

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
May 19, 2004**

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., May 19, 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

Bill Scalzo, Chief Community Services Officer, delivered the invocation.

PLEDGE OF ALLEGIANCE

Julie Schweigert, Stadium District, led the assemblage in the Pledge of Allegiance.

RECESS TO RECONVENE AS THE FLOOD CONTROL DISTRICT

Chairman Kunasek recessed the formal meeting to convene as the Board of Directors of the Flood Control District to consider Addendum item F-A-2. The Chairman did this to accommodate the the schedule of State Land Commissioner, Mark Winkleman.

RECONVENE IN FORMAL SESSION

After consideration of the Flood Control District agenda, Chairman Kunasek reconvened the Board of Supervisors' Formal Meeting at 9:58 a.m.

PRESENTATION TO BOB SPENCER

Chairman Kunasek offered the following tribute to Bob Spencer, Emergency Management Director, as he prepares to move his family to Washington State: (ADM650)

~ Supervisor Wilcox left the meeting ~

"We want to take a few moments to wish a fond farewell to a man who has been a dynamic department director here in Maricopa County --- Bob Spencer of Emergency Management. He and his wife are moving to Washington state to begin a new phase in their life. We wish him the best, but want to recognize his outstanding contributions while here.

He was hired as Director of the Maricopa County Department of Emergency Management (MCDEM) on November 6, 1995. One of his first goals was to make the department more visible. He has done that and he has gotten other departments involved with emergency management related areas by increasing awareness.

Bob Spencer has always been regarded as one of the top performing directors employed by the county. As a result of his efforts, the work of MCDEM is held in high regard among those who are familiar with the subject matter and those who work with the director and his staff.

Mr. Spencer takes a "proactive" approach to education, training, and planning. Preferring to take a lead role by getting out front and exerting leadership and providing guidance countywide, he is also very supportive of training, and assures training for all staff members. Since part of the job of emergency

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management is to stay current with practices, standards, and trends, continuing education and training fulfills this. Training always receives a high priority in each employee's performance standards.

One of the words that best describes him is "collaborator." He works effectively with Federal, state, local, departmental, not-for-profit, and other outside agencies. He always makes his time available to assist others and provides useful information to groups and assists them with studies, projects, planning, exercises and suggestions for training."

The following is a very small list of Bob Spencer's accomplishments while he was at Maricopa County:

- Facilitated the establishment of a county Citizen Corps Council and helped guide the establishment of several Community Emergency Response Teams (CERT) in the County
- Guided the distribution of several million dollars of Homeland Security funds to first responders in the County
- Ensured the department was able to respond to an incident at Palo Verde Nuclear Generating Station if one were ever to occur. The County Emergency Operations Center has had no areas requiring corrective action in the past two FEMA-evaluated exercises
- Flood Control District and Public Health command and control technologies have been integrated into the County EOC, both as an enhancement to the EOC and to serve as a backup to those agencies' primary operations
- Held quarterly workshops with the emergency managers of cities and towns in the County
- Bob has served on Homeland Security Planning Committees
- State Terrorism Task Force and Executive Committee
- Local Emergency Planning Committee as Chairman
- AZTech Executive Committee
- Public Health Agency Emergency Planning Committee
- Mass Evacuation Planning Committee (as lead)
- MCM I Supervisors and Managers School (as instructor)
- Security Planning Committee for Bank One Ballpark for the World Series
- Rolling Blackout / Energy Conservation Committee (as lead)
- Arizona Millennium Group
- Y2K Projects and Committees
- Unified Command Group

Mr. Spencer thanked the Board and County Administration for their help in making his job enjoyable, satisfying and for their interest and support. He said, "You're an amazing set of leaders. You set up the policies and let us run with them." He cited his staff members, whom he called "consummate professionals" and expressed his satisfaction in working with them and with many of the leading citizens of Maricopa County.

~ Supervisor Wilcox returned to the meeting ~

Supervisor Wilcox thanked him for the expertise he exhibited as security levels were raised since 9/11 and said the whole of Maricopa County and the State would miss him.

Mr. Smith mentioned an earlier goodbye party held for Mr. Spencer and said that representatives from many of the cities and towns in the County were there for it. He cited this as a mark of the well-earned and very positive relationship that Mr. Spencer had developed with them. He said, "It isn't always easy when there's competition for federal funds or for prerogatives or powers, even in the emergency response field, but Bob was able to create a coalition – create a credibility – a training program form of assistance

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that really has enhanced the level of preparedness in all of our cities and towns.” He wished Mr. Spencer well but was sorry to see him leave.

PRESENTATION TO THOMAS J. PAPPAS SCHOOL

Item: Recognition of Employee Picnic Committee and presentation to Thomas J. Pappas School from the golf tournament participants. (ADM650)

Al Macias lauded the employees who worked so hard to make this year’s employee picnic one that was very much enjoyed by approximately 1,000 Maricopa County employees and their families. These included Laura Koller, Nancy Santos, Russ Binicki, Ron Reddic, Bernadette Munoz, Sandra McLemore, Stephanie Bagierek, Glen Floe, Kristine Kemper and Kerrilyne Baumann. Ron Reddic reported that the golf tournament held to benefit the Thomas J. Pappas School raised \$4,191.33, which he and Chairman Kunasek presented to the Superintendent of Maricopa County Regional School District, Dr. Kit Wood. Dr. Wood accepted the check on behalf of the school, Dr. Sandra Dowling and Ben Arredondo. She thanked the Board of Supervisors for their continuing support of the school district and especially the Pappas Schools. She added that the money would be put to good use.

PUBLIC HEARING – BINGO LICENSE APPLICATION

Chairman Kunasek called for a public hearing on this matter. No protests having been received and no speakers coming forth at the Chairman’s call, pursuant to ARS §5-404.A, motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the application filed by Mary L. Koontz and Edith H. Alger for a Bingo License Permit: (ADM657)

Organization:	General Federated Women’s Club of Morristown
Location:	41026 North Castle Hot Springs Road, Morristown
Date/Time:	Fridays, from 7:00 p.m. to 9:00 p.m.

PUBLIC HEARING – FIREWORKS DISPLAY PERMIT

Chairman Kunasek called for a public hearing on this matter. No protests having been received and no speakers coming forth at the Chairman’s call, pursuant to A.R.S. §36-1603, motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an application filed by Randy Reyman, for a fireworks permit to be held on May 22, 2004, at the Pioneer Arizona Living History Museum, Pioneer Road exit off of I-17 for a Fireworks Display Permit. (ADM66530)

PUBLIC HEARING - LIQUOR LICENSES APPLICATIONS

Chairman Kunasek called for a public hearing on the following liquor license applications. No speakers coming forth at the Chairman’s call and all protests being duly noted and considered, motion was made by Supervisor Wilcox and seconded by Supervisor Stapley, to recommend approval of the following liquor license applications:

Application filed by Daniel Ronald Kraatz for an Original, Series 14 Liquor License: (LL6121)
(See back-up letter of protest)

Business Name:	Rio Verde Country Club
Location:	18731 East Four Peaks Blvd., Rio Verde

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Application filed by Samuel Turrentine Crump, Sr., for a Special Event Liquor License: (F23132)

Organization:	Rotary Club of Anthem – Community Music Event
Location:	41703 North Gavilan Peak Parkway, Anthem
Date/Time:	Saturday, May 22, 2004; 6:00 p.m. – 9:00 p.m.

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

ROAD DECLARED (ROAD FILE NO. 4430-R)

No protests having been received and no speakers coming forth at the Chairman’s call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042125) (F21324)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A 65 foot roadway, together with all appurtenances and easements of record, lying within Section Twenty-four (24) and Section Twenty-five (25) in Township Six (6) North, Range Two (2) East and within Section Nineteen (19) and Section Thirty (30) in Township Six (6) North, Range Three (3) East, all in the G&SRB&M, Maricopa County, Arizona, said roadway lies Southerly and adjacent to the following described line:

Beginning at the Northwest corner of Section 25, T.6N,R.2E.; thence, Easterly along the North line of said Section 25, to a point on the North line of said Section 25, which bears West, a distance of 1014.09 feet more or less from the Northeast corner of said Section 25, common with the Southeast corner of said Section 24, said point also being the Point of Curve of tangent curve to the left, with a radius of 1432.41 feet and a central angle of 16°24’30”; thence, leaving said North line, Northeasterly, along said curve an arc distance of 410.21 feet to a Point of Tangency; thence, N 73°35’30”E, a distance of 214.57 feet to the Point of Curve of a tangent curve to the right, with a radius of 1432.41 feet and a central angle of 16°23’30”; thence, Easterly along said curve, an arc distance of 409.80 feet to a Point of Tangency on the east line of said Section 24, which bears, N00°11’20”E, a distance of 177.16 feet from the Southeast corner of said Section 24, said point also being the Northwest corner of said Section 30; thence, continuing along the North line of said Section 30, Easterly to the Northeast corner of said Section 30 and the terminus of this herein described line.

(Said roadway is also known as Desert Hills Drive from 27th Avenue to 7th Avenue, and lies in Supervisor District No. 3)

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

ROAD DECLARED (ROAD FILE NO. 5290)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042137)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Anthem Unit 21A, a subdivision as shown in Book 555 of Maps, Page 42, M.C.R., general vicinity of Gavilan Peak Parkway and Anthem Way.

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

ROAD DECLARED (ROAD FILE NO. 5291)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042147)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Anthem Unit 20C, a subdivision as shown in Book 558 of Maps, Page 05, M.C.R., general vicinity of Gavilan Peak Parkway and Anthem Way. (Supervisory District No. 3)

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

ROAD DECLARED (ROAD FILE NO. 5292)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042157)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Anthem Unit 17, a subdivision as shown in Book 532 of Maps, Page 02, M.C.R., and all streets consistent with the rights-of-way, as depicted in Anthem Unit 17 Re-Plat, a subdivision as shown in Book 578 of Maps, Page 17, M.C.R., general vicinity of Daisy Mountain Drive and Anthem Way. (Supervisorial District No. 3)

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

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

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

NOW, THEREFORE, BE IT RESOLVED that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the

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survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

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

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

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

DATED this 19th day of May 2004.

ROAD DECLARED (ROAD FILE NO. 5293)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042167)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Anthem Unit 16, a subdivision as shown in Book 529 of Maps, Page 32, M.C.R., general vicinity of Daisy Mountain Drive and Anthem Way. (Supervisorial District No. 3)

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

ROAD DECLARED (ROAD FILE NO. 5294)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042177)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 8, a subdivision as shown in Book 570 of Maps, Page 07, M.C.R., general vicinity of Indian School Road and Dysart Road. (Supervisorial District No. 4)

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

ROAD DECLARED (ROAD FILE NO. 5295)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042187)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 6, a subdivision as shown in Book 570 of Maps, Page 11, M.C.R., general vicinity of Indian School Road and Dysart Road.

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

ROAD DECLARED (ROAD FILE NO. 5296)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042197)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Montana Farm II, a subdivision as shown in Book 575 of Maps, Page 32, M.C.R., general vicinity of Bethany Home Road and Citrus Road.

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

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

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

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

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

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

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

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ROAD DECLARED (ROAD FILE NO. 5297)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042207)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Superstition Heights, a subdivision as shown in Book 538 of Maps, Page 09, M.C.R., general vicinity of University Drive and Signal Butte Road.

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

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ROAD DECLARED (ROAD FILE NO. 5298)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042217)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Double R Meadows, a subdivision as shown in Book 551 of Maps, Page 34, M.C.R., general vicinity of Chandler Heights Road and Cooper Road.

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

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ROAD DECLARED (ROAD FILE NO. 5299)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042227)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Vida Del Sol Estates, Unit 1, a subdivision as shown in Book 519 of Maps, Page 24, M.C.R., general vicinity of Patton Road and Crozier Road.

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

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ROAD DECLARED (ROAD FILE NO. 5300)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042237)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 1, a subdivision as shown in Book 570 of Maps, Page 08, M.C.R., general vicinity of Camelback Road and Dysart Road.

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

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ROAD DECLARED (ROAD FILE NO. 5301)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042247)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 5, a subdivision as shown in Book 570 of Maps, Page 06, M.C.R., general vicinity of Camelback Road and Dysart Road.

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

ROAD DECLARED (ROAD FILE NO. 5302)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042257)

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WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 7, a subdivision as shown in Book 570 of Maps, Page 04, M.C.R., general vicinity of Camelback Road and Dysart Road.

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

ROAD DECLARED (ROAD FILE NO. 5303)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) that the following resolution be adopted: (C64042267)

WHEREAS, pursuant to A.R.S. §28-6702 through §28-6703, on the 21st day of April, 2004, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

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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 05, M.C.R., general vicinity of Camelback Road and Dysart Road.

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

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

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

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

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

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

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

DATED this 19th day of May 2004.

ACCEPTANCE OF FUNDS FROM NATIONAL CENTER FOR CIVIC INNOVATION (NCCI)

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the acceptance of funds from the National Center for Civic Innovation (NCCI) in the amount of \$30,000. The grant is to provide support for Maricopa County's Government Performance Reporting Demonstration Grant Program. The grant is for the creation and distribution of a Citizen's Report that will communicate Managing for Results efforts to county citizens in a way that is both meaningful and understandable. The intent of the program is to share with other government agencies the benefits of Managing for Results thus not only helping Maricopa County, but also other government agencies to more efficiently serve their communities. The advance funding grant begins upon approval by the Board and subsequent receipt of funds and ends on September 30, 2005. This action will require revenue and expenditure adjustments in the amount of \$15,000 to General Government (Dept. 470) General Government Grant Funds (Fund 249). Grant revenues are not local revenues for the purpose of constitutional expenditure limitation and, therefore, expenditures of this fund are not prohibited. This budget adjustment would not alter the budget constraining the expenditures of revenues duly adopted by

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the Board pursuant to ARS §42-17105. The Internal Audit Department's indirect cost rate is 9.48%; the recoverable indirect costs for this grant are \$2,844. (C23040043)

TEMPORARY DEPUTY CONSTABLE POSITIONS

Pursuant to C2504002M approved by the Board on December 17, 2003, direct the Office of Management and Budget to add non-recurring funding of \$42,971 to the recommended FY 2004-2005 base budget for the Constables in order to continue funding of two temporary Deputy Constable positions for the first half of FY 2004-2005. Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the continuation of funding for two temporary deputies as given. The temporary positions are necessary to continue to provide service to two Justice Court precincts that currently do not have Constable coverage. (C25040048) (ADM1300) (ADM1302)

GRANT FUNDING FROM ARIZONA CRIMINAL JUSTICE COMMISSION

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve receipt of additional grant funding from the Arizona Criminal Justice Commission (ACJC) for the FY 2003-2004 Gang Prosecution Program in the amount of \$14,355. The use of the additional funds will be dedicated toward the prosecution of gang cases. The Board has previously approved grant funding in the amount of \$302,083. These additional grant funds are for the period of July 1, 2003, through June 30, 2004. The additional grant funds may not be expended for any indirect costs which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. This amendment will increase the County Attorney's revenue and expenditure levels for FY 2003-2004 by \$14,355 and thus require a budget adjustment. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to ARS §42-17105. (C1904014301)

AMENDMENT TO LEASE WITH OSBORN WEST PARTNERS, LLC

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Amendment No. 3 to Lease No. L7233 with Osborn West Partners, L.L.C., Lessor, for offices at 3501 West Osborn Road, Phoenix. The lease is for 11,900 square feet of space used by the County Attorney's Juvenile Division. This amendment will extend the term on a month-to-month basis after the current expiration date of June 30, 2004, for a period not-to-exceed three months. The monthly rent is \$14,379.17, plus tax, for a total not-to-exceed \$43,137.51, plus 2.4% commercial lease tax. The lease may be terminated at the end of any month during the extension period by providing 30-days written notice prior to the termination date. (C19040331) (C19030554)

EXEMPT FROM COUNTY MARKINGS OF ONE VEHICLE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve that the vehicle purchased via Agenda No. C19040298 be exempt from county markings and issued a regular Arizona license plate, pursuant to ARS §38-538.03. This vehicle will be used by a process server (criminal subpoena server) and needs an undercover plate. (C19040340) (ADM3104V)

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FILE SUIT AGAINST PROPERTY OWNERS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to grant authority to file suit against twenty-four property owners. (Discussed in executive session on May 17, 2004.) (C1904035M) (ADM413)

EXPENDITURE BUDGET TRANSFER REGARDING RECORDER TEMP HELP/POSTAGE

Per ARS §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to authorize an expenditure budget transfer from FY 2003-2004 General Government General Fund Contingency (100-470-4711-812) to a new line in General Government (470) General Fund (100) reserved contingency entitled "Recorder Temp Help/Postage". With approval of this action, Office of Management & Budget is authorized to transfer not-to-exceed \$80,000 to the Recorder's Office (360) General Fund (100) operating budget, if at year end it exceeds its General Fund Appropriation for temporary help and postage costs associated with the increase of document filings and recordings handled by the Recorder's Office. (C36040038) (ADM3600-003)

TRANSFER FROM APPROPRIATED FUND BALANCE REGARDING SHERIFF: JAIL SURVEILLANCE SYSTEM

In accordance with ARS §42-17106(b), motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and authorize the transfer of \$273,210 from Appropriated Fund Balance (480) Detention Fund (255) Reserved Contingency (4811) line item, "New Facility Start-up Costs," to line item in Appropriated Fund Balance (480) Detention Fund (255) Other Programs (4812) called, "Sheriff: Jail Surveillance System." The approval of this action will increase security by allowing the Sheriff's Office to monitor the 4th Avenue Jail Facility more closely. (C50040628) (ADM3900-003)

PERMANENT ADDITION TO THE FLEET OF ONE FORD TRUCK

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a permanent addition to the Sheriff's Office fleet of one 2004 Ford Truck with 14,000 miles, valued at \$21,700, and acquired with Jail Enhancement Funds. This vehicle will be used and its maintenance will be funded by the Sheriff's Office Facilities Maintenance Operations Unit (5153). (C5004063M) (ADM3104)

ONE-TIME ADDITION TO THE FLEET OF ONE RICO FUNDED CHEVROLET TRUCK AND EXEMPT FROM MARKINGS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a one-time addition of one RICO-funded 2003 Chevrolet Truck that has 14,421 miles, and is valued at \$21,700. Also approve this vehicle to be exempt from governmental markings, including non-governmental license plates, pursuant to ARS §38-538.03. RICO 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. (C5004064M) (ADM3104V)

Supervisor Wilson asked for some assurance of what these unmarked vehicles will be used for so that people can feel comfortable when being stopped by vehicles that do not have markings and lights. He

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said, "I need more reassurance on that and until I get that I'm going to comment on it each time, and if I don't get it I'm going to vote against it." Chairman Kunasek asked the Clerk to meet with Supervisor Wilson to go through the process. He said these vehicles are used for undercover work.

DONATION FROM DEPARTMENT OF DEFENSE OF THREE VEHICLES, ONE-TIME ADDITIONS TO THE FLEET, AND EXEMPT FROM MARKINGS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve acceptance of a donation from the Department of Defense of three vehicles resulting in three one-time additions to the Sheriff's Office Fleet. Each vehicle is a 1994 Plymouth Acclaim and is valued at \$3,000, tax included, for a total value of \$9,000. The respective vehicle identification numbers and mileage readings are: 1. 65,374 miles; 2. 70,990 miles, and 3. 85,406 miles. Also, approve these vehicles to be exempt from governmental markings, including non-governmental license plates, pursuant to ARS §38-538.03. These are temporary additions to fleet and will be retired at the end of their useful life with no funding from the General Fund for replacement, and the county's fleet will automatically be reduced. The annual estimated operational cost is \$3,000, which will be funded by the Intelligence Bureau. (C5004065M) (ADM3104V)

EXEMPT THREE VEHICLES FROM MARKINGS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve exemptions from markings and issuance of non-governmental Arizona license plates per ARS §38-538.03 and ARS §28-2511(A) for three previously approved additions to fleet approved via Agenda No. C5004050M, approved by the Board April 7, 2004, and Agenda No. C5004060M, approved by the Board April 21, 2004. These vehicles are: 1) 1994 Plymouth Acclaim; 2) 1999 Ford Contour, and 3) 2003 Ford Expedition. (C5004066M) (ADM3104V)

GRANT AGREEMENT AND ACCEPTANCE OF FUNDING FROM ARIZONA AUTOMOBILE THEFT AUTHORITY, PUBLIC AWARENESS GRANT PROGRAM

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a Grant Agreement and acceptance of \$6,620 in funding from the Arizona Automobile Theft Authority, Public Awareness Grant Program, for continuation of the "Watch Your Car" Program. This grant will fund deputy overtime and related supplies for the program. The term of this agreement is from July 1, 2004, through June 30, 2005. (C50045463)

RESOLUTIONS – APPLICATIONS FOR, AND ACCEPTANCE OF, GRANT FUNDING FROM GOVERNOR'S OFFICE OF HIGHWAY SAFETY

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to adopt the following Resolutions approving the application for, and acceptance of, grant funding from the Governor's Office of Highway Safety. The term of funding is anticipated to be October 1, 2004, through September 30, 2005.

- a) \$39,000 in grant funding to provide DUI law enforcement equipment and related deputy overtime for DUI and other traffic related issues. (C50045473)
- b) \$60,000 in grant funding to target youth alcohol and related violations in Maricopa County. (C50045483)

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APPOINTMENT OF PRO TEM JUSTICE OF THE PEACE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the appointment of attorney Joseph W. Malka as Pro Tem Justice of the Peace in Maricopa County for the period from May 15, 2004, through December 31, 2004, to serve in the various programs in the Limited Jurisdiction Courts to reduce trial delay. (C38040217) (ADM1001)

REJECT CLAIM DEMANDS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to reject claim demands (April 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 \$176,242.76 and ARS §11-622 \$0.00) (C39040147) (ADM1804)

**MONTHLY REPORT
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Vendor	Amb., Doctors, Hosp. Ars 11-629	Over Six Months Ars 11-622
Allure Plastic Surgery Pc	87.00	0.00
Arizona Cardiology Group	2,534.00	0.00
Arizona Cardiovascular Center	9,653.50	0.00
Banner Good Sam Trauma Service	746.00	0.00
Banner Good Samaritan Reg Med	57,743.93	0.00
Banner Thunderbird Med Center	2,881.50	0.00
Biltmore Cardiology Pllc	2,573.00	0.00
Clinic For Digestive Diseases	115.97	0.00
Medical Professional Assoc Of Az	429.00	0.00
Medpro	57,133.86	0.00
Professional Medical Transport	4,774.57	0.00
Rural Metro Ambulance	2,286.87	0.00
Southwest Ambulance	5,549.17	0.00
St Josephs Hosp Arizona	19,886.04	0.00
Tep @ Phoenix St Luke's	1,098.00	0.00
Tri-City Fire Department	766.35	0.00
Valley Radiation Oncology	7,984.00	0.00
Grand Totals:	176,242.76	0.00
Restitution	0.00	
Total Denials:	176,242.76	

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COUNTY AND JUDICIAL PERSONNEL

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

AMENDMENTS TO FIRST MODIFICATION AGREEMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following Amendments No. 1, aka the First Modification Agreements, to permit a modification of the terms and conditions in the notes, deeds of trust, and loan agreements between the lenders and borrowers.

- a. Mesa Broadway Property Limited Partnership (Ventana Estates), for the urban county project UC0113, approved by the Board on May 2, 2001. (C170200100ZZ)
(C1702018001)
- b. Surprise/Orchard Estates Apartments Limited Partnership, for the urban county project UC0313, approved by the Board on May 7, 2003. (C17040010ZZ)
(C1704019001)

FIVE-YEAR EXTENSION TO USE MANAGEMENT AGREEMENT WITH THE NORTHSIDE HORSE OUTFITTERS, LLC dba CAVE CREEK TRAILRIDES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and execute a five-year extension of the Use Management Agreement with the Northside Horse Outfitters, LLC, dba Cave Creek Trailrides, for the operation of a horseback riding facility at Cave Creek Regional Park. There will be no expenditure of county funds on this project. In prior years, based on the number of Special Use Permits issued for horseback riding activities at Cave Creek Recreation Area and the public's expressed desire to have a riding facility in the park, Maricopa County Parks and Recreation Department issued an RFP for this concession service. The current concessionaire, the Northside Outfitters, Inc. dba Cave Creek Trailrides, have successfully managed their operation for the past five-years at Cave Creek Regional Park. This five-year extension shall provide additional revenue up to 10% of gross sales in contract years six through ten, if the option to extend is exercised. Based on projections of Cave Creek Trailrides, the county should receive an additional \$3,000 per season in park entrance fees, in addition to at least \$65,000 for rent in years six through ten. This agreement extension would continue to provide all revenues to be deposited in the Parks Enhancement Fund. (C3000004101)

TRANSFER OF EXPENDITURE AUTHORITY REGARDING THE PURCHASE OF ADDITIONAL SOUVENIR INVENTORY AND APPROPRIATION ADJUSTMENTS

In accordance with ARS §42-17106B, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and authorize the transfer of expenditure authority between the Parks Donation Fund (243) and the Parks Souvenir Fund (239). This action will require an expenditure appropriation adjustment decreasing the FY 2004 Parks Donation Fund (243) by \$20,000 and increasing the FY 2004 Parks Souvenir Fund (239) by \$20,000. These adjustments will result in a countywide net impact of zero. Approval of this action will allow the Parks Department to purchase an additional \$20,000 in souvenir inventory. Also, approve an appropriation adjustment increasing the FY 2004 Parks Souvenir Fund (239) revenue budget by \$28,000 to reflect additional revenue, an appropriation adjustment increasing the FY 2004 Parks Souvenir Fund expenditure budget by \$8,000 to

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increase the Transfer Out to the Parks Enhancement Fund (241), an appropriation adjustment increasing the FY 2004 Parks Enhancement Fund (241) revenue budget by \$8,000 for the Transfer In from the Parks Souvenir Fund (239), and appropriation adjustments decreasing revenues and expenditures in the Eliminations Fund (980) by \$8,000 to offset the fund transfer. These actions will allow for an increase in the transfer of funds at the end of the fiscal year from the Parks Souvenir Fund (239) to the Parks Enhancement Fund (241) in accordance with ARS §11-941 (D). (C30040248) (ADM3200-003)

FUND TRANSFERS

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

FUND TRANSFER OF RESIDUAL LEASE REVENUE BONDS

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the fund transfer of residual Lease Revenue Bonds, Series 2001, proceeds totaling \$3,184,531.56 from the Medical Center to the County Improvement Fund (Fund 435 - Capital Projects Fund). The Medical Center was provided \$20.5 million in proceeds with corresponding debt service requirements from the Lease Revenue Bonds, Series 2001, for capital assets pertaining to the Comprehensive Healthcare Center. The capital project is complete, and the residual is being remitted to the County Improvement Fund (Fund 435 – Capital Projects Fund). Amounts received from the issuance or incurrence of bonds issued or incurred for a specific purpose are not local revenues pursuant to the constitutional expenditure limitation, and therefore transfers of these revenues are not subject to ARS §42-17106(B). This transfer does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to ARS §42-17105. (C18040408) (ADM1800)

ACCEPT HIGHEST BID RECEIVED FOR SURPLUS PROPERTY SOLD AT AUCTION

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the highest bid received for a surplus property (excess parcels) sold at public auction on April 21, 2004, pursuant to authorization given by the Board December 18, 2002, via Agenda No. C18030108, and authorize the Chairman of the Board to execute all documents necessary to complete the sale. Upon close of escrow (estimated to be June 1, 2004) the anticipated revenue realized by Maricopa County will be approximately \$165,005, minus half of the closing costs. (C1804041B) (ADM812)

Anthony Abril, citizen, spoke to say he thought the property should have been re-bid prior to its sale in April of 2004 since authorization had been given in December 2002 to get the best money for school districts.

SOLICITATION SERIALS

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

Award of Solicitation Serials:

- 03235-C INMATE STRIPED CLOTHING (\$2,000,000 est./three (3) years with three (3) one-year renewal options) CONTINUED TO June 2, 2004**
Pricing agreement to purchase inmate striped clothing for the Sheriff's Department.
- Robinson Textiles, Inc.
 - Uniforms Manufacturing, Inc.
- 03255-C TRAFFIC SIGNING MATERIALS (\$3,000,000 est./three (3) years with three (3) one-year renewal options)**
Pricing agreement to purchase traffic signing materials for McDOT for use in highway maintenance.
- 3M Company
 - ZAP Manufacturing, Inc.
 - Zumar Industries, Inc.
- 03260-RFP MAXIMO/DOLPHIN PROGRAM UPGRADE (\$400,000 est./three (3) years with three (3) one-year renewal options)**
Pricing agreement to purchase Maximo/Dolphin Program Upgrades for the Facilities Management Department's inventory control system.
- Total Resource Management, Inc.
- 04026-RFP FILE FOLDER TRACKING SYSTEM (\$260,000 est./two (2) years)**
Pricing agreement, subject to final contract negotiations, for a file folder tracking system for the County Attorney's Office.
- 3M Company
- 04029-C DIGITAL COPY MACHINE (\$250,000 est./three (3) years with three (3) one-year renewal options) CONTINUED TO June 2, 2004**
Pricing agreement to purchase a digital copy machine for the Materials Management Reprographics Department.
- Hughes-Calihan Corporation

Contract Renewal(s):

Renewal of the following contract(s): (Renewals 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, 2005

- 01012-RFP OUTSIDE AUDIT, ACCOUNTING AND CONSULTING SERVICES (\$3,600,000 est./one (1) year)**
Pricing agreement renewal to provide on-going consulting services for Health Care Mandates.
- Deloitte & Touche, LLP
 - Clifton Gunderson, LLP

- Deloitte Consulting, LLP
- BearingPoint, Inc.
- EP & P Consulting

REIMBURSEMENT FOR STORM RELATED TOTAL LOSS OF LAKE PLEASANT BOATHOUSE

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve 1st party property damage of \$99,000 to reimburse the County General Fund for the storm related total loss of a Lake Pleasant Boathouse. (C75040080) (ADM3700-004)

REIMBURSEMENT FOR FLOOD DAMAGE

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve 1st party property damage of \$99,000 to reimburse the County General Fund for the flood damage when a water pipe ruptured at the hospital. (C75040094))ADM3700-004)

CASH AND NON-CASH DONATIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize Animal Care & Control (AC&C) to accept cash donations not-to-exceed \$250 and non-cash donations not-to-exceed \$1,000 from citizens and private business. AC&C will submit for prior approval of the Board any donations that exceed these dollars amounts. Donations are collected through the business offices and the licensing process and are recorded into the departmental and county financial systems. These funds will be deposited into the Animal Care & Control Grant and Donations Fund (573) and will be utilized to improve the welfare of animals in Maricopa County. The department will provide an annual report, no later than October 1, of all donations accepted during the previous fiscal year to the Board, Clerk of the Board, Internal Audit and Office of Management and Budget. Donations are "non-local" revenue for purposes of the constitutional expenditure limitation. Any budget adjustments that may be generated from this action will not alter the budget constraining the expenditure of local revenue that was duly adopted by the Board pursuant to ARS §42-17105. (C79040548) (ADM2300)

AGREEMENT WITH MELISSA ALLEN, dba ARIZONA PUREBREED RESCUE

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an agreement between Melissa Allen, dba Arizona Purebreed Rescue, 45527 North 18th Street, New River, AZ 85087, and Maricopa County to allow Melissa Allen to rescue animals eligible for the New Hope Program. The loss of revenue of \$500 is based on the license fee that would be generated through the New Hope program without this agreement. Each license is \$10; an anticipated 50 adoptions over the three-year period. The term of the agreement is from May 19, 2004, through May 18, 2007. (C79040591)

SPECIAL TRANSPORTATION SERVICES PROGRAM ACCEPTING CASH DONATIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Human Services Department Special Transportation Services Program to accept cash donations not-to-exceed \$250 per donation and non-cash donations not-to-exceed \$1,000 from citizens and private business. Total donations are not expected to exceed \$25,000 in any given fiscal year. The Department will submit for prior approval of the Board any donations that exceed these dollars amounts. Donations are collected through the Human Services Department Finance Section and are recorded into the departmental and county financial systems. Donation revenue is deposited into the Special Transportation Services accounting string (222, 221, 2290, SNTR, 0650-31, DN35) and will be used to provide additional

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services to the client population. The department will provide an annual report, no later than October 1, of all donations accepted during the previous fiscal year to the Board of Supervisors, the Clerk of the Board, Internal Audit and Office of Management & Budget. Donations are "non-local" revenue for purposes of the constitutional expenditure limitation. Any budget adjustments that may be generated from this action will not alter the budget constraining the expenditure of local revenue that was duly adopted by the Board pursuant to ARS §42-17105. (This item was continued from meeting of May 5, 2004.) (C22050910) (ADM2500)

AMENDMENT TO NON-FINANCIAL INTERGOVERNMENTAL AGREEMENT WITH EAST VALLEY INSTITUTE OF TECHNOLOGY

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment No. 3 to the non-financial Intergovernmental Agreement with East Valley Institute of Technology to provide the Maricopa County Human Services Department with Head Start classroom facilities and playground at 1601 West Main, Mesa, Arizona. This amendment is necessary to extend the agreement for twelve months and clarify the number of days and hours the Head Start program will operate. This amendment is effective July 1, 2004, through June 30, 2005. (C2202064203)

AMENDMENT TO EXPENSE CONTRACTS REGARDING WORKFORCE INVESTMENT ACT PROGRAM SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment Nos. 2 to expense contracts with the following to modify the internal department performance standards, programmatic definitions of service and measurable service levels to better provide Workforce Investment Act (WIA) Youth program services during fiscal year 2004 in accordance with state and federal negotiated performance measures. These amendments are administrative amendments and there is no change to the current levels of funding. Funding for these contracts are provided by the Workforce Investment Act of 1998 through the Arizona Department of Economic Security (ADES). The amendments are effective April 1, 2004. The term of the contracts remain from October 1, 2003, through June 30, 2004. The agreements do not contain any county general funds.

- a) Goodwill Industries of Central Arizona, Inc., serving a total of 80 in-school youth program participants. (C2204095102)
- b) Arizona Call-a-Teen, Inc., serving a total of 117 in-school youth program participants. (C2204096102)
- c) Goodwill Industries of Central Arizona, Inc., serving a total of 83 out-of-school youth program participants. (C2204097102)
- d) Arizona Call-a-Teen, Inc., serving a total of 90 out-of-school youth program participants. (C2204098102)

INTERGOVERNMENTAL AGREEMENT WITH QUEEN CREEK UNIFIED SCHOOL DISTRICT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an Intergovernmental Agreement (IGA) with the Queen Creek Unified School District for the provision of food catering to participants in Maricopa County Head Start program. The IGA represents a fixed price agreement per each meal and snack served for an amount not-to-exceed \$13,699. The IGA requires Queen Creek Unified School District to provide a minimum of 1/3 to 2/3 of the daily-recommended dietary allowances based on a fixed price per unit of service. Funding for the IGA is derived from the

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Arizona Department of Education (via the U.S. Department of Agriculture's Child/Adult Care, School Breakfast and the National School Lunch programs), and the U.S. Department of Health and Human Services. The term of the IGA is July 1, 2004, through June 30, 2005. This agreement does not include any county General Funds. (C22050202)

NON-FINANCIAL INTERGOVERNMENTAL AGREEMENTS PROVIDING HEAD START PROGRAMS WITH SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following non-financial Intergovernmental Agreements to collaboratively provide the Maricopa County Head Start Program with services to preschool children with disabilities who are enrolled in the Head Start program, as specified in ARS §15-761. The term of the IGA is July 1, 2004, through June 30, 2007.

- a. Chandler Unified School District and Head Start desire to enter this collaborative agreement to cooperatively maintain communications and share leadership responsibility ensuring all available resources are utilized in the most effective manner. (C22050212)
- b. Queen Creek Unified School District and the Human Services Department wish to work collaboratively to provide a family literacy program for Head Start children and families. (C22050262)
- c. Tempe Elementary School District and Head Start desire to enter this collaborative agreement to cooperatively maintain communications and share leadership responsibility ensuring all available resources are utilized in the most effective manner. (C22050282)

SOLE SOURCE PROCUREMENT WITH TEMPE COMMUNITY ACTION AGENCY

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a sole source procurement with the Tempe Community Action Agency for the provision of client check writing services for the Human Services Department Community Services Division. The Community Services Division operates several programs where the issuance of a check to a client is necessary in order to provide services for rent subsidies, eviction prevention services and assistance with rent deposits. It is anticipated that the cost of writing the checks will not exceed \$40,000 per year for the period FY 2005-2007. There are no county funds used in providing this service. (C2205090M)

NON-FINANCIAL AGREEMENT WITH UTAH STATE UNIVERSITY

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and sign a non-financial agreement with Utah State University to provide nutritional experience for graduate students in the Public Health Department's Dietetic Internship Program. The agreement term is retroactive from March 1, 2004, through June 30, 2006. (C86040760)

DONATIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the following donations, at no cost to Maricopa County, from the Arizona Department of Health Services.

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- a) Various vaccines for use in the Maricopa County Department of Public Health's (MCDPH) Immunization Program. The value of the vaccines are estimated at \$4,000,000. This grant-like item is awarded in-kind and the value of which will be booked as a revenue and expenditure in the finance system. (C8605020M) (ADM2150)
- b) HIV/AIDS pharmaceuticals, during FY 2005, for use in the Maricopa County Department of Public Health's (MCDPH) HIV/AIDS Consortia Program. The value of the pharmaceuticals are estimated at \$5,000,000. This grant-like item is awarded in-kind and the value of which will be booked as a revenue and expenditure in the finance system. (C8605021M) (ADM2150)

INTERGOVERNMENTAL AGREEMENTS FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Intergovernmental Agreements with the following school districts to provide school-based tobacco use prevention and education services. The term of the agreements are from July 1, 2004, to June 30, 2005.

- a. Littleton Elementary School District, for a contract dollar amount not-to-exceed \$6,000. (C86054032)
- b. Saddle Mountain School District, for a contract dollar amount not-to-exceed \$2,000. (C86054152)
- c. Sentinel Elementary School District, for a contract dollar amount not-to-exceed \$2,000. (C86054162)

SUPPLEMENT AGREEMENT WITH CITY OF PHOENIX

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Supplement Agreement No. 4 to Maricopa County Agreement No. C76020192. This agreement grants City of Phoenix access to Maricopa County communications sites at Thompson Peak, White Tank Mountains, and Central Courts for installation of radio equipment for the City's Transit Vehicle Management System. The umbrella agreement and all supplements are valid for a coterminous ten-year period and may be renewed by either party for an additional ten years. (C7602019202)

INCREASE IN EXPENDITURE AND REVENUE BUDGETS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an increase in the Telecommunications FY 2003-2004 expenditure and revenue budgets in the amount of \$2,469,010, with an offsetting transaction to Elimination's of \$2,469,010. This adjustment will accommodate increased expenditures generated by customer driven work orders and carrier provided services and will be funded from the corresponding revenue generated by those activities. (C76040108)

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U.S. DEPARTMENT OF JUSTICE'S DRAFT INTEROPERABILITY ASSISTANCE PROJECT PLAN

Subject to approval by County Counsel of the final Project Plan, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the U.S. Department of Justice's draft Interoperability Assistance Project Plan for the Phoenix Metropolitan Area. USDOJ proposes a solution for improving radio communications interoperability so that federal law enforcement agencies can communicate with local and state agencies when responding to regional emergencies in the Phoenix metropolitan area. By its approval, the Board of Supervisors acknowledges the county's willingness to move forward with implementation of the plan described in the document. The county will receive, without cost, interoperable radio equipment valued at approximately \$100,000, significantly improving the ability of the Maricopa County Sheriff, the Departments of Emergency Management and Public Health, and others to communicate with outside agencies during regional emergencies. (C76040112)

SOLE SOURCE PROCUREMENT WITH TENAIR, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve a sole source procurement with Tenair, Inc. for the purchase and installation of five access door platforms and ladders, internal walkways at access doors with service platforms, and louver face platforms and ladders to allow for a safer maintenance environment of the cooling towers supporting the Central Service Plant at Durango. The installation will bring the cooling towers into compliance with OSHA rules and regulations. The estimated cost is \$175,000, and funds are budgeted in the FY 2004 Detention Fund Major Maintenance budget. (C70040841)

AMENDMENTS TO THE FY 2003-2004 FIVE-YEAR CAPITAL IMPROVEMENT PLAN

In accordance with ARS §42-17106(B), motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following amendments to the FY 2003-2004 five-year Capital Improvement Plan:

- Transfer \$500,000 from the Lower Buckeye Jail Project Year 1 budget to the Sheriff's Training Facility Project Year 1 budget.

The requested transfer results in a net zero impact to the current five-year Capital Improvement Plan. (C70040858) (ADM1820)

ADDITIONS TO THE FLEET OF EQUIPMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve additions to fleet of seven pieces of equipment purchased from project related Capital Improvement Funds. The following items were purchased for the new Sheriff's Property & Evidence Warehouse: (C70040868) (ADM3104)

- Crown RR5210-40 - electrically operated narrow aisle reach truck
- Crown SP3220-30 - electrically operated stock picker truck
- (2) JLG 20DVL - electrically operated vertical personnel lifts
- (2) Taylor Dunn - electrically operated parts pickers
- Caterpillar GP25K - gas powered forklift

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CONTRACT WITH KIRKHAM MICHAEL CONSULTING ENGINEERS

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Consultant Services Contract No. CY 2004-54 with Kirkham Michael Consulting Engineers in an amount not-to-exceed \$220,769 to perform design services for the PM 10 Roads project, Work Order No. 16223, Project T046. The consultant shall 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 project to be designed consists of paving a total of 2.9 miles. (C64042075)

ABANDONMENT OF NON-VEHICULAR ACCESS EASEMENT (EA NO. 118)

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) that the Board approve a request from B & R Engineering, Inc., to abandon a "Non-Vehicular Access Easement" (NVAE) by Resolution (EA No. 118). The abandonment is for a one-foot non-vehicular access easement (NVAE), located in the vicinity of Riggs Road and Alma School Road, along the south boundary within Lots 6, 7, and 8 of Sun Lakes Unit 32-B subdivision as recorded in Book 586 of Maps, Page 44, M.C.R. (C64042317) (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

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 1-foot Non-Vehicular Access Easement located along the south boundary within lots 6, 7, and 8 of Sun Lakes Unit 32 "B" subdivision as recorded in Book 586 of Maps, Page 44, 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.

Done in open session this 19th day of May 2004.

/s/ Andy Kunasek, Chairman of the Board

ATTEST:

/s/ Fran McCarroll

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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 (SRP) in the amount of \$319,218 for costs incurred for the design and relocation of their electrical facilities that are in conflict with the McDOT Project No. T076 (68949), McQueen Road, (Queen Creek to Pecos). McDOT acknowledges that SRP has prior rights for these facilities. The cost may not exceed the current estimated amount of \$319,218 by more than 10%. Also, execute the design and construction contract covering the referenced relocation. (C64042355) (ADM2000-006)

EASEMENT TO THE SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an easement from Maricopa County, a political subdivision of the State of Arizona to the Salt River Project Agricultural Improvement and Power District, an agricultural improvement district organized and existing under the laws of the State of Arizona. The easement describes private property rights acquired by McDOT for Project No. 68949 – McQueen Road (Pecos Road to Queen Creek Road), as well as replacement easements for existing Salt River Project facilities with prior rights that were located within existing road right-of-way, that required relocation for construction of the McQueen Road Improvement Project. (C64042375) (ADM2013)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF GLENDALE

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental Agreement between Maricopa County and the City of Glendale, for Emergency Traffic Management Mutual Aid. All participating agencies and municipalities in this discretionary agreement agree, for the purpose of Emergency Traffic Management Response, that specific formal operating procedures shall be followed in terms of requesting and operating at the scene of emergency incidents. (C64042362)

RESOLUTION – PARTICIPATION IN FEDERAL AID HIGHWAY PROGRAM

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt Resolution McDOT 04-03 authorizing participation in the Federal Aid Highway Program, which provides reimbursable federal aid for highway projects. The Federal Aid Highway Program is funded by the Transportation Equity Act for the 21st Century (TEA-21) and its subsequent amendments on an annual basis. The funds are programmed through the Maricopa Association of Governments Transportation Improvement Plan (TIP) and administered by the Arizona Department of Transportation on behalf of the Federal Highway Administration. There are nine Maricopa County highway projects programmed in the FY 2004-2007 TIP totaling \$7.9 million in federal aid. (C64042393) (ADM2000)

RESOLUTION – APPLICATION TO GOVERNOR’S OFFICE OF HIGHWAY SAFETY

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to adopt a Resolution McDOT 04-05 authorizing an application to the Governor’s Office of Highway Safety pertaining to the submission of projects for consideration in Arizona’s 2005 Highway Safety Plan. McDOT is seeking grant funds to establish a method and program to conduct “safety audit reviews” of existing roadways. It is the policy of the Governor’s Office of Highway Safety not to allow indirect costs, therefore, A-

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87 policy cannot be applied. The total amount of funds requested from the Governor's Office is \$79,000. Action for approval of a budget adjustment will be taken if the grant is awarded. (C64042403) (ADM2000)

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

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve reimbursement and acceptance of Salt River Project's design and construction contract for job order KEB-90033 for costs incurred for the design and construction of power for McDOT's new irrigation 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 \$14,186 by more than 10%. (C64042415)

AMENDMENT TO CURRENT FY 2003-2004 FIVE-YEAR CIP

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an amendment to the current FY 2003-2004 five-year CIP for Fund 234 – Transportation Capital Projects Fund adopted by the Board on June 23, 2003, by decreasing the FY 2004 capital budget for the following projects: (C64042428) (ADM2000-003)

- Project **, Non-Project (OMB designation) capital budget by \$1,110,941
- Project T003, Special Projects (McDOT No. 99999) capital budget by \$990,000

And, adjusting the following projects by increasing the FY 2004 (Year 1) capital budget for each:

- Project T002, Project Reserves Account (McDOT No. 69998) capital budget by \$500,941
- Project T055, MC85 at Avondale Wash (McDOT No. 68820) capital budget by \$10,000
- Project T057, Cave Creek: Lone Mountain to Carefree Highway (McDOT No. 68834) capital budget by \$10,000
- Project T061, McDowell: Pima Freeway to Alma School (McDOT No. 68897) capital budget by \$650,000
- Project T065, Northern: 95th Avenue to 71st Avenue (McDOT No. 68915) capital budget by \$50,000
- Project T070, Alma School: McLellan - McKellips (McDOT No. 68931) capital budget by \$400,000
- Project T073, Old US 80 at Hassayampa/Scour (McDOT No. 68934) capital budget by \$300,000
- Project T082, MC 85: Estrella Parkway - Litchfield (McDOT No. 68959) capital budget by \$20,000
- Project T108, McDowell: Shoulders Widening (McDOT No. 69007) capital budget by \$20,000
- Project T121, MC 85: El Mirage – 115th Avenue (McDOT No. 69042) capital budget by \$20,000
- Project T142, Alma School: North Bridge Grade Control Structure (McDOT No. 80408) capital budget by \$120,000.

The requested adjustments are necessary to realign the project budgets to more closely match the year-end projected expenditure amounts and result in a net impact of zero.

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ANNEXATIONS OF COUNTY RIGHTS-OF-WAY BY THE CITY OF PHOENIX

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to Approve annexations of county rights-of-way by the City of Phoenix, as follows:

- a) Broadway Road from 95th Avenue to 91st Avenue approximately ½ mile or 2,640'; to include Broadway Road from 107th Avenue to 103rd Avenue approximately 2,570'; in accordance with City of Phoenix Ordinance No. G-4585. (Supervisorial District No. 5) (C64042435) (ADM4213)
- b) 51st Avenue from 55' north of Dobbins Road centerline, then north to Baseline Road, continuing north approximately 1,650'; in accordance with City of Phoenix Ordinance G-4591. (Supervisorial District No. 1) (C64042445)(ADM4213)

INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an Intergovernmental Agreement between Maricopa County and the City of Phoenix for improvements to 75th Avenue from Van Buren Street to MC 85 (Buckeye Road). The county will contribute an amount not-to-exceed \$3,930,500 to the city as their total financial contribution to the project, but not before July 1, 2005. The city will act as the lead agency for this project. (C64042452)

MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA

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

Name	Old Rate	New Rate	Class Title	Code	Effective Date
Dept: 60 Health Plans					
Biyela,Cassandra J	\$16.62	\$18.11	Provider Services Rep	Pro	04/25/2004
Dept: 90 Maricopa Medical Center					
Acuna,Roberto D	\$0.00	\$13.54	Burn Tech Certified	Reh	04/26/2004
Andro,Marianne S	\$0.00	\$27.20	Registered Nurse	Nhr	04/26/2004
Antonio,Roberto C	\$11.97	\$12.68	Eligibility Specialist	Pro	02/01/2004
Archuleta,Esther	\$0.00	\$7.88	Ltc Attendant (F)	Reh	05/03/2004
Aroz,Joseph R	\$0.00	\$10.28	Evs Associate	Nhr	04/26/2004
Baca,Rachel T	\$0.00	\$12.95	Medical Records Clerk	Reh	04/29/2004
Bacon,Joanne	\$0.00	\$32.00	Registered Nurse	Reh	04/26/2004
Baltazar,Maria D	\$0.00	\$9.60	Medical Assistant	Nhr	04/26/2004
Blank,Mika K	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/05/2004
Boldt,Bessie M	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/26/2004
Borowski,Dianna M	\$42.60	\$39.00	Pharmacist	Coa	04/04/2004
Cabral,Antonia	\$0.00	\$7.23	Transporter	Nhr	04/26/2004
Chicoine,Angela R	\$0.00	\$35.00	Registered Nurse	Nhc	04/26/2004
Downs,Deanna L	\$0.00	\$9.02	Central Sterile Tech	Nhr	04/26/2004
Duncan,Stephanie K	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	05/03/2004
Embleton,Jacob T	\$0.00	\$32.00	Registered Nurse	Nhc	04/26/2004
Erlacher,Rosemary S	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/26/2004
Faerber,Erin M	\$0.00	\$12.92	Dept Admin Assistant	Nhr	04/26/2004

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Fangman, Sally A	\$0.00	\$18.00	Medical Staff Coordinator	Nhr	05/03/2004
Fields, Marcella E	\$0.00	\$8.99	Ltc Attendant (G)	Reh	04/26/2004
Ford, Linda S	\$0.00	\$32.00	Registered Nurse	Reh	04/26/2004
Gaines, Andrea K	\$16.21	\$17.24	Licensed Practical Nurse	Coa	04/25/2004
Gilliams, Lawrence	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	04/19/2004
Harris, William	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/19/2004
Hernandez, Maria R	\$8.19	\$7.50	Ltc Attendant (F)	Ic	04/01/2004
Hernandez, Yvonne	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	05/03/2004
Johnson, Rita	\$0.00	\$9.23	Dietetic Tech	Nhr	04/26/2004
Longs, Marleetha A	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	05/03/2004
Mack, Annette	\$0.00	\$14.13	Psych Tech	Nhc	04/27/2004
Melvin, Marquita R	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/26/2004
Murphy, Wanda S	\$0.00	\$7.88	Ltc Attendant (F)	Reh	04/26/2004
Pennel, Ruth C	\$28.26	\$28.05	Registered Nurse	Coa	04/12/2004
Rozich, Charmaine A	\$0.00	\$32.00	Registered Nurse	Nhc	04/26/2004
Smith, Jonea L	\$0.00	\$32.00	Registered Nurse	Nhc	04/26/2004
Tellez, Melissa L	\$0.00	\$9.70	Dept Clerk	Nhr	04/19/2004
Tolano, Sandra L	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	04/19/2004
Williams, Lily	\$0.00	\$32.00	Registered Nurse	Reh	04/26/2004
Woods, Etta M	\$0.00	\$8.18	Evs Associate	Nhr	04/26/2004

CODE:

Nhc - New Hire Contract	Nhr - New Hire Regular	Nht - New Hire Temporary
Reh - Rehired	Pro - Promotion 39	Dem - Demotion
Adv - Salary Advancement	Coa - Change Of Appointment	Cor - Correction
Ic - Insurance Change/Care Wkrs	Swa - Special Work Assignment	

FORMATION OF POOL OF FUNDS FOR ALL HEALTH PLAN PHARMACY SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the formation of a pool of funds for all Health Plan Pharmacy Services. This pool will include Assisted Living and other Home and Community Based Pharmacy Service Contractor(s), and Residential Pharmacy Service Contractor(s). The pool, for a two-year period, is effective upon Board approval through March 31, 2006, with a not-to-exceed amount of \$89,040,000. Each contract funded by the pool will be approved by the Board as a separate agenda item. Each contract 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 ninety days prior written notice, and without the consent of the other party hereto, assign this agreement. (C60042401)

CREATION OF MEDICALLY NECESSARY TAXI TRANSPORTATION POOL

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the creation of a Medically Necessary Taxi Transportation pool with a not-to-exceed amount of \$3,700,000, effective upon Board approval. Included under this not-to-exceed pool are the following three contracts: AAA Cab Service, Inc. (C60042431), American Pony Express, Inc., dba Allstate Cab Company (C60042441), and Total Transit, Inc., dba Discount Cab (C600402451), all effective upon Board approval. (C60042511)

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CONTRACT WITH TOTAL TRANSIT, INC., dba DISCOUNT CAB

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a contract with Total Transit Inc., dba Discount Cab for Medically Necessary Taxi Transportation Service, effective upon Board approval through April 30, 2006. Total Transit Inc., dba Discount Cab is one of three contractors being recommended, the other two are AAA Cab Service, Inc. (C60042431) and American Pony Express dba Allstate Cab Company (C60042441). The proposed not-to-exceed is a % of \$3,700,000 (Agenda Item C60042511). The contract may be extended for a total term of five years and may be terminated by either party 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. (C60042451)

CONTRACTS FOR ASSISTED LIVING-ADULT CARE HOME SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve contracts for Assisted Living-Adult Care Home Services, as follows: The 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. Contracts related to these agenda items 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.

- a. Golden Years Care Home, LLC. (C60042411)
- b. Regal Assisted Living Years Care Home, LLC. (C60042421)
- c. Greenfield Assisted Living Years Care Home, LLC. (C60042461)
- d. Vandermeyer House (C60042520)
- e. Moon Valley Heights (C60042621)
- f. Comfort Care (C60042631)
- g. Count on Me, Inc., dba A Place in the Sun (C60042641)

CONTRACTS FOR ASSISTED LIVING PHARMACY SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve contract with Guardian Pharmacy of Arizona, LLC, dba Saliba's Extended Care Pharmacy for Assisted Living Pharmacy Services, effective upon Board approval through March 31, 2006. Financial impact is accounted for in the Pharmacy Pool, approved by the Board as C60042401. This contract 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. (C60042541)

CONTRACTS FOR HOME AND COMMUNITY BASED (HCBS) PHARMACY SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve contracts for Home and Community Based (HCBS) Pharmacy Services, as follows, effective upon Board approval through March 31, 2006. Financial impact is accounted for in the Pharmacy Pool, approved by the Board as C-60-04-240-1-00. This contract 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.

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- a) Smith's Food and Drug Centers, Inc., dba Fry's Food and Drug Stores (C60042551)
- b) American Associated Druggists, Inc., dba United Drugs (C60042561)
- c) Vaden Corporation, dba Buckeye Pharmacy (C60042571)
- d) Walgreen Co. (C60042581)

FIVE NEW NURSE REGISTRY AND PERMANENT PLACEMENT OF CRITICAL CARE NURSES CONTRACTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following five new Nurse Registry and Permanent Placement of Critical Care Nurses contracts between Maricopa Integrated Health System (MIHS) for the initial term upon approval by the Board through January 6, 2006, with an option to extend up to three additional annual periods for a total term of five years. The not-to-exceed amount will be covered under the pool of funds (\$12,000,000) approved by the Board on February 4, 2004, via agenda number C90041291ZZ. Either party may terminate the contract upon 90-days written notice to the other party. Each contract contains the standard assignment provision. (C90041501ZZ)

- Interim Travel Staff (C90041511)
- Leapfrog, Inc. (C90041521)
- TheraCare Staffing Services (C90041531)
- TVL Healthcare (C90041541)
- All's Well Health Care Services (C90041551)

EMERGENCY BASE STATION AGREEMENT WITH ROCKY MOUNTAIN HOLDING LLC, dba LIFENET

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Emergency Base Station Agreement between Maricopa Integrated Health System and Rocky Mountain Holding LLC, dba LifeNet ("RMH"). IHS will provide advance life support ("ALS") base hospital services, including administrative medical control and on-line supervision of LifeNet Aero Medical Crew (AMC) for the term from January 1, 2004, thru December 31, 2008. This agreement is retroactive to January 1, 2004, due to the changes of the rules and regulations from the Arizona Department of Health Services, effective January 1, 2004. MIHS shall have the right to assign or otherwise transfer its interest under this agreement to any related entity. This is a non-financial agreement. (C90041780)

AMENDMENT TO MASTER AFFILIATION AGREEMENT WITH LEGACY EMANUEL HOSPITAL & HEALTH CENTER, LEGACY GOOD SAMARITAN HOSPITAL AND MEDICAL CENTER

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to retroactively approve Amendment No. 1 to the Master Affiliation Agreement with Legacy Emanuel Hospital & Health Center, Legacy Good Samaritan Hospital and Medical Center. The amendment extends the termination date from June 30, 2003, to June 30, 2005. The agreement may be renewed by the parties pursuant to a written amendment signed by both parties and subject to Board approval. There is to be no exchange of moneys with this agreement. (The original master affiliation agreement - Article 13 on October 4, 2002). (C9004533001)

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HEARING SET – SUPERIOR COURT

In accordance with ARS §11-251.08, and pursuant to a request from the Presiding Judge of the Superior Court of Arizona in Maricopa County, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to schedule public hearings for 9:00 a.m., Wednesday, June 16, 2004, for the following:

- i. Consider implementation of a Superior Court Criminal Warrant Fee of \$45, against each individual whose arrest is commanded by a bench warrant for: 1) their failure to appear in court as required; or, 2) their failure to pay outstanding fines and fees (as defined in Superior Court Administrative Order and any succeeding orders) in each case in the Superior Court and Justice Courts beginning July 1, 2004. (C38040228) (ADM1005)
- ii. Consider implementation of a Justice Court Criminal Warrant Fee of \$45 in justice court criminal traffic and misdemeanor cases effective July 1, 2004. (C38040238) (ADM1005)

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 19, 2004, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2003-125; DMP2003-010

INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA TAX-EXEMPT MULTIFAMILY HOUSING REVENUE BONDS (GLENBROOK TERRACE 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 TAX-EXEMPT MULTIFAMILY HOUSING REVENUE BONDS (GLENBROOK TERRACE APARTMENTS PROJECT) SERIES 2004, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$10,300,000 (THE “BONDS”).

COLORADO HEALTH FACILITIES AUTHORITY REVENUE BONDS (THE EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY 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).

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A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE OF HEALTH FACILITIES REVENUE BONDS BY THE COLORADO HEALTH FACILITIES AUTHORITY FOR THE BENEFIT OF THE EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY.

MINUTES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meeting held April 7, 19, and 21, 2004.

RATIFY NEW AND AMENDED CONTRACTS PROCURED BY MIHS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to ratify new and amended contracts procured by MIHS in accordance with Article 13 of the Maricopa County Procurement code pursuant to the report on file in the Office of the Clerk of the Board of Supervisors. (ADM2100-005)

ASRS PAYMENT OF CLAIMS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize payment of claims submitted by the Arizona State Retirement System, on behalf of the following current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. (ADM3309)

<u>Name</u>	<u>Total Employer Cost</u>
Susan Young	\$1,538.55
Maria Castro	150.04
William Rankin	3,089.67
Brenda Slaughter	1,273.99
Diane Littrell	30.76

SETTLEMENT OF CLAIMS WITH MEDICAL SERVICE PROVIDERS

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

2004 COMBINED CHARITABLE CAMPAIGN DONATIONS

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

2004 NACO ANNUAL CONFERENCE CONTRIBUTIONS

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

PRECINCT COMMITTEEMEN

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

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OFFICIAL APPOINTMENT AND OATH OF OFFICE OF JOHN BOYLE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Official Appointment and Oath of Office of John Boyle, as special deputy county attorney in the Office of the County Attorney.

SECURED TAX ROLLS

No tax rolls were submitted at this time. (ADM705)

TAX ABATEMENTS

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

<u>Parcel #</u>	<u>Year</u>	<u>Proposed Abatement</u>	<u>Parcel #</u>	<u>Year</u>	<u>Proposed Abatement</u>
214-33-022A-6	1988	\$116,336.45	215-43-094	1986	\$82.13
215-43-307-3	1985	\$98.34	215-43-094	1987	\$85.67
215-43-307-3	1986	\$74.81	215-43-094	1988	\$71.60
215-43-307-3	1987	\$73.43	215-43-094	1989	\$96.20
215-43-307-3	1988	\$60.11	215-43-094	1990	\$84.78
215-43-307-3	1989	\$121.20	215-43-094	1991	\$74.44
215-43-307-3	1990	\$84.78	215-43-094	1992	\$98.55
215-43-307-3	1991	\$74.78	215-43-094	1993	\$69.56
215-43-307-3	1992	\$98.55	215-43-094	1994	\$66.15
215-43-307-3	1993	\$69.56	215-43-094	1995	\$62.13
215-43-307-3	1994	\$66.15	215-43-094	1996	\$55.55
215-43-307-3	1995	\$62.13	215-43-094	1997	\$51.60
215-43-307-3	1996	\$55.55	215-43-094	1998	\$46.89
215-43-307-3	1997	\$51.60	215-43-094	1999	\$41.68
215-43-307-3	1998	\$46.89	215-43-094	2000	\$31.13
215-43-307-3	1999	\$41.68	215-43-094	2001	\$27.26
215-43-307-3	2000	\$31.13	215-43-094	2002	\$23.67
215-43-307-3	2001	\$27.26	215-43-094	2003	\$6.60
215-43-307-3	2002	\$23.67			
215-43-307-3	2003	\$6.60			
215-43-094	1985	\$105.81			

DUPLICATE WARRANTS

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

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COUNTY

NAME	WARRANT	FUND	AMOUNT
Kristi West	240026277	General	\$1,067.55
Cardinal Health	00340533798	Expense	\$1,396.46
Alejandro & Sabine Hernandez	340521296	Expense	\$210.00

SCHOOL

NAME	SCHOOL	WARRANT	AMOUNT
Carlota E Gaytan	Pendergast SD	14-0101022	\$285.42
Rebecca Goodnight	Supt of Schools	14-0168070	\$870.28
Arizona School Computer User's Support	Agua Fria SD	43-0134075	\$15.00
Hazel Leonard	Murphy Elem SD #21	14-99603	\$1,053.83
Nathan Vaughan	Alhambra SD #68	14-104711	\$405.38

STALE DATED WARRANTS

No warrants were submitted at this time. (ADM1816)

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the settlement of tax cases, as follows. (ADM704)

2003	ST 04-000003
TX 03-000089	ST 04-000004
TX 03-000560	TX 03-000559
2004	2004/2005
CV 03-023634	ST 03-000220
ST 03-000136	ST 03-000245
ST 03-000138	ST 03-000249
ST 03-000190	ST 03-000251
ST 03-000234	ST 04-000053

CLASSIFICATION CHANGES

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

<u>Parcel No.</u>	<u>Year</u>	<u>Owner</u>	<u>From</u>	<u>To</u>
102-87-576	2003	Hortencia Diaz	Lc/4	Lc/3
105-70-085	2001	Betty Avila	Lc/4	Lc/3
105-70-085	2002	Betty Avila	Lc/4	Lc/3
105-70-085	2003	Betty Avila	Lc/4	Lc/3
105-75-359a	2001	Mary Williams	Lc/4	Lc/3
105-75-359a	2002	Mary Williams	Lc/4	Lc/3

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105-75-359a	2003	Mary Williams	Lc/4	Lc/3
110-33-176	2001	Eddie Lama	Lc/4	Lc/3
110-33-176	2002	Eddie Lama	Lc/4	Lc/3
110-33-176	2003	Eddie Lama	Lc/4	Lc/3
116-27-161	2001	Dolores Garrizoza	Lc/4	Lc/3
116-27-161	2002	Dolores Garrizoza	Lc/4	Lc/3
116-27-161	2003	Dolores Garrizoza	Lc/4	Lc/3
116-27-162	2001	Dolores Garrizoza	Lc/4	Lc/3
116-27-162	2002	Dolores Garrizoza	Lc/4	Lc/3
116-27-162	2003	Dolores Garrizoza	Lc/4	Lc/3
116-56-008	2002	John Barker	Lc/4	Lc/3
116-56-008	2003	John Barker	Lc/4	Lc/3
118-05-073	2002	Rachel Parra	Lc/4	Lc/3
118-05-073	2003	Rachel Parra	Lc/4	Lc/3
118-27-093	2001	Izabeth L Francis	Lc/4	Lc/3
118-27-093	2002	Izabeth L Francis	Lc/4	Lc/3
118-27-093	2003	Izabeth L Francis	Lc/4	Lc/3
126-04-019	2001	Raymond Curiel	Lc/4	Lc/3
126-04-019	2002	Raymond Curiel	Lc/4	Lc/3
126-04-019	2003	Raymond Curiel	Lc/4	Lc/3
140-33-722	2003	Sumas Self Serve	Lc/4	Lc/3
140-33-737	2001	Sumas Self Serve	Lc/4	Lc/3
140-33-737	2002	Sumas Self Serve	Lc/4	Lc/3
140-33-737	2003	Sumas Self Serve	Lc/4	Lc/3
140-33-830	2001	Robert G Morral	Lc/4	Lc/3
140-33-830	2002	Robert G Morral	Lc/4	Lc/3
140-33-830	2003	Robert G Morral	Lc/4	Lc/3
140-34-062	2003	David Debarre	Lc/4	Lc/3
142-85-034	2001	Elizabeth Walker	Lc/4	Lc/3
142-85-034	2002	Elizabeth Walker	Lc/4	Lc/3
142-85-034	2003	Elizabeth Walker	Lc/4	Lc/3
145-27-408	2001	Ammon Sprau	Lc/4	Lc/3
145-27-408	2002	Ammon Sprau	Lc/4	Lc/3
145-27-408	2003	Ammon Sprau	Lc/4	Lc/3
149-31-157	2003	Crystal Dominguez	Lc/4	Lc/3
155-33-228	2002	Michael P Roy	Lc/4	Lc/Mixed
155-33-228	2003	Michael P Roy	Lc/4	Lc/3
155-34-117	2001	Sandra Baney	Lc/4	Lc/3
155-34-117	2002	Sandra Baney	Lc/4	Lc/3
155-34-117	2003	Sandra Baney	Lc/4	Lc/3
160-50-134	2001	Roland Craven	Lc/4	Lc/3
160-50-134	2002	Roland Craven	Lc/4	Lc/3
160-50-134	2003	Roland Craven	Lc/4	Lc/3
162-19-088	2001	Thalheimer Joel	Lc/4	Lc/3
162-19-088	2002	Thalheimer Joel	Lc/4	Lc/3
162-19-088	2003	Thalheimer Joel	Lc/4	Lc/3
167-27-561	2001	Marlend Delfin	Lc/4	Lc/3
167-27-561	2002	Marlend Delfin	Lc/4	Lc/3
167-27-561	2003	Marlend Delfin	Lc/4	Lc/3
167-79-119	2002	Colleen Taylor	Lc/4	Lc/3

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167-79-119	2003	Colleen Taylor	Lc/4	Lc/3
175-60-206	2002	Barbara Berrett	Lc/4	Lc/Mixed
175-60-206	2003	Barbara Berrett	Lc/4	Lc/3
207-38-057	2003	Bill Doyel	Lc/4	Lc/3
207-39-681	2003	Sandra Baney	Lc/4	Lc/3
218-23-010	2001	Michelle Tuffly	Lc/4	Lc/3
218-23-010	2002	Michelle Tuffly	Lc/4	Lc/3
218-23-010	2003	Michelle Tuffly	Lc/4	Lc/3
218-57-717	2001	Ronald Kinser	Lc/4	Lc/3
218-57-717	2002	Ronald Kinser	Lc/4	Lc/3
218-57-717	2003	Ronald Kinser	Lc/4	Lc/3
220-17-043	2001	Juamell Feilden	Lc/4	Lc/3
220-17-043	2002	Juamell Feilden	Lc/4	Lc/3
220-17-043	2003	Juamell Feilden	Lc/4	Lc/3
233-04-059	2001	Robert Stewart	Lc/4	Lc/3
233-04-059	2002	Robert Stewart	Lc/4	Lc/3
233-04-059	2003	Robert Stewart	Lc/4	Lc/3

COMPROMISES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in executive session held May 3, 2004.) (ADM407)

Caleb Burns	\$ 3,000.00	Julie Fetterly Caldwell	\$ 6,100.00
Froylan Guillen	2,000.00	Lee Davis	700.00
Rita Moreno	426,560.02	Azieb Sebahat	2,100.00
Larry Witte	6,000.00		

WRITE-OFFS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the requested write-offs as payment in full for the following cases. (Discussed in executive session held May 3, 2004.) (ADM407)

Peter Brady	\$ 3,018.00	Frank Celaya	\$ 16.64
Heather Decker	1,025.00	Glenn Dudley	162.50
Shane R. Frost	790.00	Carlos Gaitan	3,388.00
John F. Gannon	695.00	Arthur Garcia	220.00
Val A. Good	1,150.00	Val A. Good	233.15
Peter A. Guido	922.00	Angel G. Hernandez	370.00
Jon Hunsucker	500.40	Daniel Kerezman	1,330.00
Armondo T. Lopez	152.00	Francisco Luna	225.00
Lorenzo Mann	468.00	Michael Martin	1,270.00
Elias Raul Medina	50.00	Enrique Mendoza	2,928.72
Enrique Mendoza	607.00	Chas. G. Overton	1,800.00
Murray J. Ramirez	248.00	Roy Serratt	1,472.00
Jacob Talas	1,210.00	Orlando Venegas	335.81
Donald J. Wardlaw	663.00	Norman Austin	1,637.00
Michael Chappel	1,465.00	Robert M. Garcia	270.00

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Steven Hernandez	309.51	Rickie L. Knight	20.00
Robert E. Long	880.00	Robert E. Long	120.00
Jeffrey Lynn Motes	1,355.00	Billy D. Rhodes, Jr.	1,470.00
Gilbert M. Tanori	450.00		

RESOLUTION AUTHORIZING TAX-DEEDED LAND SALE

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt a Resolution authorizing a tax-deeded land sale and establishing policies and procedures for the sale. (This item continued from meeting of May 17, 2004.) (Addendum item A-1.) (ADM656)

Anthony Abril, citizen, commented on the differences in amounts paid in taxes by those living in Scottsdale/Phoenix compared to those living in South Phoenix.

RESPONSE TO PROPOSED MAG REGIONAL TRANSPORTATION PLAN AMENDMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Board of Supervisors' response to proposed amendment to MAG Regional Transportation Plan that expressed concurrence with the amendment to delay the LRT. Letter on file in the Office of the Clerk of the Board. (Addendum item A-2.) (ADM2053)

PUBLIC COMMENT ON MATTERS PERTAINING TO MARICOPA COUNTY GOVERNMENT

Anthony Abril, citizen, would like city, state and county governments to interact to improve conditions and opportunities in South Phoenix (ADM605)

SUPERVISORS'/COUNTY ADMINISTRATIVE OFFICER SUMMARY OF CURRENT EVENTS

Supervisor Wilcox said a bill had recently been defeated in Congress that would have made emergency room personnel responsible for reporting undocumented persons seeking medical help. She added that a bill sponsored by Representative Flake and Senator John McCain were closer to becoming a reality in getting a guest/worker program in the immigration bill and she supported it. (ADM606)

Supervisor Wilson remarked that the program of military base closings would continue as scheduled despite a movement to get it extended for two years until the war was over. He remarked that it had been a situation where every vote counted and it was only two votes short of passing. He added that there is a lobbying group in the west side of town that is collecting funds to protect Luke and he would formally petition the Board to donate \$25,000 to that cause in the near future.

Supervisor Wilson also spoke on the opening of the 303 Freeway and said it was one of the really fun events he had attended. He reported that they had more people attend the ceremony than expected and they'd stayed to the end. He said, "there was a great ovation from the crowd" when mention was made of renaming the 303 the "Bob Stump Memorial Parkway" in honor of the late congressman who served Arizona in so many ways for so many years.

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

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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. **S2002-040** District 4
 Applicant: A & B Investments, on behalf of Weston Partnership, LLC
 Location: Southeast corner of Bethany Home Rd. & the Perryville Rd. alignment (in the west Glendale area)
 Request: Final Plat in the Rural-43 zoning district for Cottonwood Estates (approximately 61.23 gross acres)

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

2. **S2004-033** **District 3**
 Applicant: Wood Patel & Associates
 Location: South of Anthem Way along the west side of Venture Dr. (in the Anthem area)
 Request: Final Plat in the C-2 C.U.P.D. zoning district for Anthem Gateway Office Park at Venture Court (approximately 7.13 gross acres)

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

REGULAR AGENDA DETAIL:

3. **S2003-081** **District 1 CONTINUED INDEFINITELY**
 Applicant: JMA Engineering
 Location: Near Arizona Ave & Hunt Highway (in the Sun Lakes area)
 Request: Final Plat in the R1-18 zoning district for San Tan Vista Unit 3 Phase 3 (approximately 51.98 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to continue this matter indefinitely per staff recommendation. Note: Applicant was advised that this item could be placed as an Addendum Item to the 6/2/04 Board's agenda if signed mylars were provided at least two days in advance of that date.

4. **S2003-085** **District 1 CONTINUED INDEFINITELY**
 Applicant: RBF Consulting
 Location: Near Arizona Ave & Hunt Highway (in the Sun Lakes area)
 Request: Final Plat in the R1-18 zoning district for Santan Vista Unit 3 Phases 4 and 5 (approximately 64.4 gross acres)

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to continue this matter indefinitely per staff recommendation. Note: Applicant was advised that this item could be placed as an Addendum Item to the 6/2/04 Board's agenda if signed mylars were provided at least two days in advance of that date.

5. **MP 90-1** **Districts 4 & 5 (This case continued from meeting of April 7, 2004).**
Applicant: Beus Gilbert, P.L.L.C.
Location: North of I-10, south of the Central Arizona Project (C.A.P.) canal, west of the Hassayampa River, and east of the Wintersburg Rd. alignment
Request: Review of the Status Report for a previously approved Development Master Plan (DMP), including possible action for modification of the DMP – Belmont Development Master Plan (20,800 ac.)

COMMISSION ACTION: Commissioner Jones moved to recommend approval of MP 90-1, subject to the following stipulations “a” through “vv”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 8-0

- a. Development to be in accordance with the Narrative entitled “Belmont Development Master Plan” dated revised September 28, 1990. Changes to the existing Belmont Development Master Plan or the adopted stipulations must be processed as an amendment in accordance with the applicable development master plan guidelines in effect at the time of the amendment submission.
- b. Domestic water shall meet Safe Drinking Water Act requirements.
- c. Roadside interceptor channels to be located outside roadway right-of-way within appropriate easements and provisions made or requirements maintenance.
- d. Northern Avenue alignment through the master planned area shall be designated to have a 130-foot arterial right-of-way.
- e. The intersection of Belmont Parkway and Northern Avenue shall provide for free flow of traffic in all directions. This will require additional right-of-way in the vicinity of the intersection.
- f. Perimeter dedications will be made, as necessary and recommended by the County to serve adjacent properties.
- g. Indian School Road from 339th Avenue westerly for 1½ miles and 339th Avenue from Indian School Road south to Interstate 10 shall be widened and improved as part of Phase I.
- h. Belmont Parkway from Indian School Road to Interstate 10 shall be completed with the necessary interchange at 347th Avenue at commencement of Phase II.
- i. The master developer shall make arrangements for completion of all necessary fire stations concurrent with development in the applicable service area. Compliance shall be documented by the fire district/service provider and filed with Maricopa County.
- j. The fence along the Central Arizona Project Canal shall not be removed.

- k. Development phasing shall adhere to a land use implementation schedule providing: 10.5 acres of commercial property, 8 acres of industrial property and 5 acres of public/quasi-public property per 1,000 projected population. Verification of compliance shall be provided to Maricopa County by the master developer prior to commencement of subsequent phases.
- l. Water usage shall be limited to 140 gallons per person, per day for the entire project. Water usage at this level shall be verified by the master developer for each phase prior to approval of any zoning for subsequent phases. Verification of compliance shall be provided by the master developer to the Maricopa County Planning and Development Department.
- m. A detailed schedule of anticipated development within a five (5) year period shall be provided at the time of preliminary platting.
- n. Gross residential densities shall not exceed the following target densities within the residential land use categories:
- Rural residential/high density: 0.6 dwelling units per acre.
 - Suburban residential: 1.5 dwelling units per acre.
 - Urban residential/very low density: 3.0 dwelling units per acre.
 - Urban residential/low density: 6 dwelling units per acre.
 - Urban residential/medium density: 10.0 dwelling units per acre.
 - Urban residential/high density: 16 dwelling units per acre.
- Demonstration of compliance with the target densities shall be provided on all final plats.
- o. A detailed financing plan shall be submitted to the Maricopa County Planning and Development Department at time of rezoning and preliminary platting.
- p. The master developer shall submit a written report to the Commission outlining the status of this development every five (5) years following approval of this request by the Board of Supervisors. The status report shall include location of approved rezoning, location of developed parcels, location of parcels under construction, location of parcels sold to other developers, status of infrastructure development, current project density using both constructed and approved dwelling units, locations of any amendments made to the Master Plan, status and ratio of non-residential property, and any other information as requested by Maricopa County unless or until a development agreement between the master developer and Maricopa County is completed and signed by both parties.
- q. All development will be subject to the Maricopa County Subdivision Regulations in effect at the time of platting. In addition, roadway classifications, roadway design criteria, and roadway construction requirements shall conform to applicable Maricopa County standards in effect at the time of each zoning application unless modified by the adopted development agreement.
- r. All future rezoning applications for non-residential development will require a Planned Development (P.D.) overlay.

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- s. The master plan shall be developed sequentially as depicted on the Phasing Prototype Map, Exhibit 3-20. Any change to the order of the phases of the project will require review and approval by the Planning and Zoning Commission and the Board of Supervisors.
- t. The master developer shall be responsible for the installation of all major elements of infrastructure including major street improvements, domestic water and sewer systems and drainage/flood control improvements in accordance with the Maricopa County standards in effect at the time of platting.
- u. MITIGATION FOR SHORT TERM AIR QUALITY IMPACTS

The following mitigation measures will be implemented during construction to reduce short-term air quality impacts of the project:

1. Master developer shall obtain an approved earth moving permit from the Maricopa County Environmental Services Department.
2. All installation permits, operating permits, earth moving equipment permits and other permits required by law will be duly obtained and the requirement thereof will be satisfied. Proof of compliance with this stipulation shall be provided to the Maricopa County Planning and Development Department as the permits are obtained.

MITIGATION FOR LONG TERM LOCAL AIR QUALITY IMPACTS

The Master Developer agrees to implement the following transportation demand and system measures to reduce vehicle miles traveled within the Belmont Area:

1. Traffic signals will be timed according to Maricopa County requirements. An underground conduit system (or comparable technology) shall be provided within those rights-of-way identified by the Maricopa County Department of Transportation to integrate traffic signals and for future intelligent transportation system uses.
2. Left turn signals will be provided at key intersections to maximize traffic flow.
3. Prior to approval of initial rezoning, the master developer shall prepare a comprehensive multimodal transportation and circulation plan for the Belmont Development Master Plan, which addresses conveyances such as bicycles, pedestrians, golf carts, and equestrian. Also prior to approval of initial rezoning, this plan shall be submitted to and approved by the Maricopa County Department of Transportation. In addition, the master developer shall include bicycle lanes on all arterial and collector road alignments, and a bicycle circulation plan shall also be provided to, and approved by, the Maricopa County Department of Transportation with each identified phase of development. A master plan for pedestrian paths shall also be provided to, and approved by, the Maricopa County Department of Transportation with each identified phase of development.
4. Bicycle facilities, including shaded areas and bicycle lockers, will be provided at each Multi-Use Center, and are subject to review and approval by the Maricopa County Department of Transportation.
5. Maps of existing and planned bicycle and pedestrian paths and facilities shall be made permanently available for public viewing at all public libraries and community centers in the Belmont Development Master Plan

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6. The master developer shall provide neighborhood access to commercial and, where feasible, industrial areas via open space, pedestrian paths, bicycle paths, or other non-arterial street connections. Such access shall be specifically identified on all plats and precise plans of development.
7. The Master Developer will design Belmont to facilitate future transit usage by providing for safe and secure bus stops including turnout lanes in residential, industrial and commercial areas per the requirements of the Maricopa County Department of Transportation. Further, prior to approval of initial rezoning the master developer shall enter into an agreement with the regional public transportation authority board of directors, or equivalent public transportation agency, to identify future public transportation facilities, services, funding requirements, cost sharing, and a transportation management plan within the Belmont Development Master Plan. This agreement shall be signed by both the master developer and the regional public transportation authority or equivalent public transportation agency, and be provided to the Maricopa County Planning and Development Department for public record. Based on this agreement, public transportation facilities shall be identified on all plats.
8. Employers will be encouraged to provide bicycle storage, locker and shower facilities for employees. Applications for precise plans of development shall identify such facilities

MITIGATION MEASURES FOR LONG TERM REGIONAL AIR QUALITY IMPACTS

The Master Developer agrees to implement the following transportation demand measures to reduce air emissions from trips and vehicle miles traveled between the project area and other regional destinations.

1. The Belmont master developer shall be responsible for providing transit and alternative transportation information to residents via an annual newsletter or equivalent method approved by the Maricopa County Planning and Development Department. Copies of such information shall be provided to the Maricopa County Planning and Development Department
2. The Master Developer will provide a Park and Ride lot system to coincide with the phasing of development at Belmont utilizing the Multi-Use Centers and other appropriate locations throughout Belmont. Park and ride lots, bus terminals, and other mass transit facilities shall be identified on all precise plans of development and plats.
3. Each commercial, industrial, and multi-use center development providing over 50 parking spaces will assign at least 15 percent of the spaces to priority parking for car pools. Such spaces shall be identified on all precise plans of development.
4. Free parking for automobiles, and bicycles, and other personal vehicles will be provided at park and ride facilities to encourage multi-occupancy vehicle use. Notes confirming compliance with this stipulation shall be included on all precise plans of development and plats.

IMPLEMENTATION OF AIR QUALITY MITIGATION MEASURES

At the time the individual parcels of the Belmont Development Master Plan are submitted for rezoning and/or subdivision approval, the master developer shall be required to specify in detail how the above referenced air quality mitigation measures will be

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implemented and enforced in conjunction with the Project seeking the zoning and/or subdivision approval.

The County Health Department shall be notified in conjunction with each request for zoning and/or subdivision approval and provided an opportunity to review and comment on the implementation of the specific air quality mitigation implementation to ensure such measures are in compliance with the air quality mitigation measures submitted in conjunction with the Belmont Master Plan approval and referenced herein.

- v. The bridge and interchange at 347th Avenue or 355th avenue, as determined by the Maricopa County Department of Transportation, must be built prior to the 339th Avenue Bridge reaching capacity.
- w. Prior to approval of initial rezoning, the master developer shall enter into a development agreement with Maricopa County. Further, prior to any rezoning approval this development agreement shall be signed by both parties and provided to the Maricopa County Planning and Development Department for public record.
- x. The initial final plat for phase one (1) shall occur within seven (7) years of Board of Supervisors approval of the revised Belmont Development Master Plan stipulations. If final platting has not occurred within this timeframe, the Belmont Development Master Plan shall be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation from the Maricopa County Planning and Zoning Commission, for possible revocation. If revoked, future action regarding the Belmont Development Master Plan would then require application for a new development master plan and would be subject to Board of Supervisors approval.
- y. If required by the Arizona Department of Water Resources, prior to approval of any rezoning the master developer shall update the preliminary groundwater resources evaluation study dated October 1989. Among other items, the updated study should examine expected aquifer production capabilities, impacts to adjoining aquifers, aquifer replenishment, and an analysis of the cumulative impacts of water withdrawal on the surrounding region. The study shall be approved by the Arizona Department of Water Resources. Based on the update results, Maricopa County reserves the right to require changes to the Belmont Development Master Plan to reflect updated conditions if required by the Arizona Department of Water Resources.
- z. If required by the Maricopa County Environmental Services Department, prior to approval of any rezoning the master developer shall update and, if necessary, revise the Belmont Development Master Plan Master Wastewater Study dated June 13, 1991. Based on the update results, Maricopa County reserves the right to require changes to the infrastructure plans to reflect updated conditions.
- aa. If required by the Maricopa County Environmental Services Department, prior to approval of any rezoning the master developer shall update and, if necessary, revise the Belmont Development Master Plan Master Water Study dated June 13, 1991. Based on the update results, Maricopa County reserves the right to require changes to the Belmont infrastructure plans to reflect updated conditions.

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- bb. If required by the Flood Control District of Maricopa County, prior to approval of any rezoning the master developer shall update and, if necessary, revise the Belmont Development Master Plan Master Drainage Study dated June 13, 1991. Based on the update results, Maricopa County reserves the right to require changes to the drainage solutions for the Belmont Development Master Plan to reflect updated conditions. The master developer will be allowed to transfer density within the project to accommodate unforeseen drainage and flood control issues.
- cc. If required by the Maricopa County Department of Transportation, prior to approval of initial rezoning the master developer shall update the Belmont Development Master Plan Transportation Master Plan dated August 1990, and shall submit updates prior to commencement of each subsequent phase. The update should contain an analysis of the fiscal impact of the necessary transportation infrastructure, including funding for improvements and future maintenance. In addition, if required by the Maricopa County Department of Transportation, prior to any rezoning the master developer shall prepare and submit to the Maricopa County Department of Transportation for approval a regional transportation study for the area. This study should analyze and evaluate the transportation impacts of the Belmont Development Master Plan on the regional transportation system, with the impact area being determined by the Maricopa County Department of Transportation. This study should also address development phasing and the respective regional infrastructure improvements necessary to support each phase. Further, prior to approval of any rezoning the master developer shall agree to pay their necessary and pro rata share of the regional fiscal impact costs of transportation facilities identified in the regional transportation model and as included in the development agreement.
- dd. For streets within the development, the average daily traffic (ADT) on the street segments shall not exceed the threshold ADT values defined in the Maricopa County Department of Transportation Roadway Design Manual. If the ADT attributable to Belmont on a street segment exceeds this threshold value, a parallel roadway facility, to the segment under consideration, shall be required at the discretion of the Maricopa County Department of Transportation.
- ee. All-weather access shall be provided to all parcels and on all arterial roadways.
- ff. A minimum of two access points shall be provided and available to each subdivision unit.
- gg. Street light installation shall be the responsibility of the master developer. A street lighting improvement district, or comparable authority, shall be established to provide operation and maintenance.
- hh. Prior to approval of any rezoning, and if required by the Maricopa County Environmental Services Department, a Maricopa Association of Governments (MAG) Air Quality Conformity Analysis shall be completed by the applicant and analyzed by MAG and Maricopa County to determine regional impacts and any necessary mitigation measures. Based on the results, Maricopa County and the master developer will address any necessary mitigation measures. Any mitigation measures taken will not affect approved densities for the Belmont Development Master Plan.

- ii. Prior to approval of any rezoning, an archaeological survey of the Belmont Development Master Plan property shall be conducted to locate and evaluate any existing cultural resources that may be present. Once the survey has been completed, a copy of the report shall be provided to the Arizona State Historic Preservation Office for review and comment. If historic or significant sites are identified within the project area, it may be necessary to have archaeological testing performed at the sites to evaluate their eligibility for inclusion in the National or State Register of Historic Places. If Register-eligible properties cannot be avoided by development activities, then the Arizona State Historic Preservation Office shall determine if a data recovery (excavation) program is necessary. If federal permit(s) are required for any development, then any archaeological work performed must meet the Secretary of Interior's standards.
- jj. If requested by the Arizona Game and Fish Department, prior to approval of initial rezoning the master developer shall work with the Arizona Game and Fish Department to help quantify potential impacts to wildlife in the Belmont Development Master Plan region, and work with the Arizona Game and Fish Department to develop a mitigation plan to offset potential adverse impacts to wildlife resulting from the proposed development. This mitigation plan shall be provided to the Maricopa County Planning and Development Department for public record, and all rezonings must demonstrate conformance with the approved mitigation plan unless deemed redundant due to the 404 permitting process.
- kk. The master developer shall notify all future Belmont Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by or be able to petition a citizen-elected municipal government. Further, residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be published on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, be included in all home sales material, and be included in all homeowners association covenants, conditions, and restrictions (CC&Rs).
- ll. Prior to approval of any rezoning, the master developer shall initiate discussions with the appropriate public school district(s) to address service and facility needs. Any formal agreements signed by both the master developer and the school district(s) shall be provided to the Maricopa County Planning and Development Department for public record.
- mm. Not less than 2,059 acres of the Belmont Development Master Plan shall be set aside for commercial-type development, as identified in the Belmont Development Master Plan narrative report. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat or precise plan submission, the master developer shall submit a description of the status of the cumulative commercial-type development land use acreage with respect to the minimum 2,059 acre requirement.
- nn. Not less than 1,249 acres of the Belmont Development Master Plan shall be set aside for industrial-type development, as identified in the Belmont Development Master Plan narrative report. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat or precise plan submission, the master developer shall submit a description of the status of the

cumulative industrial-type development land use acreage with respect to the minimum 1,249 acre requirement.

oo. Not less than the following of the Belmont Development Master Plan shall be set aside for park and recreation, as identified in the Belmont Development Master Plan narrative report:

- 413 acres for neighborhood parks
- 226 acres for playfields
- 228 acres for playgrounds
- 760 acres for community parks
- 20 acres for indoor recreation
- 6 public swimming pools
- 54.5 acres for sports complex
- 872 acres for usable retained open space

To help ensure compliance, the total acres of each of these land uses shall be included on all plats. In addition, at the time of each preliminary plat submission, the master developer shall submit a description of the status of the cumulative land use acreage with respect to the minimum acreage requirement for each of these land uses.

pp. Not less than 838 acres shall be set aside as natural open space. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat submission, the master developer shall include a description of the status of the cumulative natural open space acreage with respect to the minimum 838 acre requirement.

qq. All park and recreation facilities shall be completed concurrent with development in the applicable service area. Park facilities shall be identified on all applicable plats, and park amenities will be subject to review by the Maricopa County Planning and Development Department.

rr. Prior to filing applicable preliminary plats, the master developer shall submit a landscape inventory and salvage plan which identifies and assesses the native trees and cacti within the applicable parcels, and which determines the preservation and disposition for each of the selected trees, plants, and cacti. The salvage plan shall be in accordance with state laws in effect at the time of plat submittal.

ss. The master developer or similar entity shall be responsible for construction and maintenance of public open spaces and facilities; washes; parks; roadway median landscaping; landscaping within the public rights-of-way; pedestrian, bicycle, and equestrian paths. Should the Belmont Development Master Plan be incorporated, responsibility for maintenance of the above mentioned facilities shall be the responsibility of the annexing city or newly created municipality.

tt. All irrigation of common areas, golf courses, and lakes over ten (10) acres in size shall be done entirely with a renewable water supply when sufficiently available. A report identifying when a renewable water supply will be available shall be submitted to the Maricopa County Planning and Development Department prior to approval of initial rezoning. Notes testifying to compliance with this stipulation shall be placed on all plats.

- uu. No development shall be permitted on hillside slopes of greater than 15%. Building envelopes shall be required for all development in areas of 10% to 15% slope. Building envelopes are to designate the area that may be disturbed for all residential structures and amenities. The balance of the lot outside this envelope shall be retained in its natural state.

- vv. Prior to approval of the first final plat, the master developer shall provide Maricopa County with the appropriate documentation—as identified by the Maricopa County Planning and Development Department—of their intent to form a community facilities district that encompasses the entire Belmont Development Master Plan. This district shall be formed for the purpose of financing the following public infrastructure:
 - 1. Sanitary sewage systems, including collection, transport, storage, treatment, dispersal, effluent use and discharge.
 - 2. Drainage and flood control systems, including collection, transport, diversion, storage, detention, retention, dispersal, use, and discharge.
 - 3. Water systems for domestic, industrial, irrigation, municipal and fire protection purposes including production, collection, storage, treatment, transport, delivery, connection and dispersal.
 - 4. Highways, streets, roadways and parking facilities including all areas for vehicular use for travel, ingress, egress and parking.
 - 5. Areas for pedestrian, equestrian, bicycle and other non-motor vehicle use for travel, ingress, egress and parking.
 - 6. Pedestrian malls, parks, recreational facilities, and public open space areas.
 - 7. Landscaping including earthworks, structures, lakes and other water features, plants, trees and related water delivery systems.
 - 8. Public buildings, public safety facilities and fire protection facilities.
 - 9. Lighting systems.
 - 10. Traffic control systems and devices including signals, controls, markings and signage.
 - 11. School sites and facilities if agreed to and with the consent of the applicable school district(s).
 - 12. Equipment, vehicles, furnishings and other property related to the items listed in this paragraph.

Formation of the district shall occur prior to issuance of any building permits.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to continue this matter to the June 2, 2004, meeting at the request of the Planning Staff.

- 6. **Z2003-127** **District 4** (This case continued from meeting of May 5, 2004).
 - Applicant:** Coe & Van Loo Consultants, Inc.
 - Location:** West of the northeast corner of the proposed El Mirage Rd. & Lone Mountain Dr. alignments (in the north Peoria/Sun City West area)
 - Request:** Amendment of previously approved R1-6 R.U.P.D. zoning standards. Modification of stipulations of previously approved zoning case Z2000187 – Rio Sierra (79.6 ac.)

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

- a. Development and use of the site shall comply with the zoning exhibit entitled “Revised Rezoning Map and Residential Unit Plan of Development for Rio Sierra”, consisting of one full-size sheet, dated revised March 26, 2004, and stamped received March 29, 2004, except as modified by the following stipulations. The applicant shall submit a revised zoning exhibit within 30 days of approval by the Planning and Zoning Commission clarifying street side setback requirements for corner lots adjacent to key lots by providing a footnote with the R.U.P.D. tables and by providing a typical lot detail in this regard.
- b. Development and use of the site shall comply with the narrative report entitled “Narrative Report for Rio Sierra - Residential Unit Plan of Development...”, consisting of 20 pages including large-size exhibits, dated revised March 7, 2001, and stamped received March 9, 2001, except as modified by the following stipulations. The applicant shall submit a revised narrative report within 30 days of approval by the Planning and Zoning Commission clarifying street side setback requirements for corner lots adjacent to key lots by providing a footnote with the R.U.P.D. tables and by providing a typical lot detail in this regard.
- c. Dedication of right-of-way to bring the total half-width dedication to 40' for the west half of 119th Avenue and for the north half of Lone Cactus Drive adjacent to the site shall occur concurrent with the final plat.
- d. The applicant shall secure an access easement or road dedication for 40' half-width right-of-way for a minor collector route along N. 119th Avenue to connect the site to Williams Rod. At that location the applicant shall secure an access easement or road dedication for 65' half-width right-of-way for a major arterial route from El Mirage Road to N. 117th Avenue and north along the N. 117th alignment to the intersection of Agua Fria Road at the N. 115th Avenue alignment. Additionally, the applicant shall secure an access easement or road dedication for 40' half-width right-of-way for N. 121st Avenue to connect the site to Williams Road. These access easements or road dedications shall occur concurrent with the final plat.
- e. Paved access shall be provided to any subsequent subdivisions.
- f. All interior streets within the proposed development shall be constructed to meet County standards.
- g. Development shall be subject to the following:
 1. An approved traffic impact analysis shall be on file with the Maricopa County Department of Transportation. The analysis shall include development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The initial development phase shall be based on existing conditions and not proposed roadways.

- a. The applicant shall contribute no less than \$1,260,000 (based on 280 units @ \$4,500 per unit) or 1.4 lane-miles of new all-weather access roadways, whichever is the greatest value, as their proportionate share of offsite regional roadway improvements. Roadways shall meet County standards in effect at the time of the roadway improvements.
 - b. If Stipulation g.1.a does not provide site access to a suitable paved all-weather access roadway that meets County standards in effect at the time of roadway improvement, the applicant shall construct sufficient all-weather access roadways that provide site access to a suitable paved all-weather access roadway. In no case shall the applicant's contribution be less in value than that in Stipulation g.1.a.
 - c. Any roadways constructed in compliance with Stipulations g.1.a or g.1.b shall have alignments consistent with a County approved transportation plan in effect at the time of improvement. At the time of stipulation, such alignments include a connection El Mirage Road and continuing to either Loop 303 or Bell Road or a connection to Loop 303 and continuing to Lake Pleasant Road as necessary.
2. The traffic analysis shall be updated prior to the first final plat approval to reflect current conditions in effect at the time of platting. Additional lane capacity on offsite alignments will be reviewed with each resubmittal of the traffic analysis. The applicant shall provide a financial assurance to guarantee the offsite improvements that are recommended in their approved analysis. Subsequent updates of the traffic analysis will be required by the Maricopa County Department of Transportation if changing conditions warrant.
 3. All identified offsite alignments must be consistent with a county approved transportation plan.
 4. All-weather access shall be provided to all parcels and on all arterial roadways.
 5. A minimum of two (2) access points shall be provided and available to each development phase and/or subdivision unit.
 6. The location of any connections to the Loop 303 shall be reviewed and approved by Maricopa County Department of Transportation. Only one additional connection will be provided between El Mirage Road and Lake Pleasant Road.
 7. Applicant shall be responsible for submitting their arterial street network to the MAG Transportation Improvement Program for conformity analysis. Approval is required prior to commencing construction.
 8. All identified offsite alignments must be consistent with a County approved transportation plan.
 9. Provide the ultimate half-width right-of-way on all perimeter boundaries consistent with County approved transportation plan.

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

24. This project is subject to the National Pollutant Discharge Elimination System (NPDES) Stormwater requirements for construction sites under the Environmental Protection Agency (EPA) General Permit for Arizona. Applicant is responsible for complying with these requirements.
25. A development agreement, between the applicant and MCDOT, or comparable document, addressing access requirements in more detail, as well as internal transportation issues, shall be executed prior to approval of any preliminary plat.
- h. The project shall be limited to 280 dwelling units.
- i. The minimum amount of open space for the project shall be 16 net acres and the open space network shall include preservation of the ridge in its natural state to the greatest extent possible.
- j. The developer shall be responsible for construction of all public and private on-site roadways within the designated Rio Sierra boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all public open spaces and facilities, all private roads, washes, parks, roadway median landscaping, landscaping within public right-of-way adjacent to all major and minor arterial roadways, and of all pedestrian, bicycle, and multi-use pathways.
- k. Prior to the submittal of each final plat, the developer will provide "will serve" letters from Arizona American Water Company for potable water and central sanitary sewer service. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Arizona American Water Company upon approval by the Environmental Services Department.
- l. Prior to the submittal of each final plat, developer will provide a "will serve" letter from Rural-Metro Fire Department. Developer may submit a "will serve" letter from a different qualified public or private fire service agency in place of Rural-Metro Fire Department upon approval by the Planning and Development Department.
- m. Major changes to this plan of development (site plan and the narrative report) and the conditions of approval shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- n. Non-compliance with this request (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- o. If development of the site has not occurred within five (5) years of the date of approval by the Board of Supervisors, staff shall schedule this development for rehearing by the Planning and Zoning Commission to consider initiating a reversion of the property to its original Rural-43 zoning.

Joy Rich outlined the Commission action on this item. Paul Gilbert was present to answer any questions for the applicant.

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

7. **Z2003-128** **District 4** (This case continued from meeting of May 5, 2004).
Applicant: Coe & Van Loo Consultants, Inc.
Location: Northwest corner of the proposed Pinnacle Peak Rd. & 117th Ave. alignments (in the north Peoria/Sun City West area)
Request: Amendment to previously approved R1-6 R.U.P.D. and R1-7 R.U.P.D. zoning standards. Modification of stipulations "d" and "h" of previously approved zoning case Z2000-076 – Crossriver (198.92 ac.)

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

- a. Development and use of the site shall comply with the zoning exhibit entitled "Revised Rezoning Map and Residential Unit Plan of Development for Crossriver", consisting of one full-size sheet, dated revised February 6, 2004, and stamped received March 29, 2004, except as modified by the following stipulations. The applicant shall submit a revised zoning exhibit within 30 days of approval by the Planning and Zoning Commission modifying the zoning boundary between the R1-6 R.U.P.D. and R1-7 R.U.P.D. zoning districts so that the revised boundary matches the boundary separating Units 3, 4 and 5 from 6, 7, and 8 of Crossriver as shown on the above referenced zoning exhibit. In addition, the revised zoning exhibit shall include a modified R.U.P.D. table with additional footnote(s) addressing setback requirements for all key lots within Crossriver.
- b. Development and use of the site shall comply with the narrative report entitled "Residential Unit Plan of Development (R.U.P.D.) Crossriver Master Planned Community...", consisting of 25 pages plus appendices all bound in a white three-ring binder, dated revised October 16, 2000, and stamped received October 19, 2000, except as modified by the following stipulations. The applicant shall submit a revised narrative report within 30 days approval by the Planning and Zoning Commission hearing modifying the zoning boundary between the R1-6 R.U.P.D. and R1-7 R.U.P.D. zoning districts so that the revised boundary matches the boundary separating Units 3, 4 and 5 from 6, 7, and 8 of Crossriver as shown on the above referenced zoning exhibit. In addition, the revised narrative report shall include a modified R.U.P.D. table with additional footnote(s) addressing setback requirements for all key lots within Crossriver.
- c. Dedication of right-of-way to bring the total half-width dedication to 40' for the south half of Pinnacle Peak Road adjacent to the site shall occur concurrent with the final plat.
- d. Dedication of right-of-way to bring the total half-width dedication to 65' for the north half of Williams Drive adjacent to the site, or for a 130' full-width for that portion of Williams Drive located fully within the site, shall occur concurrent with the final plat.

- e. Dedication of right-of-way to bring the total half-width dedication to 40' for the east half of 119th Avenue adjacent to the site shall occur concurrent with the final plat.
- f. The applicant shall secure an access easement or road dedication for a 110' full-width right-of-way for a minor arterial route to connect the site with the intersection of El Mirage Road and Deer Valley Road, and with the intersection of Hatfield Road and Loop 303/Estrella Freeway, concurrent with the final plat.
- g. All interior streets within the proposed development shall be constructed to meet County standards.
- h. Dedication of right-of-way to bring the total half-width dedication to 65' for the west half of 117th Avenue shall occur concurrent with the final plat.
- i. The applicant shall secure an access easement or road dedication for a 110' full-width right-of-way for a minor arterial route to connect the site with the intersection of El Mirage Road and Deer Valley Road (realigned), and with the intersection of Hatfield Road and Loop 303/Estrella Freeway, concurrent with the final plat.
- j. Paved access shall be provided to any subsequent subdivisions.
- k. All interior streets within the proposed development shall be constructed to meet County standards.
- l. Development shall be subject to the following:
 - 1. An approved traffic impact analysis shall be on file with the Maricopa County Department of Transportation. The analysis shall include development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The initial development phase shall be based on existing conditions and not proposed roadways.
 - a. The applicant shall contribute no less than \$3,150,000 (based on 700 units @ \$4,500 per unit) or 3.5 lane-miles of new all-weather access roadways, whichever is the greatest value, as their proportionate share of offsite regional roadway improvements. Roadways shall meet County standards in effect at the time of the roadway improvements.
 - b. If Stipulation l.1.a does not provide site access to a suitable paved all-weather access roadway that meets County standards in effect at the time of roadway improvement, the applicant shall construct sufficient all-weather access roadways that provide site access to a suitable paved all-weather access roadway. In no case shall the applicant's contribution be less in value than that in Stipulation l.1.a.
 - c. Any roadways constructed in compliance with Stipulations l.1.a or l.1.b shall have alignments consistent with a County approved transportation plan in effect at the time of improvement. At the time of stipulation, such alignments include a connection to El Mirage Road and continuing to

either Loop 303 or Bell Road or a connection to Loop 303 and continuing to Lake Pleasant Road as necessary.

2. The traffic analysis shall be updated prior to the first final plat approval to reflect current conditions in effect at the time of platting. Additional lane capacity on offsite alignments will be reviewed with each resubmitted of the traffic analysis. The applicant shall provide a financial assurance to guarantee the offsite improvements that are recommended in their approved analysis. Subsequent updates of the traffic analysis will be required by the Maricopa County Department of Transportation if changing conditions warrant.
3. All identified offsite alignments must be consistent with a county approved transportation plan.
4. All-weather access shall be provided to all parcels and on all arterial roadways.
5. A minimum of two (2) access points shall be provided and available to each development phase and/or subdivision unit.
6. The location of any connections to the Loop 303 shall be reviewed and approved by Maricopa County Department of Transportation. Only one additional connection will be provided between El Mirage Road and Lake Pleasant Road.
7. Applicant shall be responsible for submitting their arterial street network to the MAG Transportation Improvement Program for conformity analysis. Approval is required prior to commencing construction.
8. All identified offsite alignments must be consistent with a County approved transportation plan.
9. Provide the ultimate half-width right-of-way on all perimeter boundaries consistent with county approved transportation plan.
10. The applicant is responsible for acquisition of all required rights-of-way.
11. An underground conduit system (or comparable technology) shall be provided within the rights-of-way throughout the development to integrate traffic signals and for future Intelligent Transportation System uses.
12. Schools (Pre-High School) shall not be located on arterial roads.
13. Provide neighborhood access to commercial areas by means other than using the arterial street network.
14. Use of neighborhood electric vehicles shall be accommodated in this development. Routes and other design features shall be established, as necessary, to provide safe and efficient circulation in conformance with prevailing laws and requirements at time each phase is submitted for approval.

15. Bike lanes shall be included on all arterial and major collector alignments. A bicycle circulation plan shall be provided with each phase of development.
 16. Development should be designed to promote pedestrian and bicycle use and other alternative modes of transportation to public facilities within and adjacent to the site (e.g., bus bays, park-and-ride lots, internal trail systems).
 17. Private streets are required to meet minimum County standards, unless waived by the Board of Supervisors.
 18. If street lights are proposed, street lighting installation shall be the responsibility of the developer. A Street Light Improvement District or comparable authority shall be established to provide operation and maintenance.
 19. Landscaping shall conform to Chapter 9 of the MCDOT Roadway Design Manual. Maintenance of landscaping within public rights-of-way shall be the responsibility of the applicant.
 20. Offsite alignments where only two lanes are constructed, the minimum half-width right-of-way shall be acquired. Once a phase requires additional widening of the roadway beyond two lanes, the minimum full-width right-of-way shall be acquired. These widths are minimums and wider rights-of-way may be necessary due to existing terrain.
 21. No median improvements, curb and gutter, sidewalk, landscaping or signalization is required on access roads, unless otherwise specified herein or in the agreement referenced in item 25 below.
 22. A construction traffic circulation plan shall be provided and approved by Maricopa County Department of Transportation prior to commencing construction.
 23. Applicant shall employ appropriate procedures during construction to comply with Maricopa County dust control requirements.
 24. This project is subject to the National Pollutant Discharge Elimination System (NPDES) Stormwater requirements for construction sites under the Environmental Protection Agency (EPA) General Permit for Arizona. Applicant is responsible for complying with these requirements.
 25. A development agreement, or comparable document, addressing access requirements in more detail, as well as internal transportation issues, shall be executed prior to approval of any preliminary plat.
- m. The project shall be limited to 261 dwelling units in the R1-7 R.U.P.D. zoning district and 439 dwelling units in the R1-6 R.U.P.D. zoning district.
- n. The minimum amount of open space for the project shall be 42.75 acres and the open space network shall include preservation of those portions of the ridge on the western portion of the site that observe slopes of 15% or greater.

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- o. The developer shall be responsible for construction of all public and private on-site roadways within the designated Crossriver boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all public open spaces and facilities, all private roads, washes, parks, roadway median landscaping, landscaping within public right-of-way adjacent to all major and minor arterial roadways, and of all pedestrian, bicycle, and equestrian pathways.
- p. Prior to approval of each final plat, the developer will provide "will serve" letters from Arizona American Water Company for potable water and central sanitary sewer service.
- q. Prior to the approval of each final plat, developer will provide a "will serve" letter from Rural / Metro Fire Department or alternate fire protection provider.
- r. Developer shall preserve in its natural state the ridge along the western portion of the site, and shall incorporate it into the project's open space network to the greatest extent possible.
- s. Major changes to this request (site plan and the narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- t. Non-compliance with this request (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- u. If development of the site has not occurred within five (5) years of the date of approval by the Board of Supervisors, staff shall schedule this development for rehearing by the Planning and Zoning Commission to consider initiating a reversion of the property to its original zoning.

Joy Rich outlined the Commission action on this item. There were no speakers.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval, with revised stipulations as outlined and listed below. Stipulations 'f' and 'g' have been deleted due to their redundancy, thus all subsequent stipulations have been renumbered. New stipulation 'g' (originally stipulation 'i') has modified language to reflect a revised Traffic Study. Therefore, staff recommended the following list of stipulations for approval of this zoning amendment, with revisions from the Planning and Zoning Commission recommendation found in the agenda, as shown below:

- a. Development and use of the site shall comply with the zoning exhibit entitled "Revised Rezoning Map and Residential Unit Plan of Development for Crossriver", consisting of one full-size sheet, dated revised February 6, 2004, and stamped received March 29, 2004, except as modified by the following stipulations. The applicant shall submit a revised zoning exhibit within 30 days of approval by the Planning and Zoning Commission modifying the zoning boundary between the R1-6 R.U.P.D. and R1-7 R.U.P.D. zoning districts so that the revised boundary matches the boundary separating Units 3, 4 and 5 from 6, 7, and 8 of Crossriver as shown on the above referenced zoning

- exhibit. In addition, the revised zoning exhibit shall include a modified R.U.P.D. table with additional footnote(s) addressing setback requirements for all key lots within Crossriver.
- b. Development and use of the site shall comply with the narrative report entitled "Residential Unit Plan of Development (R.U.P.D.) Crossriver Master Planned Community...", consisting of 25 pages plus appendices all bound in a white three-ring binder, dated revised October 16, 2000, and stamped received October 19, 2000, except as modified by the following stipulations. The applicant shall submit a revised narrative report within 30 days approval by the Planning and Zoning Commission hearing modifying the zoning boundary between the R1-6 R.U.P.D. and R1-7 R.U.P.D. zoning districts so that the revised boundary matches the boundary separating Units 3, 4 and 5 from 6, 7, and 8 of Crossriver as shown on the above referenced zoning exhibit. In addition, the revised narrative report shall include a modified R.U.P.D. table with additional footnote(s) addressing setback requirements for all key lots within Crossriver.
 - c. Dedication of right-of-way to bring the total half-width dedication to 40' for the south half of Pinnacle Peak Road adjacent to the site shall occur concurrent with the final plat.
 - d. Dedication of right-of-way to bring the total half-width dedication to 65' for the north half of Williams Drive adjacent to the site, or for a 130' full-width for that portion of Williams Drive located fully within the site, shall occur concurrent with the final plat.
 - e. Dedication of right-of-way to bring the total half-width dedication to 40' for the east half of 119th Avenue adjacent to the site shall occur concurrent with the final plat.
 - ~~f. The applicant shall secure an access easement or road dedication for a 110' full-width right-of-way for a minor arterial route to connect the site with the intersection of El Mirage Road and Deer Valley Road, and with the intersection of Hatfield Road and Loop 303/Estrella Freeway, concurrent with the final plat.~~
 - ~~g. All interior streets within the proposed development shall be constructed to meet County standards.~~
 - ~~h.f.~~ Dedication of right-of-way to bring the total half-width dedication to 65' for the west half of 117th Avenue shall occur concurrent with the final plat.
 - ~~i.g.~~ The applicant shall secure an access easement or road dedication for a 110' full-width right-of-way for a minor arterial route to connect the site with the intersection of El Mirage Road and Deer Valley Road (realigned), and with the intersection of Hatfield Road and Loop 303/Estrella Freeway, 40' half width right-of-way for a minor collector route along N. 119th Avenue to connect the site to Williams Road. At that location the applicant shall secure an access easement or road dedication for 65' half width right-of-way for a major arterial route from El Mirage Road to N. 117th Avenue and north along the N. 117th Avenue alignment to the intersection of Agua Fria Road at the N. 115th Avenue alignment. These access easements or road dedications shall occur concurrent with the final plat.
 - ~~j.h.~~ Paved access shall be provided to any subsequent subdivisions.
 - ~~k.i.~~ All interior streets within the proposed development shall be constructed to meet County standards.
 - ~~l.j.~~ Development shall be subject to the following:

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

8. All identified offsite alignments must be consistent with a County approved transportation plan.
9. Provide the ultimate half-width right-of-way on all perimeter boundaries consistent with county approved transportation plan.
10. The applicant is responsible for acquisition of all required rights-of-way.
11. An underground conduit system (or comparable technology) shall be provided within the rights-of-way throughout the development to integrate traffic signals and for future Intelligent Transportation System uses.
12. Schools (Pre-High School) shall not be located on arterial roads.
13. Provide neighborhood access to commercial areas by means other than using the arterial street network.
14. Use of neighborhood electric vehicles shall be accommodated in this development. Routes and other design features shall be established, as necessary, to provide safe and efficient circulation in conformance with prevailing laws and requirements at time each phase is submitted for approval.
15. Bike lanes shall be included on all arterial and major collector alignments. A bicycle circulation plan shall be provided with each phase of development.
16. Development should be designed to promote pedestrian and bicycle use and other alternative modes of transportation to public facilities within and adjacent to the site (e.g., bus bays, park-and-ride lots, internal trail systems).
17. Private streets are required to meet minimum County standards, unless waived by the Board of Supervisors.
18. If street lights are proposed, street lighting installation shall be the responsibility of the developer. A Street Light Improvement District or comparable authority shall be established to provide operation and maintenance.
19. Landscaping shall conform to Chapter 9 of the MCDOT Roadway Design Manual. Maintenance of landscaping within public rights-of-way shall be the responsibility of the applicant.
20. Offsite alignments where only two lanes are constructed, the minimum half-width right-of-way shall be acquired. Once a phase requires additional widening of the roadway beyond two lanes, the minimum full-width right-of-way shall be acquired. These widths are minimums and wider rights-of-way may be necessary due to existing terrain.

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21. No median improvements, curb and gutter, sidewalk, landscaping or signalization is required on access roads, unless otherwise specified herein or in the agreement referenced in item 25 below.
 22. A construction traffic circulation plan shall be provided and approved by Maricopa County Department of Transportation prior to commencing construction.
 23. Applicant shall employ appropriate procedures during construction to comply with Maricopa County dust control requirements.
 24. This project is subject to the National Pollutant Discharge Elimination System (NPDES) Stormwater requirements for construction sites under the Environmental Protection Agency (EPA) General Permit for Arizona. Applicant is responsible for complying with these requirements.
 25. A development agreement, or comparable document, addressing access requirements in more detail, as well as internal transportation issues, shall be executed prior to approval of any preliminary plat.
- m.k. The project shall be limited to 261 dwelling units in the R1-7 R.U.P.D. zoning district and 439 dwelling units in the R1-6 R.U.P.D. zoning district.
- m.l. The minimum amount of open space for the project shall be 42.75 acres and the open space network shall include preservation of those portions of the ridge on the western portion of the site that observe slopes of 15% or greater.
- m. The developer shall be responsible for construction of all public and private on-site roadways within the designated Crossriver boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all public open spaces and facilities, all private roads, washes, parks, roadway median landscaping, landscaping within public right-of-way adjacent to all major and minor arterial roadways, and of all pedestrian, bicycle, and equestrian pathways.
- p.n. Prior to approval of each final plat, the developer will provide "will serve" letters from Arizona American Water Company for potable water and central sanitary sewer service.
- q.o. Prior to the approval of each final plat, developer will provide a "will serve" letter from Rural / Metro Fire Department or alternate fire protection provider.
- r.p. Developer shall preserve in its natural state the ridge along the western portion of the site, and shall incorporate it into the project's open space network to the greatest extent possible.
- s.q. Major changes to this request (site plan and the narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.

~~t.r.~~ Non-compliance with this request (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.

~~u.s.~~ If development of the site has not occurred within five (5) years of the date of approval by the Board of Supervisors, staff shall schedule this development for rehearing by the Planning and Zoning Commission to consider initiating a reversion of the property to its original zoning.

8. **Z2003-129** **District 4** (This case continued from meeting of May 5, 2004).
Applicant: Coe & Van Loo Consultants, Inc.
Location: North of the northeast corner of the proposed El Mirage Rd. & Williams Dr. alignments (in the north Peoria/Sun City West area)
Request: Amendment to previously approved R1-6 R.U.P.D. zoning standards – Rancho Silverado (59.9 ac.)

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

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

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

- i. Prior to approval of final plat the applicant shall obtain or demonstrate that the wastewater treatment facility serving the subdivision has received Maricopa Association of Governments 208 Plan approval in accordance with A.A.C. Title 18, Chapter 5, Article 3; that the subdivision is in accordance with the approved MAG 208 Plan; and that the subdivision is identified as within the service area of facility.
- ii. Prior to the approval of final plat the applicant shall demonstrate that off-site water and wastewater infrastructure is in accordance with a Master Plan approved by the Maricopa County Department of Environmental Services.

- n. Zoning approval shall be conditional in accordance with the Maricopa County Zoning Ordinance, for a period of (5) years from Board of Supervisors approval, within which time development shall commence. This shall be construed as approval of a final plat for the first phase of project development. If development has not commenced within the five year requirement, the property shall be considered for reversion to its former zoning classification unless the Board of Supervisors grants an extension.
- o. Consistent with A.R.S. § 28-8484A, written notification shall be provided to all future homeowners that they are located within the State-defined Territory in the Vicinity of a Military Airport and may be subject to loud noise and overflights from military aircraft.
- p. All habitable buildings constructed within this subdivision shall be constructed to attain a noise reduction level as per ARS 28-8482(B).
- q. Not less than 9.67 net acres shall be set aside for common open space. The project shall contain at least two (2) tot lots with typical park amenities.
- r. Prior to issuance of building permits, the applicant shall provide written verification of the acceptance of the "Developer Assistance Agreement," as identified in the narrative report, by both the applicant and the Peoria Unified School District.
- s. Prior to issuance of building permits, the applicant shall provide written verification from the Maricopa County Library District that confirms the applicant has met the requirements of the Maricopa County Library District.
- t. Estimated emergency response times, existing at the time of home sales and as provided by Rural/Metro Fire Department and the Maricopa County Sheriff's Office, shall be posted in a conspicuous location in the home sales office(s) on not less than an 8½" x 11" posting.
- u. The Rancho Silverado Homeowners Association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and facilities, parks, roadway landscaping, landscaping within the public right-of-way adjacent to all public and private roadways, and of pedestrian and bicycle paths.
- v. Major changes to this plan of development (the site plan and narrative report) and the conditions of approval shall be processed as a revised application in the same manner as this application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department, Project Management Division.

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- w. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- x. Staff's understanding is that the property owner will ultimately "swap" or exchange land with the property owner to the west – whom has pending rezoning application and preliminary plat applications for "Sundero" so that the property boundary will follow the proposed 123rd Ave. centerline. Similar to Rancho Silverado, Sundero is proposed for R1-6 R.U.P.D. zoning standards, although the exact standards will differ. Staff does not view the pending land exchange as a concern. While the exchange will result in a zoning boundary bisecting two plats, no individual lots will be affected or complicated in any manner.

Joy Rich outlined the Commission action on this item. There were no speakers

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

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