost to operate is \$3,400. (C5004059M) (ADM3104)

**ONE-TIME ADDITION TO THE FLEET OF A 2003 FORD EXPEDITION**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a one-time addition to the Sheriff's Office fleet of one 2003 Ford Expedition (VIN No. 1FMRU15W53LB66821) that has 28,000 miles, valued at \$25,289 to be purchased with JEF and RICO funds. This vehicle will be used in activities that support and enhance both the Jail and Enforcement programs. RICO and Jail Enhancement Funds will support its operation, maintenance, and fuel costs. No vehicle replacement cost is associated with this vehicle since it is a one-time addition to the county fleet and will automatically be removed from MCSO fleet when its useful life has expired. (C5004060M) (ADM3104)

**TRANSFER OF EXPENDITURE AUTHORITY TO TRIAL COURTS GENERAL FUND AND TRANSFER AND EXPENDITURE REGARDING TRIAL COURTS: NEW FACILITY START-UP EQUIPMENT**

Per ARS §42-17106, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the transfer of expenditure authority from FY 2003-2004 contingency funds in the amount of \$11,422 (annualized impact is \$68,533) from General Government (470) General Fund (Fund 100) General Contingency to the Trial Courts (800) General Fund (Fund 100). This action will require an expenditure appropriation adjustment increasing the Trial Courts' General Fund (Fund 100) budget by \$11,422 and reducing the General Government General Fund (Fund 100) General Contingency budget by the same amount. Also, per ARS §42-17106, approve the transfer and expenditure of \$883,840 from Appropriated Fund Balance (480) General Fund (Fund 100) Reserved Contingency for Relocations/New Facility Start-up to a new line in Appropriated Fund Balance (480) General Fund (Fund 100) Infrastructure/CIP (4813) entitled "Trial Courts: New Facility Start-up Equipment". Approval of the above actions will allow Trial Courts to appropriately and adequately equip new facilities as they become operational. (C38040188) (ADM1010)

**TRANSFER OF EXPENDITURE AUTHORITY REGARDING TRIAL COURTS: DEPENDENCY GROWTH START-UP EQUIPMENT**

Per ARS §42-17106, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the transfer of expenditure authority from FY 2003-2004 contingency funds in the amount of \$114,833 (annualized impact is \$459,332) from General Government

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(470) General Fund (Fund 100) Reserved Contingency for "Unfunded Liabilities" to the Trial Courts (800) General Fund (Fund 100). Also per ARS §42-17106, approve the transfer and expenditures of \$34,000 from Appropriated Fund Balance (480) General Fund (Fund 100) General Contingency to a new line in Appropriated Fund Balance (480) General Fund (Fund 100) Other Programs (4812) entitled "Trial Courts: Dependency Growth Start-up Equipment". Approval of the above actions will allow Trial Courts to address increased filings in juvenile dependency and delinquency cases. (C38040198) (ADM1010)

**ADDITION TO THE FLEET OF ONE COMPACT VEHICLE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the purchase of one compact vehicle, to be purchased from the department's FY 2003-2004 General Fund (100) budget. This acquisition will result in an addition of one to the county fleet. (C5504004M) (ADM3104)

**REJECT CLAIM DEMANDS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to reject claim demands (March 2004) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to ARS §11-629 (not a proper charge against the County) and ARS §11-622 (claims not having been filed within six-months after the last item of the account accrues). (ARS §11-629 \$863,972.85 and ARS §11-622 \$0.00) (C39040137) (ADM1804)

**MONTHLY SUMMARY REPORT  
MARCH 2004**

<b>Vendor</b>	<b>Amb. Doctors, Hosp. Ars 11-629</b>	<b>Over Six Months Ars 11-622</b>
Anesthesiology Specialists	910.00	0.00
Arizona Arrhythmia Consultant	134.00	0.00
Arizona Pulmonary Specialists	240.00	0.00
Associated Retina Consultants	1,491.26	0.00
Az Cardiovascular Perfusion	5,888.42	0.00
Banner Good Sam Trauma Service	1,006.00	0.00
Banner Good Samaritan Reg Med	294,009.39	0.00
Banner Thunderbird Med Center	219.45	0.00
Barrow Neurology Clinics	320.50	0.00
Biltmore Cardiology Pllc	2,823.00	0.00
Clinic For Digestive Diseases	115.97	0.00
Clinical Diagnostic Radiology	146.00	0.00
Hospitalists Of Arizona	903.00	0.00
Kidd, William H. Md Pc	110.00	0.00
Maricopa Health Systems	58.21	0.00
Medpro	200,354.41	0.00
Metro Anesthesia Consultants	1,275.00	0.00

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Phoenix Memorial Hospital	28,619.55	0.00
Phoenix Neurological Assoc Ltd	805.00	0.00
Professional Diagnostix	440.00	0.00
Professional Medical Transport	11,193.83	0.00
Rural Metro Ambulance	7,977.77	0.00
Southwest Ambulance	6,328.54	0.00
St Josephs Hosp Arizona	254,105.92	0.00
St Luke's Behavioral Health	36,373.63	0.00
Valley Radiation Oncology	7,984.00	0.00
Voss, Peter Md Pc	140.00	0.00
<b>Grand Totals:</b>	<b>863,972.85</b>	<b>0.00</b>
Restitution	0.00	
<b>Totals Denials:</b>	<b>863,972.85</b>	

**SETTLEMENT OF BANNER HEALTH SYSTEMS INCORPORATED, CATHOLIC HEALTH WEST AND MESA GENERAL CORRECTIONAL HEALTH LAWSUITS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the settlement of Banner Health Systems Incorporated, Catholic Health West and Mesa General correctional health lawsuits (No. CV2001-003616, CV2002-022438, CV2003-015650), subject to the terms of settlement agreements, the final form of which will be approved by the Division of County Counsel, Maricopa County Attorney. Also approve an allocation not-to-exceed \$80,000 of Detention Funds budgeted in Health Care Mandates for this settlement. (C39050018) (ADM409) (ADM2104)

**PERSONNEL AGENDA**

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

**RENEW PEAK PERFORMERS PROGRAM (aka SPOT AWARD PROGRAM) AND EXPENDITURE BUDGET TRANSFER**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to renew the Peak Performers Program (also known as the Spot Award Program) as a continuing employee recognition program for FY 2003-2004, and amend the program to allow for the purchase of American Express gift cards (02059-RFP) in denominations of \$25 for maximum award of \$50 per employee per event; for both General Fund and Non-General Fund departments, with total program cost of \$780,518 (\$312,668 General Fund and \$467,851 Non-General Fund) (see attached department allocation spreadsheet based on \$50 per filled position). Also, in accordance with ARS §42-17106B, authorize an expenditure budget transfer of \$312,668 from Appropriated Fund Balance General Fund Reserved Contingency-Performance Incentives (Department 480, Fund 100), to a new line item in Appropriated Fund Balance General Fund Other Programs entitled Peak Performer Awards. These funds will be used to pay for General Fund departments participation in this program, as well as the administration fee. (C31040068) (ADM3336)

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**INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental Agreement (IGA), between the Arizona Department of Economic Security (ADES) and the Office of Research and Reporting (R&R) in the amount of \$63,073 for funds to conduct research related to a Child Care Market Rate Survey in the State of Arizona. The total contract amount not-to-exceed \$63,073 for a term of four months – beginning April 1, 2004, through July 31, 2004. (C46040012)

**GRANT FUNDING FROM STATE OF ARIZONA, GAME AND FISH DEPARTMENT - WITHDRAWN**

NOTE: THIS ITEM WAS REPLACED BY ADDENDUM A-1 AS FOLLOWS:

Item: Authorize and approve the acceptance of funds from the State of Arizona Game and Fish Department in the amount of \$60,000 for participation in Project 07509-03, Buckeye Hills Public Range for the engineering plans and construction design documents for a public shooting range at Buckeye Hills Regional Park. There is sufficient revenue and expenditure authority in the FY 2004 budget of the Parks and Recreation Department 300 Parks and Recreation Grant Fund 230 to receive the \$60,000 and expend \$20,000 before June 30, 2004. Also, approve an expenditure appropriation adjustment in FY 2005 to increase the expenditure budget for the Parks and Recreation Department 300 Parks and Recreation Grant Fund 230 in the amount of \$40,000. This action will allow for the expenditure of the remaining \$40,000 of the grant. As the full amount of the grant was received in FY 2004, funding for the FY 2005 expenditure will come from the Fund 230 fund balance. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditures of these funds are not prohibited by the budget law. This appropriation adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to ARS §42-17105. For the FY 2005 budget, approve the creation of a new project titled "Buckeye Hills Public Range" in the General Government Capital Improvements Fund (445). For the FY 2005 budget, approve the transfer of \$90,000 in Appropriated Fund Balance Department 480 General Fund 100 to General Government Department 470 General Fund County Improvement Fund 445. Include in General Government Department 470 General Fund County Improvement Fund 445 funding of the Buckeye Hills Public Range project in the amount of \$90,000. Additionally, include the offsetting amount in the revenue and expenditures budgets for the Eliminations Department 980 Eliminations Fund 900. Approval of this action will allow Parks and Recreation to match the grant from the State of Arizona Game and Fish Agency. The grant and match will fund the design and plan of the public shooting range at Buckeye Hills Regional Park. Funding for the match is from the funds received from the sale of the Maricopa County owned property and building site of the George L. Campbell Branch Library to the Library District on January 7, 2004 (C1804015B). These funds were deposited to the General Fund (Department 470 Fund 100) in FY 2004. (C30040233)

**ACCEPT FUNDS FROM THE STATE OF ARIZONA GAME AND FISH FOR PROJECT 07509-03**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize and approve the acceptance of funds from the State of Arizona Game and Fish Department in the amount of \$60,000 for participation in Project 07509-03, Buckeye Hills Public Range for the engineering plans and construction design documents for a public shooting range at Buckeye Hills Regional Park. There is sufficient revenue and expenditure authority in the FY 2004 budget of the Parks and Recreation Department 300 Parks and Rec. Grant Fund 230 to receive the \$60,000 and expend \$20,000 before June 30, 2004. Also approve an expenditure appropriation adjustment in FY 2005 to increase the expenditure budget for the Parks and Recreation Department 300 Parks and Rec. Grant Fund 230 in the amount of \$40,000. This action will allow for the expenditure of the remaining \$40,000 of the grant. As the full amount

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of the grant was received in FY 2004, funding for the FY 2005 expenditure will come from the Fund 230 fund balance. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these funds are not prohibited by the budget law. This appropriation adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to ARS §42-17105. (This is Addendum item, A-1. It replaces item 17, page 4, on the formal agenda, above.) (C30040233)

#### **FUND TRANSFERS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

#### **AMENDMENT TO FULL SERVICE LEASE WITH TELECOM CENTER PHOENIX, LLC.**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley and unanimously carried (5-0) to approve and execute amendment to Full Service Lease No. L7346 with Telecom Center Phoenix, LLC, for approximately 19,000 square feet of office space at the former Chambers Warehouse located at 301 West Jackson Street, Phoenix, for use by the Chief Information Office. Landlord and tenant now wish to extend current lease commencement date of April 1, 2004, to April 15, 2004. Section No. 9 of the current lease shall be replaced in its entirety in order to define the amended lease commencement date. All other terms, conditions and capitalization rates of the current lease shall remain in effect and binding. (C1804017401)

#### **REISSUANCE OF WARRANT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize reissuance of a warrant in the amount of \$984.35 as replacement for Warrant No. 482133 for William Rick Allan. (Discussed in executive session on March 15, 2004.) (C18040358) (ADM1816)

#### **SETTLEMENT OF HERSHEY BUSINESS SYSTEMS AND MARICOPA COUNTY**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the settlement between Hershey Business Systems and Maricopa County regarding contract No. 00120-RFP, Electronic Document Management System – McDOT in the amount of \$117,000. (Discussed in executive session on March 1, 2004.) (C73040041) (ADM409)

#### **SOLICITATION SERIALS**

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

**Solicitation Serials:**

- 03264-S**      **PROPERTY TAX AND VALUATION** (\$1,400,000 est./three (3) years with three (3) one-year renewal options) (Continued from meetings of March 17, and April 7, 2004.)  
Pricing agreement to provide tax and valuation statement mailing and printing services for the County Assessor and Treasurer's Offices.
- Cooperative Computer Services, Inc.
- 03241-C**      **TRANSMISSION REBUILD OR EXCHANGE** (\$165,000 est./three (3) years with three (3) one-year renewal option)  
Pricing agreement to purchase transmissions as requested by the Equipment Services Department for maintenance of the county fleet.
- Phoenix Hard Parts
- 04004-C**      **GRADER BLADES** (\$135,000 est./three (3) years with three (3) one-year renewal options)  
Pricing agreement to purchase grader blades as requested by the McDOT Department.
- Road Machinery
- 04016-C**      **HEAVY DUTY TRUCK, CONSTRUCTION AND AGRICULTURAL/INDUSTRIAL FLEET & EQUIPMENT PARTS, SERVICE AND ACCESSORIES** (\$1,500,000 est./three (3) years, with three (3) one-year renewal options)  
Pricing agreement to purchase heavy-duty truck, construction and agricultural/industrial fleet and equipment parts, service and accessories as requested by the Equipment Services Department.
- Balar Equipment Corp.
  - Cummins Rocky Mountain, LLC
  - Cunningham Commercial Vehicles
  - Empire Machinery
  - Falcon Power, Inc.
  - Fleetpride
  - Newt Fogal Sales, Co.
  - Norwood Equipment, Inc.
  - RDO Equipment Co.
  - Road Machinery
- 04033-S**      **LAW ENFORCEMENT PHYSICAL EXAMINATIONS-MCSO** (\$330,000 est./three (3) years, with three (3) one-year renewal options)  
Pricing agreement to provide law enforcement physical examinations as requested by MCSO.
- Concentra Medical Centers

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Correction

- 03121-RFP MAINFRAME OPERATION OUTSOURCING (\$1,800,000 est/five (5) years)**  
A change to the contract expiration originally approved on the April 7, 2004, agenda. The contract should show a correct contract term of July 1, 2004, thru June 30, 2009.
- Infocrossing, Inc.

Contract Extension(s):

**Extension of the following contract(s):** (Extensions are recommended with the concurrence of the using agency(s) and the vendor(s), upon satisfactory contract performance and, when appropriate, after a market survey is performed).

Until June 30, 2006

- 01028-SC CONSTRUCTION EQUIPMENT RENTAL WITH OPERATOR (\$850,000 est/two (2) years)**  
Renewal of pricing agreement construction equipment rental with operator as requested by the McDOT and Flood Control departments.
- Breinholt Contracting Co., Inc.
  - O'Brien Concrete Pumping, A Div of Richard O'Brien Companies
  - Qualex Construction Inc.
  - Quackenbush Construction Corp.

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

- 03132-C INSTITUTIONAL FURNITURE (\$200,000 increase)**  
Increase contract value from \$600,000 to \$800,000. This \$200,000 increase was requested by MCSO to purchase additional institutional furniture for the new jails. This price agreement was initially approved by the Board on November 19, 2003, and has an expiration date of November 30, 2006.
- Norix Group, Inc.

SETTLEMENT OF JANE JONES et al, v. MARICOPA COUNTY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve settlement of Jane Jones et al., v. Maricopa County, et al, CV 2002-024945 for \$200,000. (Discussed in executive session on April 5, 2004.) (C75040070) (ADM409)

TRANSFER OF FUND BALANCE FROM ANIMAL CONTROL TRUST FUND TO ANIMAL CARE & CONTROL LICENSE/SHELTER FUND

Pursuant to ARS §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the transfer of fund balance from the Animal Control Trust Fund (716) to the Animal Care & Control License/Shelter Fund (Department 790, Fund 572) and to

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the Juvenile Restitution Fund (Department 270, Fund 229). The Animal Control Trust Fund (716) held donation revenue deposited by AC&C and Project SCRUB revenue that was inadvertently deposited into this fund. In order to close out the Animal Control Trust Fund (716), the following is requested: (C79040578) (adm2300-003)

- Transfer of \$413,005 to reimburse the License/Shelter Fund (572) for donation-funded program expenditures in FY 2002-03
- Transfer of \$77,985 to the Juvenile Restitution Fund (229) for Project SCRUB-related revenue.

**AMENDMENT NO. 1 U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH RESOURCES AND SERVICES ADMINISTRATION GRANT**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 to the U.S. Department of Health and Human Services, Health Resources and Services Administration grant, (Grant No.: 1 D1B TM 00065-01) to extend the grant period from February 29, 2004, through February 28, 2005. An extension of the grant period was required due to delays in receipt of funding from the federal government, in the planning process and in the shipments of equipment. The original grant period was from September 1, 2002, through February 29, 2004. The extended grant period is from September 1, 2002, through February 28, 2005, which has been approved by the U.S. Department of Health and Human Services, Health Resources and Services Administration. Expenditure of original funds has been \$215,185 for FY 2003 and 2004. Projected expenditure for FY 2005 is \$732,445. Funding amount of original grant remains unchanged at \$947,630. (C2603006001)

**INCREASE TO THE FLEET OF TWO VEHICLES AND TWO CARGO VANS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an increase to Correctional Health Services' (CHS) fleet of two vehicles for use by CHS Pharmacy Section for medication distribution and courier services of medical supplies, medical records, laboratory specimens, inter-office distribution, etc. In order to meet the operational needs of the Department, they plan to purchase two cargo vans with funding approved under Correctional Health: New Facility Start Up Costs (C26040230). Referenced vans were listed on supporting documentation listing itemized expenditures to accompany referenced agenda item. Purchase cost is \$64,860 for both vehicles. Expenditures for the operation and maintenance of the vehicles will be absorbed by Correctional Health Services' (260) Detention Fund (255). Any replacement costs associated with the vehicles to the county's fleet will be the responsibility of CHS and will be absorbed within its current and future budget appropriations. CHS current vehicle fleet is two. (C26040270) (ADM3104)

**TRANSFER AND EXPENDITURE REGARDING CORRECTIONAL HEALTH: NEW FACILITY PHARMACY EQUIPMENT**

Per ARS §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the transfer and expenditure of \$1,515,135 from Appropriated Fund Balance (480) Detention Fund (Fund 255) New Facility Start Up (4811) to a new line in Appropriated Fund Balance (480) Detention Fund (Fund 255) Other Programs (4812) entitled "Correctional Health: New Facility Pharmacy Equipment". Approval of this item will allow the Correctional Health Services Department to purchase new pharmacy equipment that is necessary to begin operations at the new jail facilities. (C26040280) (ADM2131-003)

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**RETROACTIVE PAY FOR LISA NEAGLE, SUPERVISOR, CORRECTIONAL HEALTH SERVICES MEDICAL RECORDS ACTIVITY**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve retroactive pay for Lisa Neagle, Supervisor in the Correctional Health Services' Medical Records Activity, to July 5, 2003. Approval of this action will allow the department to pay Ms. Nagle \$5,712 for retroactive pay (annualized at \$7,426), that is based on the recent salary advancement approved by the Compensation Review Committee on March 25, 2004. This cost will be absorbed in the current expenditure appropriation for Correctional Health Services (260) Detention Fund (255). (C26040290) (ADM3308)

**EXTENSION TO SOLE SOURCE CONTRACT WITH KACHINA AUTOMOTIVE EQUIPMENT, INC.**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve a one-year extension of the sole source contract with Kachina Automotive Equipment, Inc., as the exclusive distributor for Neutronics Enterprises, Inc. The contract, in the amount of \$485,000, will allow the Environmental Services Department to meet requirements set forth in ARS §49-474.03. The extension will continue the Voluntary Vehicle Repair and Retrofit Program. Administrative costs have been reserved through this appropriation and a previous general fund appropriation. (C8803036101)

**PURCHASE OF FOUR VEHICLES FOR ENVIRONMENTAL SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to authorize expansion of the Environmental Services vehicle fleet with the purchase of four vehicles at a cost of \$100,000. The vehicles being purchased will be used by personnel working to facilitate the inspections conducted by water and waste management staff. The funding to purchase these vehicles will come from budgeted expenditure authority. Expenditures required to operate these vehicles will come from the budgeted operations funding. (Addendum item A-2.) (C8804038M) (ADM3104)

**APPROPRIATION ADJUSTMENT TO THE HUMAN SERVICES GRANT FUND**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve an appropriation adjustment to the Human Services Grant Fund (Department 220/Fund 222), to increase revenue and expenditure authority by \$4,600,451 due to the additional grant awards of \$3,321,749 from the U.S. Department of Health and Human Services and \$1,278,702 the U.S. Department of Labor. Grant revenue is not local revenue for the purpose of the constitutional expenditure limitation, therefore, expenditures of this fund are not prohibited and would not alter the budget constraining the expenditures of local revenues duly adopted by the Board. (C2204113M) (ADM2500-003)

**INTERGOVERNMENTAL AGREEMENTS WITH VARIOUS CITIES/TOWNS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Intergovernmental Agreements with the following cities/towns for the operation of a Community Action program to provide emergency and community services for low-income residents in the geographic area of each city/town. The terms of the IGA's are from July 1, 2004, to June 30, 2005, and may be renewed for two additional one-year terms based on successful financial and program performance. Funding is provided by the Arizona Department of Economic Security and Maricopa County. The IGA's are contingent upon final approval of the county's FY 2005 budget, and the receipt of a fully executed IGA between Maricopa County and the Arizona Department of Economic Security. There

is no long-term commitment on the part of Maricopa County to continue this program beyond the terms specified. The IGA requires that the cities/towns develop and implement programs and services that address the following federal goals for Community Action Programs: securing and maintaining employment, securing adequate education, better income management, securing adequate housing, providing emergency services, improving nutrition, creating linkages among anti-poverty programs, and achieving self-sufficiency.

- a. City of Avondale - funding in a not-to-exceed amount of \$108,590 provided by the Arizona Department of Economic Security (\$72,459) and Maricopa County (\$36,131). (C22050332)
- b. Town of Buckeye - funding in a not-to-exceed amount of \$94,105, provided by the Arizona Department of Economic Security (\$62,793) and Maricopa County (\$31,312). (C22050342)
- c. City of El Mirage – funding a not-to-exceed amount of \$111,245, provided by the Arizona Department of Economic Security (\$76,542) and Maricopa County (\$34,703). (C22050352)
- d. Town of Gila Bend – funding a not-to-exceed amount of \$75,214, provided by the Arizona Department of Economic Security (\$50,188) and Maricopa County (\$25,026). (C22050362)
- e. City of Glendale – funding a not-to-exceed amount of \$286,699, provided by the Arizona Department of Economic Security (\$233,593) and Maricopa County (\$53,106). (C22050372)
- f. Town of Guadalupe – funding a not-to-exceed amount of \$78,626, provided by the Arizona Department of Economic Security (\$52,466) and Maricopa County (\$26,160). (C22050382)
- g. City of Tolleson – funding a not-to-exceed amount of \$84,132, provided by the Arizona Department of Economic Security (\$56,141) and Maricopa County (\$27,991). (C22050392)

**CONTRACTS WITH VARIOUS AGENCIES FOR COMMUNITY ACTION PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve contracts with the following agencies, for the operation of a Community Action program to provide emergency and community services for low-income residents in various geographic areas. The terms of the contracts are from July 1, 2004, to June 30, 2005, and may be renewed for two additional one-year terms based on successful financial and program performance. Funding is provided by the Arizona Department of Economic Security and Maricopa County. The contracts are contingent upon final approval of the county's FY 2005 budget, and the receipt of a fully executed IGA between Maricopa County and the Arizona Department of Economic Security. There is no long-term commitment on the part of Maricopa County to continue this program beyond the terms specified. The contracts require that the various programs develop and implement programs and services that address the following federal goals for Community Action Programs: securing and maintaining employment, securing adequate education,

better income management, securing adequate housing, providing emergency services, improving nutrition, creating linkages among anti-poverty programs, and achieving self-sufficiency.

- a) Tempe Community Action, Inc., a not-for-profit organization, for the operation of the Community Action program, for the geographic area of Tempe. This contract will provide the Tempe Community Action Agency funding in a not-to-exceed amount of \$247,931. Funding provided by the Arizona Department of Economic Security (\$187,326) and Maricopa County (\$60,605). (C22050781)
- b) Foundation for Senior Living, Inc., a not-for-profit organization, for the operation of the Community Action Program, for the geographic area of Wickenburg and Peoria. This contract will provide the Foundation for Senior Living, Inc., funding in a not-to-exceed amount of \$178,687; for the operation of the Wickenburg Community Action Program in the amount of (\$82,565) and the Peoria Community Action Program (\$96,122). Funding provided by the Arizona Department of Economic Security (\$121,981) and Maricopa County (\$56,706). (C22050791)
- c) Community Services of Arizona, Inc., a not-for-profit organization, for the operation of the Chandler Community Action program, for the geographic area of Chandler. This contract will provide Community Services of Arizona, Inc., funding in a not-to-exceed amount of \$155,891. Funding provided by the Arizona Department of Economic Security (\$108,876) and Maricopa County (\$47,015). (C22050801)
- d) Community Services of Arizona, Inc., a not-for-profit organization, for the operation of the Gilbert Community Action Program for the geographic area of Gilbert. This contract will provide Community Services of Arizona, Inc., funding in a not-to-exceed amount of \$78,880. Funding provided by the Arizona Department of Economic Security (\$52,635) and Maricopa County (\$26,245). (C22050811)

**CONTRACT WITH FOUNDATION FOR SENIOR LIVING, INC. (FSAL)**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve award of contract to the Foundation for Senior Living, Inc., (FSAL), a non-profit organization, to provide funding in the amount of \$511,467 for the operation of the low-income home weatherization and minor home repair programs. Program funding resources are provided by formula allocations to Maricopa County by Arizona Public Service, Southwest Gas, Arizona Department of Commerce/Energy Office and the Arizona Department of Economic Security. There are no county general funds involved in the contract. Funding is contingent upon the receipt of fully executed funding agreements between Maricopa County and the Arizona Department of Economic Security, the Arizona Department of Commerce/Energy Office and Arizona Public Service. The period of performance for this contract is July 1, 2004, to June 30, 2005. Two one-year contract renewals are allowable based on successful program and fiscal monitoring. (C22050851)

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**CONTRACT WITH CENTRAL ARIZONA SHELTER SERVICES (CASS)**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve contract with the Central Arizona Shelter Services (CASS) in the amount of \$180,000 to provide emergency shelter and comprehensive supportive services for homeless individuals and families during the FY 2005 fiscal year. This agreement will be effective on July 1, 2004, and will terminate on June 30, 2005. (C22050861)

**CONTRACT WITH SUN HEALTH/OLIVE BRANCH SENIOR CENTER**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve award of this contract to the Sun Health/Olive Branch Senior Center in the amount of \$20,000 to support the provision of a comprehensive array of supportive services to elderly individuals during FY 2005. This agreement will be effective on July 1, 2004, and will terminate on June 30, 2005. (C22050871)

**AMENDMENT TO CONTRACT WITH MEDICAL PROFESSIONAL ASSOCIATES OF ARIZONA, P.C. (MedPro)**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 4 to contract with Medical Professional Associates of Arizona, P.C., ("MedPro") for the provision of professional medical services to the Maricopa County Department of Public Health (MCDPH) and its clientele. The amendment deletes psychiatric services from the contract work statement and compensation sections. All other terms and conditions remain in effect. (C8602084104)

**CHANGE ORDER TO CONTRACT WITH TARGET GENERAL, INC.**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Change Order No. 27 to Contract JE01-02 with Target General, Inc. in the amount of \$339,300. The contract is for the construction of the Lower Buckeye Jail Adult Detention Facility. Change Order No. 27 incorporates various changes required to complete construction and allow occupancy. The increase is within the budget. (C4001010009)

**CONTRACT WITH KNIPP DESIGN ASSOCIATES, INC.**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a professional services contract with Knipp Design Associates, Inc., to provide "as needed" architectural interior design services for a two-year period. The consultant will provide planning, programming, estimating, design, and construction administration services for various county projects. Consultant fees for this two-year period shall be \$250,000, or less, and are paid by the county's Capital Improvement Program fund, Major Maintenance budget or by budgeted department funds. (C70040795)

**NAMING OF NEW ELECTIONS WAREHOUSE THE "MARICOPA COUNTY TABULATION ELECTION CENTER" (McTec)**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve naming the new Elections Warehouse the "Maricopa County Tabulation Election Center"

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(McTec). The facility is located at 510 South Third Avenue in Phoenix, currently under construction, and is expected to be completed in May 2004. (C7004081M) (ADM631-001)

**EASEMENTS AND 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. List on file in the Office of the Clerk of the Board of Supervisors. (ADM2007)

- |                   |   |
|-------------------|---|
| A229.006<br>(DWM) | Project No: 69010 – PM10 / Palm Lane (78th Street to Hawes Road) – Easement and Agreement for Highway Purposes – Parcel No. 219-22-004U – Douglas Heise – for the sum of \$18,389.00.                       |
| A229.006<br>(DWM) | Project No: 69010 – PM10 / Palm Lane (78th Street to Hawes Road) – Purchase Agreement and Escrow Instructions – Parcel No. 219-22-004U – Douglas Heise.   |
| A305.001<br>(CE)  | Project No: 69010 – Ratification of Quit Claim Deed – Parcel No. 503-51-024K, H, P, Q, 025F, G, 026D, 026N, 026J, 286 – Arizona Rochester Development Corporation an Arizona corporation.                   |
| DD-9448<br>(TS)   | Project No: 69010 – Dedication (Recker Road South of Baseline) – Easement and Agreement for Highway Purposes – Parcel No. 304-06-011E & 011P – Luisana Idsardi and Claudia Nassif – for the sum of \$10.00. |
| DD-9448<br>(TS)   | Project No: 69010 – Dedication (Recker Road South of Baseline) – Purchase Agreement and Escrow Instructions – Parcel No. 304-06-011E & 011P – Luisana Idsardi and Claudia Nassif.                           |
| DD-9450<br>(CE)   | Project No: 69010 – 25’ Roadway Easements along Redberry, 81st Street and Quill Street - Ratification of Quit-Claim Deed - Parcel No. 219-21-005F, 5K, 5J and 5H – Samuel F. Gonzales and Mary M. Gonzales. |
| DD-9453<br>(CS)   | Project No: 69010 – Special Warranty Deed – Anthem Arizona L.L.C., an Arizona limited liability company – for the sum of \$10.00.   |
| Z2000183<br>(GMS) | DMP 2003002 - Development Agreement with Rancho Cabrillo Development, L.L.C. as required by Board of Supervisors June 6, 2001 and amended June 18, 2003.  |

**ABANDONMENT OF “NON-VEHICULAR ACCESS EASEMENT” (EA NO. 120)**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) that the following resolution be adopted: (C64042037) (ADM2007)

**RESOLUTION**

**WHEREAS**, the Board of Supervisors as the governing body of Maricopa County may lay out, maintain, control and manage public roads within the county pursuant to Title 11, Chapter 2, Article 4 of the Arizona Revised Statutes (as amended), and

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**WHEREAS**, the Board of Supervisors has the authority to accept or reject offers of dedication of private property by easement, deed, subdivision plat or other lawful means for public streets; and

**WHEREAS**, there appears to be no objection to said abandonment described as follows:

A one-foot non-vehicular access easement located along the west boundary within lots 30, 31, 34, 35, and 38 of Mary Francis Estates Replat subdivision as recorded in Book 132 of Maps, Page 31, of official records of Maricopa County, Arizona.

**NOW, THEREFORE, BE IT RESOLVED**, that Maricopa County by this resolution hereby indicates that the vehicular non-access easement is no longer necessary. This action by Maricopa County in no way affects the rights of any private parties to oppose the abandonment or assert any rights resulting there from or existing previous to any action by Maricopa County.

**DATED** this 21<sup>st</sup> day of April 2004.

/s/ Andy Kunasek, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**CHANGE ORDER TO CONTRACT WITH CARTER & BURGESS**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Change Order No. 6 to Contract No. CY 1998-18 in the amount of \$1,100 with Carter & Burgess to perform additional work on the McQueen Road from Queen Creek Road to Pecos Road project, Work Order No. 68949. This change order will increase the total contract amount by \$1,100 for a revised contract amount of \$627,158.76. Carter and Burgess previously separated the private irrigation plans from the roadway project to be bid and constructed with the SRP project to relocate the distribution structures. The Carter & Burgess design included an open channel ditch beginning at Sta 181+20 and extending to Sta 182+80. This design previously submitted was to tie into an existing private irrigation ditch relocated by the ADOT Santan project to the south and an existing open channel that directs water to the west at Sta 182+80. McDOT has requested Carter & Burgess to extend the private irrigation ditch south to the relocated SRP structure (approximately Sta 180+00) and to revise the design from an open channel ditch to a closed piped system. The additional services include coordination with SRP and revision of the private irrigation plans, quantities, and estimate. It is also requested that the contract funding authorization be extended through June 30, 2004. (C6498278507)

**CHANGE ORDER TO CONTRACT WITH HAYDON BUILDING CORP.**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Change Order No. 12 to Contract No. CY 2003-47 with Haydon Building Corp., to extend the limits of the current McDowell Road construction project, No. T061, (68897), and compensate the contractor for additional costs involved in including the reconstruction of three legs of the McDowell Road/Alma School Road intersection. The reconstruction of the intersection is recommended per a roadway investigation prepared for the McDOT Maintenance Operations Section. This Change Order will increase the total contract amount by \$345,798.40, for a revised contract amount of \$5,920,338.04. (C6403124501)

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**AMENDMENT TO JOB ORDER CONTRACT WITH ACE ASPHALT OF ARIZONA, INC.**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment No. 1 to Job Order Contract No. CY 2003-48 with ACE Asphalt of Arizona, Inc.; which will extend the performance period of the contract by one year through March 5, 2005, without increasing the contract amount. The contract has a remaining balance of \$177,343. (C6403177502)

**REIMBURSEMENT TO SALT RIVER PROJECT**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve reimbursement to Salt River Project for the costs incurred for the design and providing service to Maricopa County Department of Transportation's (McDOT) pump station at 9191 East McDowell Road, in support of Project Number T-061 (68897), McDowell Road from Loop 101 to Alma School Road. The cost may not exceed the current estimate of \$4,000 by more than 10%. (C6403191501) (ADM2000-006)

**AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH GILA RIVER INDIAN COMMUNITY**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 to Intergovernmental Agreement with the Gila River Indian Community (Community), which was approved August 27, 2003. The county is agreeing to add three new intersections to the existing list for operation and maintenance of traffic signals, bringing the total number of signals to five. The traffic signals under contract will be: Wildhorse Pass Road & Maricopa Road, Allison Road & Old 56<sup>th</sup> Street (previously identified as 56<sup>th</sup> Street), Sundust Road & 56<sup>th</sup> Street, Allison Road & 56<sup>th</sup> Street, and Wildhorse Pass Blvd. & 48<sup>th</sup> Street. There is no cost to the county, as the community is billed for all costs associated with the operation and maintenance of the signals. (C6404031201)

**EASEMENT TO SALT RIVER PROJECT FOR IRRIGATION PURPOSES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the granting of an easement to Salt River Project for irrigation purposes on county property located along 35<sup>th</sup> Avenue near Vineyard Road. Upon close of sale, McDOT will receive revenue in the amount of \$760 for FY 2004. (C64042015) (ADM2013)

**CONSULTANT SERVICES CONTRACTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following consultant services contracts to provide roadway design services to penetrate and chip seal designated PM 10 Roads to comply with a county air quality plan to reduce creation of particulate matter. This work will provide plans and specifications for the roadways to be designed to a nominal 24 foot paved width, in order to comply with EPA mandates to reduce PM10 (dust) pollution, and to minimize impacts on residents and existing improvements. The proposed pavement structure will consist of a cement treated subgrade oil application over the base course and covered with a double application of chip seal surfacing. These services have been procured in accordance with the guidelines set forth in the Maricopa County Procurement Code under Article 5, Section 504.

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- a. Dibble & Associates Consulting Engineers, Contract No. CY 2004-53, in an amount not-to-exceed \$159,294 to perform design services for the PM 10 Roads, Phase 4 Carver Road, Eagle Mountain Road and Patrick Lane project, Work Order No. 16225, Project T048. The project to be designed consists of paving a total of 1-1/4 miles. (C64042065)
- b. HDR Engineering, Inc., Contract No. CY 2004-55, in an amount not-to-exceed \$246,470 to perform design services for the PM 10 Roads project, Work Order No. 16224, Project T047. The project to be designed consists of paving a total of 2.9 miles. (C64042085)

**CALL FOR BIDS AND AWARD – CONSTRUCTION OF ELLSWORTH ROAD AT BROWN ROAD (INTERSECTION), PHASE I**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the solicitation for bids for the construction of Ellsworth Road at Brown Road (Intersection), Phase 1 of Project T062, (McDOT No. 68902), Ellsworth Road from University to McLellan, and approve the award of a contract to the lowest responsive bidder, providing that the lowest responsive bid does not exceed the engineer's estimate by more than 10%. The project is located on Ellsworth Road in the City of Mesa from Fairfield Street to Princess Drive, a distance of 0.48 miles. Brown Road will be reconstructed from 90<sup>th</sup> Street to 94<sup>th</sup> Street. The work consists of reconstructing Ellsworth Road and Brown Road to a five and six lane configuration. The reconstruction includes aggregate base course and asphaltic concrete pavement, curb and gutter with sidewalks, storm drain installation, pipe culvert installation, concrete box culvert extensions, street lighting, traffic signals, signing and striping, and other miscellaneous items of work required for the completion of the project. Upon issuing a notice-to-proceed to the contractor, all work is expected to be completed within 120-calendar days. (C64042095)

**CONTRIBUTION OF IN-LIEU FEES TO THE ARIZONA GAME & FISH DEPARTMENT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the contribution of in-lieu fees to the Arizona Game & Fish Department in the amount of \$44,600, for the impacts to waters of the United States, which are expected to result from the activities authorized under Section 404 of the Clean Water Act with McDOT Project 68934 (T073), Old U.S. 80 Bridge @ the Hassayampa River. This contribution is part of a mitigation plan for the Old U.S. 80 Bridge @ the Hassayampa River Project, Project 68934 (T073). The cost will not exceed the current amount of \$44,600. (Supervisory District No. 5) (C64042115)

**REIMBURSEMENT TO ARIZONA PUBLIC SERVICE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve reimbursement to Arizona Public Service for the costs incurred for the design and relocation of their facilities in conflict with McDOT Project T058 (68840), Estrella Interim Loop 303 – Grand to Lake Pleasant. The cost may not exceed the current estimate of \$8,289 by more than 10%. (C64042275) (ADM2000-006)

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**REIMBURSEMENT AND ACCEPTANCE OF SALT RIVER PROJECT'S DESIGN AND CONSTRUCTION CONTRACT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve reimbursement and acceptance of Salt River Project's design and construction contract for job orders: KE6-90031; KE6-90036; KE6-90038; JE6-90031; JE6-90034; KE7-90040; KE7-90041; KE7-90042; KE7-90046; KE7-90047; KE7-90048; KE7-90049; KE7-90051; KEB-1472; KEB-1473; KEB-90053 and KEB-90057 for costs incurred for the design and relocation/construction of their facilities in conflict and new facilities in support of McDOT Project T068 (68927) – Ellsworth Road from Guadalupe Road to Germann Road. The cost may not exceed the current estimate of \$1,821,031 by more than 10% with \$180,000 to be expended in FY 2003-2004 and \$1,641,031 to be expended in FY 2004-2005. (C64042285) (ADM2000-006)

**RESOLUTION – APPLICATION FOR STATE LAKE IMPROVEMENT FUNDS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt Resolution No. McDOT 04-04 Approving the Application for State Lake Improvement Funds on behalf of the USDA Forest Service for the SB Cove Recreation Site at Bartlett Lake. The Forest Service is seeking grant funds to construct eleven ramadas and sidewalks that will improve recreation activities at Bartlett Lake. There is no cost to Maricopa County for this project as it will be a third party agreement for a pass through of funds to the Forest Service. There are no indirect costs associated with the State Lake Improvement Funds Grant therefore A-87 policy does not apply. (C64042303)

**MARICOPA INTEGRATED HEALTH SYSTEM PERSONNEL AGENDA**

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

<b>Name</b>	<b>Old Rate</b>	<b>New Rate</b>	<b>Class Title</b>	<b>Code</b>	<b>Effective Date</b>
<b>Dept: 60 Health Plans</b>					
Bigman, Steven J	\$12.22	\$14.21	Provider Services Specialist	Pro	03/15/2004
<b>Dept: 90 Maricopa Medical Center</b>					
Abdi, Hidig N	\$9.37	\$13.51	Patient Care Assistant	Coa	03/12/2004
Begley, Vicki L	\$0.00	\$25.24	Registered Nurse	Nhr	03/01/2004
Beutler, Kelly L	\$0.00	\$8.99	Ltc Attendant (G)	Reh	04/06/2004
Bolden, Natoya S	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/05/2004
Burgs, Barbara J	\$8.99	\$8.60	Ltc Attendant (G)	Ic	04/01/2004
Campos, Martha E	\$0.00	\$8.99	Ltc Attendant (G)	Reh	04/05/2004
Cassels, Joann	\$12.57	\$15.37	Toddler Car Seat Prog Coord	Pro	01/05/2004
Cosenza, Anna S	\$0.00	\$7.23	Radiology Tech Asst	Nhr	03/29/2004
Cruz, Jacqueline A	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/05/2004
Davis, Joan V	\$26.46	\$28.26	Registered Nurse	Pro	03/28/2004
Elenes, Mary H	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/05/2004
Ensminger, Laverne G	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/05/2004
Estrada, Samantha S	\$0.00	\$9.89	Dept Clerk	Nhr	03/16/2004
Fahey, Julian	\$11.04	\$13.50	Pharmacy Tech Certified	Coa	03/14/2004
Goodman, Ellen T	\$14.18	\$15.02	Client Care Supv.	Pro	03/15/2004

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Hewes, Toni R	\$0.00	\$18.25	Registered Nurse	Nhr	03/15/2004
Heyd, Kenneth D	\$0.00	\$9.90	Care Technician	Nhr	03/01/2004
Hill, Holly C	\$0.00	\$11.78	Patient Care Assistant	Nhr	03/29/2004
Johnsen, Mary E	\$0.00	\$12.00	Or Tech	Nhr	03/29/2004
Jones, Amy L	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/05/2004
Jorgensen, Jerri M	\$8.99	\$8.60	Ltc Attendant (G)	Ic	04/01/2004
Kachele, Janine A	\$0.00	\$18.25	Registered Nurse	Nhr	03/01/2004
Keeler, Maria A	\$9.34	\$8.94	Ltc Attendant (F)	Ic	04/01/2004
Lathrop, Rosemary	\$28.26	\$29.50	Admissions Coordinator	Pro	03/14/2008
Lavergne, Tricia L	\$14.96	\$18.96	Registered Nurse	Coa	02/16/2004
Lee, Deborah A	\$7.88	\$7.22	Ltc Attendant (F)	Ic	04/01/2004
Lee, Meja R	\$0.00	\$17.87	Licensed Practical Nurse	Nhr	03/29/2004
Lugo, Martha	\$7.50	\$7.44	Evs Associate	Coa	02/25/2004
Mack, Sharnell L	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/05/2004
Makolle, Koffi	\$9.34	\$8.94	Ltc Attendant (G)	Ic	03/28/2004
Manning, Beverly J	\$8.99	\$8.60	Ltc Attendant (G)	Ic	04/01/2004
Martin, Michael	\$10.30	\$12.62	Security Officer Certified	Pro	03/15/2004
McMullan, Aline M	\$0.00	\$21.52	Registered Nurse	Nhr	03/29/2004
Mega, Sandy A	\$15.00	\$18.25	Registered Nurse	Pro	02/17/2004
Mendoza, Rene	\$0.00	\$22.34	Radiologic Technologist	Nhc	04/05/2004
Morales, Priscilla A	\$0.00	\$9.60	Medical Assistant	Nhr	03/15/2004
Navarrette, Theresa C	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/05/2004
Nieto, Phyllis C	\$0.00	\$17.05	Payroll Specialist	Nhr	03/08/2004
Nix, Patricia	\$15.59	\$21.00	Supervisor Collections	Pro	04/12/2004
O'Donnell, Edward C	\$12.17	\$14.13	Psych Tech	Coa	02/29/2004
Parra, Candice	\$9.48	\$10.55	Administrative Assistant	Pro	01/18/2004
Perez, Isabel	\$0.00	\$11.51	Medical Assistant	Nhr	03/15/2004
Pityou, Maria S	\$7.88	\$7.22	Ltc Attendant (F)	Ic	03/01/2004
Roqueni, Angela M	\$13.75	\$14.82	Executive Assistant To Vp	Pro	03/15/2004
Scott, Gregory H	\$0.00	\$13.66	Psych Tech	Reh	03/15/2004
Silvas, Mary A	\$7.88	\$8.99	Ltc Attendant (G)	Pro	02/10/2004
Stebbins, Devonna F	\$15.94	\$21.00	Supervisor Collections	Pro	04/12/2004
Swan, Deborah	\$32.00	\$26.88	Registered Nurse	Coa	03/14/2004
Tanner, Diana K	\$7.88	\$8.99	Ltc Attendant (G)	Pro	03/22/2004
Valdez, Rosemary S	\$0.00	\$12.65	Health Unit Coordinator	Nhr	03/15/2004
Vasquez, Anrea N	\$15.00	\$18.25	Registered Nurse	Pro	03/05/2004
Williams, Kelvin T	\$0.00	\$14.13	Psych Tech	Nhc	03/15/2004

Nhc - New Hire Contract  
 Nhr - New Hire Regular  
 Nht - New Hire Temporary  
 Reh - Rehired  
 Pro - Promotion  
 Dem - Demotion

Adv - Salary Advancement  
 Coa - Change Of Appointment  
 Cor - Correction  
 Ic - Ins Change/Atten Care Wkrs  
 Swa - Special Work Assignment

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**GOVERNING BODY'S BY-LAWS FOR OPERATION OF THE MARICOPA INTEGRATED HEALTH SYSTEM**

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to rescind the Governing Body's By-Laws that were approved on November 17, 2003, and approve the new Governing Body's By-Laws for the operation of the Maricopa Integrated Health System, to become effective January 1, 2004. A copy of the by-laws are on file in the Office of the Clerk of the Board. (Continued from meetings of April 7, and 19, 2004.) (C90041796) (ADM2205)

**AMENDMENT TO CONTRACT WITH AMERICAN'S HANDICAPPED TAXI SERVICE**

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Amendment No. 5 to the contract with American's Handicapped Taxi Service for wheelchair/stretchers van services to:

- a. extend the contract term by one year from May 1, 2004, through April 30, 2005, making the aggregate term June 7, 2000, through April 30, 2005,
- b. increase the not-to-exceed amount by \$74,753, from \$1,489,000 to \$1,563,753 through April 30, 2005, and
- c. revise the work statement to add that contractor's crews are responsible for assisting members in the transfer to and from wheelchairs, as needed.

The contract may be extended up to a total term of five years, and either party may terminate the contract with 90-days written notice. Maricopa County may, upon 30-days prior written notice, and without the consent of the other party hereto, assign this contract. (C6000291105)

**AMENDMENT TO CONTRACT WITH TOTAL TRANSIT, INC., dba MEDITRANS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Amendment No. 6 to the contract with Total Transit, Inc., dba Meditrans for wheelchair/stretchers van services to:

- a) extend the contract term by one year from May 1, 2004, through April 30, 2005, making the aggregate term June 7, 2000, through April 30, 2005,
- b) increase the not-to-exceed amount by \$624,735, from \$1,800,000 to \$2,424,735 through April 30, 2005, and
- c) revise the work statement to add that contractor's crews are responsible for assisting members in the transfer to and from wheelchairs, as needed.

The contract may be extended up to a total term of five years, and either party may terminate the contract with 90-days written notice. Maricopa County may, upon 30-days prior written notice, and without the consent of the other party hereto, assign this contract. (C6000292106)

**AMENDMENT TO CONTRACT WITH AAA FULL TRANSPORTATION**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Amendment No. 5 to the contract with AAA Full Transportation for wheelchair/stretchers van services to:

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- a) extend the contract term by one year from May 1, 2004, through April 30, 2005, making the aggregate term June 7, 2000, through April 30, 2005,
- b) revise the work statement to add that contractor's crews are responsible for assisting members in the transfer to and from wheelchairs, as needed.

There is no change in the not-to-exceed amount of \$1,607,000. The contract may be extended up to a total term of five years, and either party may terminate the contract with 90-days written notice. Maricopa County may, upon 30-days prior written notice, and without the consent of the other party hereto, assign this contract. (C6000293105)

**ADDITION OF FIVE CONTRACTS TO THE ASSISTED LIVING ADULT CARE HOME SERVICES CONTRACTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the addition of five contracts to the Assisted Living-Adult Care Home Services contracts. Each contract term is effective on date of execution through October 31, 2004. The aggregate contract not-to-exceed amount for the Assisted Living-Adult Care Home Services pool of funds remains at \$22,561,000. Contracts, related to this agenda item, may be extended, not-to-exceed a total term of five years, and may be terminated by either party with 90-days written notice. Maricopa County may, upon 90-days prior written notice, and without the consent of the other party hereto, assign this agreement. (C60042291ZZ)

- Greenway Adult Care Home (C60042301)
- Pavillion Guest Home (C60042311)
- Rejoice Group Home (C60042321)
- Haven of Living Water (C60042331)
- Creek View Manor (C60042341)

**CONTRACTS FOR ASSISTED LIVING ADULT CARE HOME SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the following contracts for Assisted Living-Adult Care Home Service. These contract terms are effective on date of execution through October 31, 2004. The aggregate contract not-to-exceed amount for the Assisted Living-Adult Care Home Services pool of funds remains at \$22,561,000. These contracts may be extended, not to exceed a total term of five years, and may be terminated by either party with 90-days written notice.

- a. Arizona Spring Home No. 1 (C60042361)
- b. Ramda Corporation, dba Mary J's Care Home (C60042381)

**NON-FINANCIAL AGREEMENT WITH CATHOLIC HEALTHCARE WEST dba ST. JOSEPH'S HOSPITAL AND MEDICAL CENTER**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve a new non-financial agreement between Catholic Healthcare West dba St. Joseph's Hospital and Medical Center and Maricopa Integrated Health System (MIHS) for the Trauma Center Wake Up! Youth Program. The term of the agreement shall be upon signature by both parties for a period of five years. The agreement will automatically renew annually unless amended in writing or terminated with 30-

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days written notice. Maricopa County may, upon 90-days prior written notice, and without the consent of the other party hereto, assign this agreement. (C90041740)

**HEARING SET - ROAD FILE DECLARATIONS**

Petitions have been filed for declaration of the following roads into the county highway system. Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve scheduling hearings for 9:00 a.m., Wednesday, May 19, 2004, on the following road files:

**Road File 4430-R:** General vicinity of Desert Hills Drive from 27<sup>th</sup> Avenue to 7<sup>th</sup> Avenue. (C64042125) (F21324)

**Road File 5290:** All streets consistent with the rights-of-way, as depicted in Anthem Unit 21A, a subdivision as shown in Book 555 of Maps, Page 42, MCR., in the general vicinity of Gavilan Peak Parkway and Anthem Way. (C64042137)

**Road File 5291:** All streets consistent with the rights-of-way, as depicted in Anthem Unit 20C, a subdivision as shown in Book 558 of Maps, Page 5, MCR., in the general vicinity of Gavilan Peak Parkway and Anthem Way. (C64042147)

**Road File 5292:** All streets consistent with the rights-of-way, as depicted in Anthem Unit 17, a subdivision as shown in Book 532 of Maps, Page 2, MCR., in the general vicinity of Daisy Mountain Drive and Anthem Way. (C64042157)

**Road File 5293:** All streets consistent with the rights-of-way, as depicted in Anthem Unit 16, a subdivision as shown in Book 529 of Maps, Page 32, MCR., in the general vicinity of Daisy Mountain Drive and Anthem Way. (C64042167)

**Road File 5294:** All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 8, a subdivision as shown in Book 570 of Maps, Page 7, MCR., in the general vicinity of Indian School Road and Dysart Road. (C64042177)

**Road File 5295:** All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 6, a subdivision as shown in Book 570 of Maps, Page 11, MCR. (C64042187)

**Road File 5296:** All streets consistent with the rights-of-way, as depicted in Montana Farm II, a subdivision as shown in Book 575 of Maps, Page 32, MCR., in the general vicinity of Bethany Home Road and Citrus Road. (C64042197)

**Road File 5297:** All streets consistent with the rights-of-way, as depicted in Superstition Heights, a subdivision as shown in Book 538 of Maps, Page 9, MCR. (C64042207)

**Road File 5298:** All streets consistent with the rights-of-way, as depicted in Double R Meadows, a subdivision as shown in Book 551 of Maps, Page 34, MCR., in the general vicinity of Chandler Heights Road and Cooper Road. (C64042217)

**Road File 5299:** All streets consistent with the rights-of-way, as depicted in Vida Del Sol Estates Unit 1, a subdivision as shown in Book 519 of Maps, Page 24, MCR., in the general vicinity of Patton Road and Crozier Road. (C64042227)

**Road File 5300:** All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 1, a subdivision as shown in Book 570 of Maps, Page 8, MCR., in the general vicinity of Camelback Road and Dysart Road. (C64042237)

**Road File 5301:** All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 5, a subdivision as shown in Book 570 of Maps, Page 6, MCR., in the general vicinity of Camelback Road and Dysart Road. (C64042247)

**Road File 5302:** All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 7, a subdivision as shown in Book 570 of Maps, Page 4, MCR., in the general vicinity of Camelback Road and Dysart Road. (C64042257)

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**Road File 5303:** All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 10, a subdivision as shown in Book 570 of Maps, Page 5, MCR., in the general vicinity of Camelback Road and Dysart Road. (C64042267)

**HEARING SET - PLANNING AND ZONING CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for May 5, 2004, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2003-060; Z2003-116; Z2003-127; Z2003-128; Z2003-129.

**INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA VARIABLE RATE DEMAND MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (SAN ANGELIN APARTMENTS PROJECT)**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM4792)

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA VARIABLE RATE DEMAND MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (SAN ANGELIN APARTMENTS PROJECT), SERIES 2004 (THE "BONDS") IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$18,000,000.**

**INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA VARIABLE RATE DEMAND MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (SAN FERNANDO APARTMENTS PROJECT)**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM4792)

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA VARIABLE RATE DEMAND MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (SAN FERNANDO APARTMENTS PROJECT), SERIES 2004 (THE "BONDS") IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$14,500,000.**

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**INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA MULTIFAMILY HOUSING REVENUE BONDS (DEER VALLEY GARDENS APARTMENTS PROJECT)**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM4792)

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA MULTIFAMILY HOUSING REVENUE BONDS (DEER VALLEY GARDENS APARTMENTS PROJECT), SERIES 2004 IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$9,000,000 (THE "BONDS").**

**MINUTES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meetings held January 29, February 23, 25, March 3, 15, 17, and 22, 2004.

**ASRS CLAIMS**

No claims were presented at this time. (ADM3309)

**MIHS-HP CLAIMS RESOLUTION**

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

**COMBINED CHARITABLE CAMPAIGN DONATIONS**

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

**2004 NACO ANNUAL CONFERENCE DONATIONS**

No donations were reported at this time. (C2003015M) (ADM652)

**PRECINCT COMMITTEEMEN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with lists dated April 21, 2004, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

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**CHECK ENFORCEMENT FUND**

In accordance with ARS §13-1811(F) County Bad Check Trust fund, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to accept the quarterly financial reports of all revenues and expenditures from the Check Enforcement Fund for the periods of July 2003 through March 2004. (ADM404)

**SECURED TAX ROLLS**

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

<b>Tax Roll</b>	<b>From No.</b>	<b>To No.</b>	<b>Net Result</b>
1999	7269	7270	-\$155.38
1999	7271	7271	-\$550.00
2000	12175	12185	-\$6,380.94
2000	12186	12190	-\$30,289.40
2001	37952	37976	-\$26,868.68
2002	15193	15279	-\$158,657.00
2002	15302	15353	-\$117,772.12
2003	8276	8444	-\$273,867.74

**TAX ABATEMENTS**

No requests were presented at this time. (ADM708)

**DUPLICATE WARRANTS**

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

**COUNTY**

<b>NAME</b>	<b>WARRANT</b>	<b>FUND</b>	<b>AMOUNT</b>
Salt River Project	340538322	Expense	\$1,659.00
Salt River Project	340538323	Expense	\$12,224.00
Kimley-Horn & Associates	340539162	Expense	\$4,538.50
Nancy D Montano	240001967	Payroll	\$418.80
First Financial Title Agency of AZ	340533358	Expense	\$750.00
Tracy E Louthan	240021536	General	\$85.00

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**SCHOOL**

<b>NAME</b>	<b>SCHOOL</b>	<b>WARRANT</b>	<b>AMOUNT</b>
Jessica K Dever	SD #214	14-0094888	\$12.88
Josefina Carlos	Arlington SD	4493863	\$152.32
Machinery Sales	EVIT #401	440046872	\$954.78
Transource Computer	Fowler SD	440081692	\$1,108.03
Nancy Mada	Supt of Schools	14-0167058	\$597.08
Laura Simpson	Supt. of Schools	14-0086146	\$96.97
Michael Sylve	Treasurer	14-0167134	\$65.65
Infinite Office Interiors	Phoenix Elem SD #1	44-0088063	\$1,375.00
Mutual of Omaha	Phoenix Elem SD #1	44-0101065	\$67,306.17
Transource Computer	Fowler SD	440081692	\$1,108.03
Ella Pierpoint	Arlington SD	14-98700	\$953.91
Speedy Auto Glass	Saddle Mtn Unified SD	440060058	\$315.82
Shannon Arriaga	Pendergast School District	14-0078503	\$64.64
K Mart #3628	Tolleson SD	440059498	\$62.17

**STALE DATED WARRANTS**

No warrants were presented at this time. (ADM1816)

**SETTLEMENT OF TAX CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the settlement of tax cases on file in the Office of the Clerk of the Board of Supervisors, list dated April 21, 2004. (ADM704)

<b>2002</b>	<b>2004</b>
TX 03-000604	ST 03-000239
<b>2003</b>	TX 03-000454
TX 02-000558	TX 03-000617
<b>2003/2004</b>	<b>2004/2005</b>
ST 03-000101	ST 03-000200
TX 02-000548	ST 04-000013
TX 03-000590	ST 04-000044
TX 03-000603	ST 04-000051

**CLASSIFICATION CHANGES**

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

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<u>Parcel No.</u>	<u>Year</u>	<u>Owner</u>	<u>From:</u>	<u>To:</u>
103-17-057b	2001	Anna Lopez	Lc/4	Lc/3
103-17-057b	2002	Anna Lopez	Lc/4	Lc/3
103-17-057b	2003	Anna Lopez	Lc/4	Lc/3
113-02-047	2001	Idomero Verguzco	Lc/4	Lc/3
113-02-047	2002	Idomero Verguzco	Lc/4	Lc/3
113-02-047	2003	Idomero Verguzco	Lc/4	Lc/3
123-17-135	2001	Donald Case	Lc/4	Lc/3
123-17-135	2002	Donald Case	Lc/4	Lc/3
123-17-135	2003	Donald Case	Lc/4	Lc/3
123-43-150a	2001	Joann Makedonsky	Lc/4	Lc/3
123-43-150a	2002	Joann Makedonsky	Lc/4	Lc/3
123-43-150a	2003	Joann Makedonsky	Lc/4	Lc/3
130-14-025	2001	Mary Crockett	Lc/4	Lc/3
130-14-025	2002	Mary Crockett	Lc/4	Lc/3
130-14-025	2003	Mary Crockett	Lc/4	Lc/3
135-62-069	2001	Gloria Baker	Lc/4	Lc/3
135-62-069	2002	Gloria Baker	Lc/4	Lc/3
135-62-069	2003	Gloria Baker	Lc/4	Lc/3
138-15-035	2001	Jose M Mejia	Lc/4	Lc/3
138-15-035	2002	Jose M Mejia	Lc/4	Lc/3
138-15-035	2003	Jose M Mejia	Lc/4	Lc/3
143-07-053	2001	Jerry Biodrowski	Lc/4	Lc/3
143-07-053	2002	Jerry Biodrowski	Lc/4	Lc/3
143-07-053	2003	Jerry Biodrowski	Lc/4	Lc/3
143-11-093	2001	Sindy Wilson	Lc/4	Lc/3
143-11-093	2002	Sindy Wilson	Lc/4	Lc/3
143-11-093	2003	Sindy Wilson	Lc/4	Lc/3
143-37-059	2001	Elais C Arrellano	Lc/4	Lc/3
143-37-059	2002	Elais C Arrellano	Lc/4	Lc/3
143-37-059	2003	Elais C Arrellano	Lc/4	Lc/3
148-01-402	2001	Lori Hovorka	Lc/4	Lc/3
148-01-402	2002	Lori Hovorka	Lc/4	Lc/3
148-01-402	2003	Lori Hovorka	Lc/4	Lc/3
148-21-484	2001	Steve Rogers	Lc/4	Lc/3
148-21-484	2002	Steve Rogers	Lc/4	Lc/3
148-21-484	2003	Steve Rogers	Lc/4	Lc/3
149-17-661	2001	Wilson Cagnette	Lc/4	Lc/3
149-17-661	2002	Wilson Cagnette	Lc/4	Lc/3
149-17-661	2003	Wilson Cagnette	Lc/4	Lc/3
154-30-014	2001	Curtis Fox	Lc/4	Lc/3
154-30-014	2002	Curtis Fox	Lc/4	Lc/3
154-30-014	2003	Curtis Fox	Lc/4	Lc/3
161-05-060a	2001	Alamtaj Shipkin	Lc/4	Lc/3
161-05-060a	2002	Alamtaj Shipkin	Lc/4	Lc/3
161-05-060a	2003	Alamtaj Shipkin	Lc/4	Lc/3
161-07-130a	2001	Hilda Amato	Lc/4	Lc/3
161-07-130a	2002	Hilda Amato	Lc/4	Lc/3

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161-07-130a	2003	Hilda Amato	Lc/4	Lc/3
162-17-093	2001	Marc Burke	Lc/4	Lc/3
162-17-093	2002	Marc Burke	Lc/4	Lc/3
162-17-093	2003	Marc Burke	Lc/4	Lc/3
163-01-137	2003	Mary Baron	Lc/4	Lc/Mixed
164-69-739	2002	Robert Briney	Lc/4	Lc/3
164-69-739	2003	Robert Briney	Lc/4	Lc/3
167-15-005	2001	John Chapion	Lc/4	Lc/3
167-15-005	2002	John Chapion	Lc/4	Lc/3
167-15-005	2003	John Chapion	Lc/4	Lc/3
200-34-480	2001	Lannie Van Tassel	Lc/4	Lc/3
200-34-480	2002	Lannie Van Tassel	Lc/4	Lc/3
200-34-480	2003	Lannie Van Tassel	Lc/4	Lc/3
208-07-292	2001	Vera Silva	Lc/4	Lc/3
208-07-292	2002	Vera Silva	Lc/4	Lc/3
208-07-292	2003	Vera Silva	Lc/4	Lc/3
217-53-501	2001	Dorothy Otillar	Lc/4	Lc/3
217-53-501	2002	Dorothy Otillar	Lc/4	Lc/3
217-53-501	2003	Dorothy Otillar	Lc/4	Lc/3
231-10-883a	2003	David Holroyd	Lc/4	Lc/3
301-26-093	2001	Mary Verdugo	Lc/4	Lc/3
301-26-093	2002	Mary Verdugo	Lc/4	Lc/3
301-26-093	2003	Mary Verdugo	Lc/4	Lc/3
301-55-049	2001	Harold Brown	Lc/4	Lc/3
301-55-049	2002	Harold Brown	Lc/4	Lc/3
301-55-049	2003	Harold Brown	Lc/4	Lc/3
303-61-203	2003	Donald Collins	Lc/4	Lc/3
304-95-006	2001	Donald Towndend	Lc/4	Lc/3
304-95-006	2002	Donald Towndend	Lc/4	Lc/3
304-95-006	2003	Donald Towndend	Lc/4	Lc/3
501-69-160	2003	Michael Barnes	Lc/4	Lc/3
503-04-058b	2002	Irene Osterhoudt	Lc/4	Lc/3
503-04-058b	2003	Irene Osterhoudt	Lc/4	Lc/3

**COMPROMISES**

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

Angelica Baeza	\$1,800.00	Rodolfo Chavez	\$ 8,500.00
Maria Cordova	270.00	Mary Crosswell	7,480.78
Vidal Cruz	5,000.00	Donald Holmes	5,700.00
James Jackson	700.00	Bette R. Linz	15,000.00
Derek Meier	5,000.00	Miguel Munoz	1,800.00
Nancy Murrillas	7,000.00	Albert Ortiz	2,000.00
Lorena Sanchez	500.00	Robert Sandoval	6,000.00
Joe Sledge, Jr.	700.00	Francine Soto	4,600.00
Mya Soto	168.00	Adriana Tallabas	2,000.00

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Monica Tallabas	250.00	Sonia Tallabas	4,500.00
Cindy Walker	8,000.00		

**WRITE-OFFS**

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

Mary Bardon	\$10,375.00	Terry Cahalane	\$41,343.90
Michael C. Haven	6,299.77	Kimberly Ingram	33,921.76
Porfirio Juarez	21,803.82	Manuela Martinez	3,417.06
Montgomery Rabbany	870.10	Agnes Marie Ambrose	740.00
Bradford K. Baer	770.00	Bradford K. Baer	2,060.00
Onie Wheeler Campiglia	1,220.00	Deborah Lynn Geroge	3,075.00
Dontey Deangelo Jackson	20.00	Joe Morgan Johnson	3,240.00
Gregory Allen Kennedy	290.00	Grover Craig Lesueur	400.00
Moises Sanchez Loustaunau, Sr.	112.00	Douglas Wayne Osgood	20.00
Juan Carlos Reyes	510.00	Allen Bruce Snyder	60.00
Thomas Bird	1,975.00	Jon Paul Burton	1,047.00
Evert John Beebe	445.00	Donna Gayle McDowell	285.00

**PUBLIC COMMENT**

Anthony Abril, citizen, spoke on the increasing need for project funding in all parts of the Valley and especially for South Phoenix where he declared that there was a great need for hotels and for hospitals instead of the clinics that are now there. He also asked the public to boycott American companies that are "leaving the U.S. to gain from cheaper labor in foreign countries." (ADM605)

**SUPERVISORS'/COUNTY ADMINISTRATIVE OFFICER SUMMARY OF CURRENT EVENTS**

Supervisor Wilson commented on Judge Williams' extensive legal background past and present and said he was very highly qualified. Chairman Kunasek remarked on his impressive qualifications and said, "he raises the bar so high that the expectations rise, but that wouldn't be a bad thing." (ADM606)

Supervisor Wilcox reminded all to remember this year's employee picnic on Sunday and hoped there would be a large attendance. She also reported that she was elected as State Boxing Commission Chairwoman and said that she is the first woman to ever be elected to that position.

Supervisor Brock recognized the importance of the Rewarding Ideas Awards saying that the public encourages and recognizes efficiencies made in government and he was pleased at the initiative shown by Maricopa County employees in devising money-saving ideas to apply to their work sites. Ideas that have saved the County hundreds of thousands of dollars since the program started. He also recognized Joy Rich, Chief Regional Development Services Officer, for her help in putting together some public meetings on the east side of the Valley and Mike Ellegood, Director of Public Works, County Engineer and Director of the Department of Transportation, for his work in trying to re-engineer an intersection on Riggs Road that was in need of renovation because of the explosion in population being experienced.

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Chairman Kunasek reported that he had attended the 50<sup>th</sup> Anniversary Celebration of the Maricopa County Parks System last weekend at Estrella Mountain Regional Park. He said that employees and volunteers who had worked there 50 years ago had attended, as had the uncle of Supervisor Stapley. He elaborated on that remark by saying that "since it's inception, there has always been 'a Stapley' on the Parks Board." There will be a yearlong celebration and 50 different weekly hikes showcasing different trails and segments of the park's trail system. He thanked Bill Scalzo and all of the Park's staff for putting together such a nice event.

### PLANNING AND ZONING

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

#### CONSENT AGENDA DETAIL:

1.     **S2004-010**     **District 3**  
       **Applicant:**     Stanley Consultants, Inc.  
       **Location:**     North of Daisy Mountain Dr. and east of I-17 (in the Anthem area)  
       **Request:**     Final Plat in the R-2 R.U.P.D. and Rural-43 zoning districts for Anthem South Side Mixed Use Tract "A" (Approximately 39.08 gross acres)

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve this final plat.

2.     **Z2003-124**     **District 4**  
       **Applicant:**     Dean Sulzer of Cawley Architects  
       **Location:**     26301 W. highway 85 (MC 85), which is approx. ½-mile east of the intersection of Oglesby Rd. (SR 85) & MC 85 (in the Buckeye area)  
       **Request:**     Plan of Development for a construction yard for a concrete related business in the C-3 and IND-2 zoning district – Temcon Concrete

**COMMISSION ACTION:** Commissioner Smith moved to recommend approval of Z2003-124 subject to the following stipulations "a" through "j". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 6-0.

- a.     Development of the site shall be in substantial compliance with the site plan entitled "ZONING CASE NO: Z2003-124", consisting of one (1) full-size sheet, dated revised February 9, 2004 and stamped received February 12, 2004, except as modified by the following stipulations.
- b.     Development of the site shall be in substantial compliance with the narrative entitled "TEMCON CONCRETE Plan of Development Narrative Report", consisting of 4 pages, stamped received December 10, 2003, except as modified by the following stipulations.
- c.     The site shall meet all applicable Federal, State, and County requirements for dust control.

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- d. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- e. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- f. Any landscaping within County right-of-way will require a permit from the Maricopa County Department of Transportation.
- g. Required parking spaces as shown on the site plan shall be clearly designated and measure a minimum of 9 feet in width and 18 feet in length for regular vehicle parking spaces, with one spot designated a handicap accessible parking space and measuring a minimum of 13 feet in width and 18 feet in length.
- h. Future amendments to this Plan of Development shall be reviewed by MCDOT. Ultimate roadway improvements to MC 85, including pavement, may be required when there is a change in site use/intensity.
- i. Major changes to this Plan of Development (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- j. Noncompliance with the Plan of Development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.

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

**REGULAR AGENDA DETAIL:**

- 3. **Z2003-042**      **District 1** (This case continued from meeting of February 18, 2004.)
  - Applicant:** Richard Andrews for Victoria Properties
  - Location:** South of the southeast corner of Germann Rd. & Sossaman Rd. (in the Queen Creek area)
  - Request:** Rezone from Rural-43 to C-2 P.D. with a Plan of Development for an automotive commercial center - Four Point Plaza (9.4 ac.)

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**COMMISSION ACTION:** Commissioner Pugmire moved to recommend denial of Z2003-042. Commissioner Harris seconded the motion, which passed with a majority vote of 6-1, with Commissioner Barney dissenting.

Joy Rich, Chief Regional Development Services Officer, reported that the applicant needs additional time to complete arrangements with the Town of Queen Creek and has asked for an extended continuance to the middle of June.

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to continue this item to the June 16, 2004, meeting.

**4. DMP2003-009 District 4**

**Applicant:** Cortessa, L.L.C.

**Location:** Generally bounded on the north by Peoria Ave., on the east by Citrus Rd., on the south by Olive Ave. and on the west by Perryville Rd. (in the northwest Glendale area)

**Request:** Amendment to a previously approved Development Master Plan (D.M.P.) under Case DMP 99-06 – Cortessa (613.4 gross ac.)

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of DMP2003-009, subject to the following stipulations "a" through "v". Commissioner Smith seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall be in substantial compliance with the Development Master Plan exhibit entitled "Cortessa – Development Master Plan Major Amendment DMP 2003-009", consisting of one (1) full-size page and that is found as Tab 6 in the narrative report referenced in stipulation 'b' below, dated revised February 18, 2004, and stamped received March 10, 2004, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the Development Master Plan document entitled "Narrative Report – Cortessa – Major Amendment to White Tank Mountain Ranch DMP (DMP2003009)", a bound document with 19 pages including exhibits, dated revised February 27, 2004, and stamped received March 10, 2004, except as modified by the following stipulations.
- c. Approval of this case supercedes DMP 99-06.
- d. Development shall comply with the following stipulations from the Maricopa County Department of Transportation:
  1. An approved traffic impact analysis shall be on file with the Maricopa County Department of Transportation. The analysis shall include development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The analysis shall be updated with each phase to reflect existing conditions and any changes to the development plan.
  2. The traffic analysis shall be updated prior to the first Final Plat approval to reflect current conditions. Additional lane capacity on offsite alignments will be reviewed with each resubmittal of the traffic analysis. The Applicant shall provide

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- a financial assurance to guarantee the offsite improvements that are recommended in their approved analysis. Subsequent updates of the traffic analysis will be required by the Maricopa County Department of Transportation if changing conditions warrant.
3. Developer is responsible for assuring paved access to their site at the time of the first Final Plat.
  4. Applicant shall be responsible for submitting their arterial street network to the MAG Transportation Improvement Program for conformity analysis. Approval is required prior to commencing construction.
  5. All proposed primary routes (principal arterials or greater) must be consistent with County approved transportation plans.
  6. Dedication of additional right-of-way to bring the total half-width dedication to:
    - a) 70' for Olive Avenue.
    - b) 65' for Citrus Road.
    - c) 65' for Perryville Road.
    - d) 55' for Peoria Avenue.
  7. At the time of adjacent Final Plat approval, the applicant shall post the necessary assurance for the construction of Perryville Road.
  8. Peoria Avenue improvements between Citrus Road and Cotton Lane will be evaluated at the time any adjacent parcel develops or when a roadway connection to Peoria Avenue is proposed.
  9. Access points and median openings on all arterial streets shall comply with Maricopa County Department of Transportation requirements.
  10. The applicant may be required, as directed by MCDOT, to locate the elementary school drop-off and pick-up areas on private property.
  11. The developer shall be responsible for construction of all public and private onsite roadways within the designated Cortessa boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and facilities, washes, parks, roadway median landscaping (on interior streets only), landscaping within the public right-of-way adjacent to all major and minor arterial roadways, and of pedestrian, bicycle, and equestrian pathways.
  12. All-weather access shall be provided to all parcels and available to each development phase and/or subdivision unit.
  13. A minimum of two (2) access points shall be provided and available to each development phase and/or subdivision unit.

14. An underground conduit system (or comparable technology) shall be provided within the rights-of-way throughout the development (only on arterial roadways) to integrate traffic signals and for future ITS used.
  15. Provide neighborhood access to commercial areas by means other than using the arterial street network.
  16. Proposed commercial sites within the development shall be subject to a Plan of Development overlay.
  17. Use of neighborhood electric vehicles shall be accommodated in this development. Routes and other design features shall be established, as necessary, to provide safe and efficient circulation in conformance with prevailing laws and requirements at time each phase is submitted for approval.
  18. Bike lanes shall be included on all arterial and major collector alignments and meet County standard. A bicycle circulation plan shall be provided with each phase of development.
  19. Development should be designed to promote pedestrian and bicycle use and alternative modes of transportation to public facilities within and adjacent to the site (e.g., bus bays, park-and-ride lots, internal trail systems).
  20. Street lighting installation shall be the responsibility of the developer. A Street Light Improvement District or comparable authority shall be established to provide operation and maintenance.
  21. Landscaping shall conform to Chapter 9 of the MCDOT Roadway Design Manual. Maintenance of landscaping within public rights-of-way shall be the responsibility of the applicant.
  22. Provide the ultimate half-width rights-of-way on all arterials consistent with the Maricopa County Major Streets and Routes Plan.
  23. Developer will address any construction traffic routing issues that may arise.
  24. Applicant shall employ appropriate procedures during construction to comply with Maricopa County dust control requirements.
  25. This project is subject to the Arizona Pollutant Discharge Elimination System (AZPDES) Stormwater requirements for construction sites under the Arizona Department of Environmental Quality. Applicant is responsible for complying with these requirements.
- e. Major changes to this Development Master Plan (the land use plan and narrative report) and the conditions of approval, shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission.

- f. Non-compliance with the Development Master Plan (the land use 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.
- g. The Cortessa Development Master Plan shall expire in five years from the date of approval unless a Final Plat has been approved for the first phase of development.
- h. The total number of dwelling units for the Cortessa Development Master Plan shall not exceed 1,732, unless modification approval is provided by the Maricopa County Board of Supervisors. Units shall be tracked on the subdivision plats.
- i. A revised archeological survey and cultural resources treatment plan must be submitted to the State Historic Preservation Office for their review and approval prior to any ground disturbing activity occurring on the site. Written proof of compliance with this stipulation shall be provided to the Maricopa County Planning and Development Department.
- j. The developer shall be responsible for construction of all public and private on-site roadways within the designated Cortessa Development Master Plan boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and facilities, washes, parks, roadway median landscaping, landscaping within the public right-of-way adjacent to all major and minor arterial roadways, and of pedestrian, bicycle, and equestrian pathways.
- k. Not less than 15 acres shall be set aside and donated (upon demand) to the Dysart Unified School District to accommodate the projected need of an elementary school. Developer will continue to make this site available for 15 years after the Board of Supervisors' approval of the Cortessa rezoning. In the event that the site donation is not accepted and developed within the 15-year period, or in the event that the Dysart Unified School District ever ceases to use the site, the developer may retain a right of reversion to the developer or the developer's assignee.
- l. Any alteration of existing natural washes shall be done in compliance with the rules and guidelines set forth by the United States Army Corps of Engineers.
- m. Prior to approval of each Preliminary Plat, developer shall provide "will serve" letter from Arizona Public Service. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Arizona Public Service upon approval by the Maricopa County Planning and Development Department.
- n. Prior to approval of each Preliminary Plat, developer shall provide a "will serve" letter from Rural Metro Corporation. Developer may submit a "will serve" letter from a different qualified public or private fire service in place of Rural Metro Corporation upon approval by the Maricopa County Planning and Development Department.
- o. Prior to approval of each Preliminary Plat, developer shall provide a "will serve" letter from Qwest Communications. Developer may submit a "will serve" letter from a different qualified public or private telephone company in place of Qwest Communications upon approval by the Maricopa County Planning and Development Department.

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- p. Prior to the submittal of each Preliminary Plat, developer shall provide a "will serve" letter from Southwest Gas. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Southwest Gas upon approval by the Maricopa County Planning and Development Department.
- q. Comprehensive water and wastewater master plans, prepared in accordance with the appropriate Arizona Department of Environmental Quality engineering bulletins, shall be required for review and approval by the Maricopa County Environmental Services Department prior to subdivision Final Plat and/or water and sewer improvement plan submittals.
- r. A quality of life assessment of \$377 per unit shall be made available to the Maricopa County Library District.
- s. One hundred dollars (\$100) per house will be paid by the developer as each residential building permit is issued to a fund for the White Tank Regional Park for trails and facilities enhancement and maintenance. The County shall deposit and hold all receipts in a park's special revenue fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing county appropriations for similar purposes, but rather are intended as supplemental resources resulting from additional park usage by Cortessa residents. Maricopa County Parks and Recreation Department will provide each residential unit in the Cortessa Development Master Plan with a voucher for one free Mountain Park Annual Pass.
- t. The applicant shall provide a minimum of 65 acres of useable open space in conjunction with this project. Open space shall be tracked on subdivision plats by type to ensure the adequate acreage of useable open space is provided.
- u. The applicant agrees to cooperate with the Maricopa County Sheriff's Office to address the items listed in the memorandum signed by Captain Ron Stoner, District III Commander, Patrol Bureau with an attached memorandum from Ian J. Thompson, Division Commander, New Building Construction dated January 29, 2004.
- v. Prior to Preliminary Plat approval, a revised Preliminary Drainage Report shall be submitted to the Flood Control District for review and approval. The report shall meet the County's standard drainage requirements, as well as any requirements of the Loop 303 Corridor/White Tanks Area Drainage Master Plan (ADMP) Update – unless the District's Board of Directors agrees to modify the standard drainage requirements for the Cortessa Development Master Plan due to its participation in a regional drainage capital improvement project.

Joy Rich said that items #4 (DMP) and #5 (zoning) are related and she would report on both at this time. She said that the requested changes on the 732 lots originally drawn would make the development more useable by the buyers.

Michael Curley, for the applicant, said the changes are minor and will correct flaws in the original open space density. In response to a question from Supervisor Stapley about these modifications opening up

space for additional commercial leasing Mr. Curley agreed and said changes involve 5 acres portion where streets will be adjusted to accommodate commercial traffic and also to enlarge some lot sizes.

Supervisor Stapley remarked that these were good and logical changes and an example of the good neighbor policy in action.

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

5. **Z2003-087**      **District 4**  
**Applicant:** Cortessa, L.L.C.  
**Location:** Generally bounded on the north by Peoria Ave., on the east by Citrus Rd., on the south by Olive Ave. and on the west by Perryville Rd. (in the northwest Glendale area)  
**Request:** Amendment to the previously approved Zoning under case Z2001-151 to include changes to the development standards of the R.U.P.D. Overlay Zoning District, and to increase the acreage of C-2 P.D. zoning – Cortessa (613.4 gross ac.)

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2003-087, subject to the following stipulations "a" through "s". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall comply with the zoning exhibit entitled "Cortessa R.U.P.D. Amendments" on the first sheet and "Cortessa R.U.P.D. Case Number Z2003087" on the second sheet, consisting of two (2) full-size sheets and that is found as Tab 5 in the narrative report referenced in stipulation 'b' below, dated revised February 13, 2004, and stamped received March 10, 2004, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the Zoning document entitled "Narrative Report – Cortessa – Major Amendment to White Tank Mountain Ranch RUPD (Z2003087)", a bound document with 70 pages including exhibits, dated revised February 27, 2004, and stamped received March 10, 2004, except as modified by the following stipulations.
- c. Approval of this case supercedes Z2001151.
- d. The Zoning for Cortessa shall expire in five years from the date of approval unless a Final Plat has been approved for the first phase of development. Any reversion of zoning to Rural-43 will require public hearings before the Planning and Zoning Commission and the Board of Supervisors.
- e. Dedication of additional rights-of-way to bring the ultimate 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.
- f. The preliminary plat for any portion or phase of this development shall include a landscape plan that is consistent with the Conceptual Landscape Plan included as Tab 7 within the zoning narrative report referenced in stipulation 'b' above.

- g. All signage shall be consistent with the Comprehensive Sign Package included as Tab 8 in the zoning narrative report referenced in stipulation 'b' above. All signage and entry monumentation shall be included in the landscape plans as per stipulation 'e' above.
- h. All interior streets within the proposed development are to be constructed to minimum County standards.
- i. An updated traffic impact study shall be submitted to the Maricopa County Department of Transportation for review and approval prior to submittal of the first Final Plat. The applicant shall comply with recommendations in the approved analysis.
- j. A minimum of two access points shall be provided to each individual unit or phase of the development.
- k. All arterial and collector alignments shall be designed with bike lanes.
- l. 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.
- m. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- n. 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.
- o. The site is located within State-defined Territory in the Vicinity of a Military Airport and will require notice to homebuyers and sound attention in construction as a condition of subdivision plat approvals.
- 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 Plan of Development (zoning exhibit and narrative report) and the conditions of approval, 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

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approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.

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

**MEETING ADJOURNED**

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

\_\_\_\_\_  
Andrew Kunasek, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board