



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities."

**Board Members**  
Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

**County Manager**  
David Smith

**Clerk of the Board**  
Fran McCarroll

**Meeting Location**  
Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

# FORMAL MEETING MINUTES

## BOARD OF SUPERVISORS MARICOPA COUNTY, ARIZONA

(and the Boards of Directors of the Flood Control District, Library District, Stadium District, Improvement Districts and/or Board of Deposit)

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**Wednesday, September 16, 2009  
9:00 AM**

**1. INVOCATION**

Reverend Eva Nunez, Arizona Latino Commission, gave the Invocation.

**2. PLEDGE OF ALLEGIANCE**

Terri Leija, District 4 Chief of Staff, led the assemblage in the Pledge of Allegiance to the Flag.

**3. ROLL CALL**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, September 16, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

**4. PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL**

Aprille Hollis, introduced Belle, a year-old Chihuahua mix Ms. Hollis said should be a quiet lap dog and is a little afraid of the crowd in the auditorium. Because Belle is shy she has a difficult time with all of the shelter noises and would really like to move to someone's home. Belle costs only \$50 at the shelter at noon today.

Chairman Wilson asked about cats for adoption and Ms. Hollis said they are overwhelmed with cats, all ages, all colors and all sizes. Call 602 506 7387 for more information.

## **PRESENTATIONS**

**5. OUTSTANDING PUBLIC WORKS EMPLOYEE AWARD**

Presentation regarding the Recognition of Public Works Employee Cynthia Robinson who was selected by the Arizona Chapter of the American Public Works Association as the Outstanding Public Works Employee of the year for 2009. (C-71-10-001-P-00)

Ken Proksa, Deputy Public Works Director

Ken Proksa, Deputy Public Works Director, explained that the Arizona Chapter of the American Public Works Association's annual conference, held in Phoenix on August 18, 2009, presented Cynthia Robinson with their Outstanding Employee Of The Year Award. Mr. Proksa spoke of the many fine qualities and personal ethics Ms. Robinson displays in her several job duties. He said she has earned eleven consecutive outstanding service evaluations from three different supervisors during her 14 years at the County. She is also actively pursuing a Masters Degree in Public Administration from Western International University and will graduate next May. Mr. Proksa felt this recognition is also indicative of the quality work done by so many other Maricopa County employees who deliver excellent service day in and day out to Maricopa County citizens.

The Supervisors joined Chairman Wilson and Mr. Proksa in presenting the award to Ms. Robinson.

Cynthia Robinson said she was very honored to receive this award and thanked Mr. Proksa for nominating her. She said that in order to do good things you have to surround yourself with great people and she thanked her staff for their support.

## **STATUTORY HEARINGS**

### **Clerk of the Board**

#### **6. LIQUOR LICENSE APPLICATIONS**

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

##### **a. SPECIAL EVENT LICENSE FOR ST. STEVENS CATHOLIC CHURCH**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Fr. Pierre Hissey for St. Stevens Catholic Church at 24827 S. Dobson Road, Sun Lakes, AZ 85248 to be held on October 9, 2009 from 5:00 p.m. to 10:00 p.m. (Supervisorial District 1) (C-06-10-084-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

### **Air Quality**

#### **7. PROPOSED AMENDMENTS TO THE AIR POLLUTION CONTROL REGULATIONS**

Pursuant to A.R.S. §49-479(b), convene the scheduled public hearing to solicit comments on proposed amendments to the following Maricopa County Air Pollution Control Regulations: Rule 317 – Hospital/Medical/Infectious Waste Incinerators, Rule 321 – Municipal Solid Waste Landfills, Rule 360 – New Source Performance Standards, Rule 370 – Federal Hazardous Air Pollutant Program, Rule 371 – Acid Rain, and Appendix G - Incorporated Materials. Following the public hearing, the Board is requested to adopt proposed amendments to Maricopa County Air Pollution Control Regulations Rules 317, 321, 360, 370, 371, and Appendix G. Upon Board approval, this item will become effective September 16, 2009. (C-85-10-004-7-00)

Lawrence Odle, Director, Air Quality Department, said the proposed amendment is an adoption by reference of the update to federal regulations to be consistent with federal requirements.

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Animal Care and Control**

#### **8. AMEND MCACC'S FEE SCHEDULE TO INCLUDE NEW FEE \$50**

Pursuant to A.R.S. § 11-251.08, convene the public hearing to solicit comments and consider the adoption of a new \$50 Recovery Fee effective September 30, 2009 for

Maricopa County Animal Care and Control. On July 10, 2009 the Governor signed into law HB2458 amending sections 11-1013, 11-1014, 11-1021 and 11-1022 of the Arizona Revised Statutes relating to dogs and cats. The Amendment mandates that all animals entering any pound or animal shelter shall not be released to its owner unless one of the following applies:

1. The dog has a current dog license at the time the dog entered the pound.
2. The dog or cat has been spayed or neutered and implanted with a microchip for identification at the owner's expense.
3. There is no veterinary facility capable of performing surgical sterilization within a twenty mile radius of the pound.
4. A veterinarian determines that a medical contraindication for surgery exists that reasonably requires postponement of the surgery until the surgery can be performed in a safe and humane manner.
5. The owner pays a fifty dollar recovery fee, in addition to any fees or costs otherwise required pursuant to this article.

The \$50 recovery fee shall also apply to a dog or cat that is impounded as the result of biting any person. The dog or cat shall not be released from the pound to its owner unless one of the following applies:

1. The dog has a current dog license at the time the dog entered the pound.
2. The dog or cat has been previously spayed or neutered before impound or has been spayed or neutered and implanted with a microchip before release from the pound.
3. There is no veterinary facility capable of performing surgical sterilization within a twenty mile radius of the pound.
4. A veterinarian determines that a medical contraindication for surgery exists that reasonably requires postponement of the surgery until the surgery can be performed in a safe and humane manner.
5. The bite occurred in the premises of the owner and the victim is a member of the same household.
6. The owner pays a fifty dollar recovery fee, in addition to any fees or costs otherwise required pursuant to this article.

MCACC estimates 40% of all animals that are claimed by their owners are not sterilized at time of impound. Based on the above percentages, MCACC estimates \$2,066 in revenue FY 2009-10. The adoption of the new fee would amend the current MCACC Fee Schedule approved by the Board of Supervisors on July 25, 2007 (C-79-08-004-8-00). (C-79-10-020-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **County Attorney**

#### **9. SOLE SOURCE SOFTWARE MAINTENANCE AGREEMENT**

Approve sole-source contract 09045 for purchase of software, maintenance, and services from the Versata Corporation on behalf of the County Attorney and Sheriff's Office in an amount not-to-exceed \$625,000.00. The term of the contract begins October 1, 2009 and ends September 30, 2014. Versata Corporation is the only company and/or reseller providing the unique requirements and features needed by the County Attorney and Sheriff's Office for their criminal case management and pre-booking systems. These agencies have utilized this software since 2004 (former contract 04082-S). The annual and on-going costs are included within each agency's adopted budget for FY 2009-10.

The County Attorney has complied with Maricopa County's sole-source procurement rules regarding this purchase. As the maintenance and services are vital to the on-going mission critical operations of both agencies, this purchase is exempt from the FY 2009-10 purchasing freeze. Sole Source Justification is attached. This item is subject to final legal review and approval of the contract. (C-19-10-004-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **Sheriff**

#### **10. DONATIONS**

In accordance with County Policy A2805, accept the monthly donation report received from Sheriff's Office for July and August. Donation reports are on file in the Clerk of the Board's Office. (C-06-10-086-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **11. HELICOPTER FLIGHT SERVICES AGREEMENT AND LAND USE LICENSE WITH CENTRAL ARIZONA PROJECT**

Approve an inter-agency agreement for approximately 150 hours in helicopter flight services annually, effective October 1, 2009 through September 30, 2014, between Maricopa County through the office of the Sheriff and Central Arizona Water Conservation District (CAWCD) for the purpose of providing non-emergent air support consisting of aerial surveillance, patrol and observation of ground level activities and incidents, visual support for law enforcement officers on the ground and tactical coordination of law enforcement activities. These services have been calculated by the Sheriff's Office to be valued at \$896 per hour based on actual costs

Also approve a land-use license of approximately 3.3 acres plus hangar space to Maricopa County specifically Maricopa County Sheriff's Office for use of a helicopter facility and tarmac on property acquired for the Central Arizona Project (Facility). The CAWD calculates the value of this license \$134,000.

The Agreement can be terminated by either party for any reason upon 30 days written notice and can be renewed for five years within 90 days prior to the initial term of the Agreement with a written request.

The Sheriff's Office is responsible for water and electricity costs. A similar agreement with CAWD for the past ten years so there is no financial impact. (C-50-10-028-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**12. ONE-TIME ADDITION TO FLEET OF COURT ORDERED PROPERTY FOR SHERIFF'S IMPOUND AND FLEET OPERATIONS**

Approve a one-time addition to fleet of court-ordered abandoned property for the Sheriff's Office to be used as a "loaner" vehicle by Fleet Management and Impound Operations. Individuals in these units regularly require the use of a vehicle for short distances between Sheriff's Facilities. This is a dark blue 2002 GMC Sierra Pick Up truck with a shell cap, VIN 2GTEC19V921167756, valued at \$9,260.

This vehicle will be marked and will not be available for take home use. The approximate annual cost to operate will be \$3,500 to be funded from Fleet Management. This vehicle will be retired at the end of its useful life with no funding from the detention fund or general fund for replacement. (C-50-10-029-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**13. SOLE SOURCE CONTRACT TO NORTHROP-GRUMMAN IT, INC. FOR SUPPORT AND MAINTENANCE OF THE COMPUTER AIDED DISPATCH SYSTEM AND COMMANDPOINT MOBILE SOFTWARE APPLICATION**

Approve a sole source contract to Northrop-Grumman IT, INC. for the support and maintenance of their computer aided dispatch (CAD) system and CommandPoint mobile software application for use in MCSO patrol cars. The term of this contract is October 1, 2009 through September 30, 2014, and its value is \$425,087 over five years. This item is funded within the Sheriff's normal appropriation.

The existing system was originally purchased in FY 1987-88, went "live" in July 1989, and there have been several system upgrades in the past twenty years. CAD software is proprietary, so no other vendors are available for support. The agreement would include support services for the existing Computer-Aided Dispatch (CAD) System and GDI Tools, including software programming changes and enhancements, and support for the CommandPoint Mobile Application. This item is subject to final legal review and approval of the contract. (C-50-10-030-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**14. DESTRUCTION OF ARMORED FLEET VEHICLE**

Approve the destruction and disassembly for salvage sale of vehicle 31902, a 1989 Ford, one-ton, armored van, VIN #1FTJE34G9KHA92745 originally acquired as a RICO one-time addition to fleet in Agenda Control number 95-14, approved by the Board of Supervisors on April 9, 2009. Any proceeds will be deposited into the RICO fund. (C-50-10-031-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**15. ARIZONA ATTORNEY GENERAL'S OFFICE CONTINUED GRANT FUNDING FOR THE FY 2010 VICTIMS' RIGHTS PROGRAM**

Approve the acceptance of up to \$136,300 in continued grant funding from the Arizona Attorney General's Office, Victims' Rights Program (VRP). The term of this funding is July 1, 2009 through June 30, 2010. This funding is designated to help offset the cost of a statutory mandate that requires notification of crime victims concerning the judiciary system status of the accused offender.

The Sheriff's Office indirect cost rate for FY2010 is 16.6%. Unrecoverable indirect costs associated with this grant are estimated at \$22,625.80. This funding has been awarded to the Sheriff's Office for more than 15 years. (C-50-10-033-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**16. ARIZONA DEPARTMENT OF EDUCATION CONTINUED GRANT FUNDING FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT BASIC ENTITLEMENT**

Approve acceptance of \$35,946.05 in continued grant funding from the Arizona Department of Education, for the FY2010 Individuals with Disabilities Education Act (IDEA) Basic Entitlement. This funding provides contracted special education consulting services for staff training and IDEA implementation along with a variety of contracted therapist services for juvenile inmates. The term of this funding is July 1, 2009 through June 30, 2010.

The Sheriff's Office indirect cost rate for FY2010 is 16.6% (\$5,525.04). The recoverable indirect costs are capped at 8% and total \$2,662.67. The unrecoverable indirect costs are \$2,862.37. (C-50-10-034-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**17. ONE-TIME ADDITION TO FLEET, EXEMPTION FROM MARKINGS AND ISSUANCE OF NON-GOVERNMENT LICENSE PLATE OF ONE GRANT FUNDED HIGHWAY SAFETY PICKUP TRUCK**

Approve a one-time addition to fleet of one ½-Ton Pickup Truck valued at \$30,632.56. The Sheriff's Office was awarded funding designated for this purchase from the Governor's Office of Highway Safety, approved by the Board of Supervisors on September 17, 2008 (C-50-07-560-3-01).

The original Highway Safety Contract designates the vehicle be unmarked (Part 1, number 5); therefore, also approve per A.R.S. 38-538.03 exemptions from markings and the issuance of non-government license plate. This vehicle is a white 2009 Ford F-150.

The estimated annual operating costs of this vehicle is \$7,200 to be supported through the Patrol Resources Bureau/Special Enforcement Division; General Fund (100). This is one-time addition to the fleet and will be retired at the end of its useful life with no funding from the general fund for its replacement. (C-50-10-035-V-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**18. AGREEMENT WITH US MARSHALS SERVICE FOR DISTRICT FUGITIVE APPREHENSION TASK FORCE ARIZONA WANTED FOR VEHICLE AND RELATED EXPENSES**

Approve a new agreement with the US MARSHALS Service (USMS) for District Fugitive Apprehension Task Force Arizona Wanted whereby the US Marshals Office will purchase outright a new vehicle at a cost of \$25,000. This vehicle will be titled to Maricopa County for designated use by the Sheriff's Office deputy assigned to this duty.

Also approve a one-time addition to the County Fleet for the Sheriff's Office and an exemption from markings and issuance of non-government license plates per A.R.S. 38-538-03 because this vehicle will be used to apprehend fugitives and markings are detrimental to the mission. This will be a take home vehicle because this is not a regularly scheduled assignment with set hours.

This is a one-time addition to fleet and the Agreement has a provision that the vehicle remains County property following termination. This vehicle will be retired at the end of its useful life with no funding from the general fund for its replacement.

The US Marshals Office will fund the operating costs of up to \$6,000 per year and \$5,000 to appropriately equip the vehicle for task force use.

The Sheriff's Indirect Cost rate for FY 2010 is 16.6 %. Unrecoverable indirect costs on \$11,000 are estimated to be \$1,826.

This Agreement is in effect once signed by the participant agency and remains in effect until 30 days written notice to withdraw participation is issued. (C-50-10-037-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Treasurer**

**19. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY REPORT**

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for July 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-10-002-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**20. ANNUAL COLLECTIONS AND DELINQUENCY REPORT TAX COLLECTIONS**

Pursuant to A.R.S. §42-18002, accept the Annual Collections and Delinquency Report submitted by the County Treasurer for FY 2008-09. Report is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule. (C-43-10-003-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **JUDICIAL BRANCH**

### **Adult Probation**

**21. AGREEMENT WITH US MARSHALS SERVICE FOR DISTRICT FUGITIVE APPREHENSION TASK FORCE ARIZONA WANTED FOR VEHICLE AND RELATED EXPENSES**

Approve a new agreement with the US Marshals Service for District Fugitive Apprehension Task Force Arizona Wanted whereby the US Marshals Office will purchase outright a new vehicle at a cost not-to-exceed \$25,000. This vehicle will be titled to Maricopa County for designated use by the Adult Probation Department's Fugitive Apprehension Unit.

Also approve a one-time addition to the County Fleet for this vehicle and an exemption from markings and issuance of non-government license plates per A.R.S. 38-538-03 because this vehicle will be used to apprehend fugitives and markings are detrimental to the mission. The vehicle information, including make, model, year, color and VIN number will be provided to the Clerk of the Board when received. This will be a take home vehicle because this is not a regularly scheduled assignment with set hours.

This is a one-time addition to fleet and the Agreement has a provision that the vehicle remains County property following termination. This vehicle will be retired at the end of its useful life with no funding from the general fund for its replacement.

The US Marshals Office will fund fuel costs of up to \$6,000 and \$5,000 to appropriately equip the vehicle for task force use. Any additional ongoing operational costs will be absorbed with Adult Probation's existing budget.

Adult Probation's indirect cost rate for FY 2010 is 10%. This agreement does not allow for indirect cost recovery. Therefore, unrecoverable indirect costs on \$11,000 are estimated to be \$1,100.00. (C-11-10-003-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Superior Court**

**22. APPOINTMENT OF SUPERIOR COURT JUDGE PRO TEMPORE**

Pursuant to A.R.S. § 12-141, approve the appointment of Superior Court Commissioner Alysson H. Abe as Superior Court Judge Pro Tempore for the period commencing September 16, 2009 through June 30, 2010. In order to obtain greater flexibility in the use of Court Commissioners, the Superior Court customarily has all Court Commissioners appointed as Superior Court Judges Pro Tempore so they may, on occasion, hear contested matters. This serves the interest of judicial economy and promotes sound caseflow management. Superior Court Commissioner Alysson H. Abe would serve as Pro Tempore without any additional compensation other than that to which she is entitled to as a Superior Court Commissioner. (C-80-10-005-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **COUNTY MANAGER**

### **Office of Public Defense Services**

#### **23. REVENUE AND EXPENDITURE APPROPRIATION ADJUSTMENTS FOR PUBLIC DEFENDER GRANT FUND**

Approve revenue and expenditure appropriation adjustments to the Public Defender Office (520) Grants Fund (233) Operating (0000) by \$109,508 for FY 2009-10 from \$342,187 to a new amount of \$451,695. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

On July 30, 2009, the Board approved acceptance of a \$109,508 increase from the Edward J. Byrne Memorial Justice Assistance Grant / Drug Enforcement Account (DEA) to the Public Defender Grant Fund (C-52-09-006-G-01). The agenda allowed the Public Defender's office to apply for a total of \$451,695. The Public Defender Office has determined that it will fully expend the increased grant amount, and does not anticipate further adjustments in its Grant Fund appropriation for the remainder of FY 2009-10. (C-52-10-001-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Office of the County Manager**

#### **24. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - GREATER PHOENIX ECONOMIC COUNCIL**

Approve a Contract between Greater Phoenix Economic Council (GPEC) and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$644,776. The purpose of this Contract is to Provide FY 2009-2010 nonprofit economic development funding to the Greater Phoenix Economic Council (GPEC) for purposes to include regional marketing and promotion to improve the region's business image, industry prospecting to diversify the economy through the attraction and expansion of desirable business and industry in key economic clusters, and facilitating regional economic development collaborations to build a strong business climate and develop an effective regional economic development network of organizations with a common vision and mission. This Contract is effective from July 1, 2009 until June 30, 2010. (C-20-10-005-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **25. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - GREATER PHOENIX CHAMBER OF COMMERCE**

Approve a Contract between Greater Phoenix Chamber of Commerce and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$165,000. The purpose of this Contract is to Provide FY 2009-2010 nonprofit economic development funding to the Greater Phoenix Chamber of Commerce for purposes to include enrolling

businesses into the Bid Source Program, matching contract bid requests with local business competencies and providing technical assistance that will help local businesses to successfully compete for available contracts. Activities will include regional marketing and promotion, industry prospecting; and facilitating regional economic development collaborations. This Contract is effective from July 1, 2009 until June 30, 2010. (C-20-10-006-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**26. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - COLLABORATION FOR A NEW CENTURY**

Approve a Contract between Collaboration for a New Century and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$25,000. The purpose of this Contract is to Provide FY 2009-2010 nonprofit economic development funding to the Collaboration for a New Century for purposes to include group and one-on-one technical assistance and training to up to 18 community and faith-based organizations in the following topical areas: strategic planning, process improvements, marketing, staff and board development, technology, capital improvements, finances, fundraising, and developing partnerships. This Contract is effective from July 1, 2009 until June 30, 2010. (C-20-10-007-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**27. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - EAST VALLEY PARTNERSHIP**

Approve a Contract between East Valley Partnership and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$15,000. The purpose of this Contract is to Provide FY 2009-2010 nonprofit economic development funding to the East Valley Partnership for purposes to include collaboration with local and regional economic development agencies; support for foundational improvements in areas that highly impact the region; leadership and oversight for the East Valley; and promotion of a connection between economic development, workforce development, and training and education. This Contract is effective from July 1, 2009 until June 30, 2010. (C-20-10-008-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**28. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - PHOENIX REGIONAL SPORTS COMMISSION**

Approve a Contract between Phoenix Regional Sports Commission and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$22,500. The purpose of this Contract is to provide FY 2009-2010 nonprofit economic development funding to the Phoenix Regional Sports Commission for the purposes of soliciting and bidding on sports related events, which may require a bid fee, through the sponsorship of events as part of its guarantee. The agency will also pursue bids on additional amateur, youth and professional sports events that will be new to the County. This Contract is effective from July 1, 2009 until June 30, 2010. (C-20-10-009-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**29. NONPROFIT ECONOMIC DEVELOPMENT CONTRACT - SOUTHWEST VALLEY CHAMBER OF COMMERCE**

Approve a Contract between Southwest Valley Chamber of Commerce and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$3,000. The purpose of this Contract is to Provide FY 2009-2010 nonprofit economic development funding to the Southwest Valley Chamber of Commerce to update the software available in the Business Resource Center to include a newsletter/flyer program and to create and execute a marketing program for the Southwest Valley Goes Green Expo to be held April 2010. This Contract is effective from July 1, 2009 until June 30, 2010. (C-20-10-010-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **DEPUTY COUNTY MANAGER**

### **Management and Budget**

**30. VEHICLE/EQUIPMENT REPLACEMENTS**

Direct Equipment Services to replace the following vehicles/equipment with the equal number of vehicles/equipment replacements. This results in no net change to the County's fleet.

The following vehicles/equipment will be replaced:

- One Skip Loader
- Four Barricade and Sign Trucks
- One Paint Striper Truck
- Two 3500 Gal Water Trucks
- Two Motor Graders
- Two Wheel Loaders
- One Yard Dump Truck
- One Street Sweeper
- One Trailer-Mounted Speed Monitor
- Two 20-Ton Equipment Transport Trailers Chemical Spray Trailer Mounted
- One Replacement Tank
- Two Walk-behind Stripers
- Four Variable Message Sign Boards

This action is being requested in accordance with agenda item C-49-08-031-6-01, approved by the Board of Supervisors on February 11, 2009. The Office of Management and Budget, Equipment Services and the Public Works Transportation Division have analyzed the need for these vehicles to be replaced, based on miles, age and maintenance costs, and concluded that they should be replaced. (C-49-10-013-V-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Public Health**

**31. AGREEMENT WITH CIGNA HEALTHCARE OF ARIZONA DBA CIGNA MEDICAL GROUP FOR STRATEGIC NATIONAL STOCKPILE ASSETS**

Approve the non-financial Agreement between CIGNA HealthCare of Arizona dba CIGNA Medical Group ("CMG") and Maricopa County through its Department of Public Health's (MCDPH) Office of Preparedness and Response ("OPR") to provide strategic national stockpile (SNS) assets to CMG in the case of a public health emergency. The term of this agreement shall begin upon Board approval and shall be in effect until terminated by either party.

The MCDPH, Office of Preparedness Response was previously known as the Maricopa Department of Public Health Emergency Management Program (PHEM). (C-86-10-024-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**32. GRANT AWARD FOR THE FIRST THINGS FIRST - PRE AND POST NATAL OUTREACH IN CENTRAL PHOENIX AND SOUTH PHOENIX GRANT**

Approve the grant award from Arizona Early Childhood Development and Health Board, First Things First's ("First Things First") (FTF-MULTI-10-0072-00) Pre and Post Natal Outreach grant for the Central and South Phoenix Regional Councils to Maricopa County through its Department of Public Health. The grant award is in the amount not-to-exceed \$485,868 for the budget term beginning September 1, 2009 through June 30, 2010. This contract can be renewed by First Things First on a year to year basis for a total three year term.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement. The Department of Public Health's indirect rate for FY 2009-10 is 19.5%; therefore \$44,170 is allowable and \$41,961 is unallowable.

Funding for this grant will be provided by First Things First and will not affect the County general fund. (C-86-09-066-G-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**33. EXCEPTION TO THE TECHNOLOGY FINANCE PROGRAM CAPITAL ASSET POLICY FOR PURCHASE OF EQUIPMENT**

Approve the exemption to the Technology Finance Program (TFP), Capital Asset Policy A2507 Sub Section C. E. 4 and Subsection C. H. to allow the Department of Public Health (860) fund (532) operating budget (0000) to purchase:

- Eighteen Optiplex 760 Minitowers at an estimated amount of \$15,501.24.
- Eighteen Cables to Go at an estimated about of \$1,263.42.
- Eighteen Two-Year extended Service Plan for Accessories at an estimated amount of \$269.82.
- Eighteen QuickCam Pro 9000 Web Camera at an estimated amount of \$1,619.82.
- Eighteen Chief RLT-1 – Mounting kit at an estimated amount of \$1,943.82.

- Eighteen Vizio XVT 47" LCD HDTV at an estimated amount of \$21,043.80.
- Eighteen Three-Year Extended Service Plan for LCD TV at an estimated amount of \$3,222.
- Tax on quote at an estimated amount of \$3,143.88.

The total estimated amount is \$48,007.80. This equipment is required to provide specific training under WIC Program Services, Nutrition Education, and General Staff Training. Arizona Department of Health Services ("ADHS") approved the outright purchase of this capital equipment.

The purchase of this capital equipment is 100% grant funded and will be absorbed within the ADHS – Women, Infant's and Children IGA (HG861080). (C-86-10-026-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**34. AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH WASHINGTON ELEMENTARY SCHOOL DISTRICT FOR DENTAL SEALANT PROGRAM SERVICES**

Approve a non-financial Amendment No. 2 to Memorandum of Understanding (MOU) between the Washington Elementary School District and Maricopa County by and through its Department of Public Health, Office of Oral Health Dental Sealant Program for free dental sealant services for the students. Amendment No. 2 revises the MOU's effective date to August 3, 2009 and to August 2, 2010. This amendment also makes administrative changes to the MOU. All other terms and conditions of the original MOU shall remain in full force and effect. (C-86-08-023-M-02)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**35. EXCEPTION TO THE TECHNOLOGY FINANCE PROGRAM CAPITAL ASSET POLICY FOR PURCHASE OF EQUIPMENT**

Approve the exemption to the Technology Finance Program (TFP), Capital Asset Policy A2507 Sub Section C. E. 4 and Subsection C. H. to allow the Department of Public Health (860) fund (532) operating budget (0000) to purchase:

- One Laptop computers with an estimated amount of \$2,426.40.
- Three Dell Projector with an estimated amount of \$1,759.84.
- One Multipurpose Color Copier with an estimated amount of \$8185.00.
- One Multipurpose Black & White Copier with an estimated amount of \$6,590.

For a total purchase of \$18,961.24. These items will be used in employee development and marketing services in Healthcare for the Homeless ("HCH") program.

This purchases are 100% grant funded and will be absorbed within HCH's budget for the grant year ending October 31,2009. (C-86-10-028-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**36. AGREEMENT WITH SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT FOR STRATEGIC NATIONAL STOCKPILE ASSETS**

Approve the non-financial Agreement between Salt River Project Agricultural Improvement and Power District ("SRP) and Maricopa County through its Department of Public Health's

Office of Preparedness and Response (“OPR”) to provide strategic national stockpile (SNS) assets to SRP in the case of a public health emergency. The term of this agreement shall begin upon Board approval and shall be in effect until terminated by either party.

The MCDPH, Office of Preparedness Response was previously known as the Maricopa Department of Public Health Emergency Management Program (PHEM) (C-86-10-029-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

### **Animal Care and Control**

#### **37. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL**

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$155,160.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-028-D-00)

Motion to approve noting appreciation to donors, by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **38. AGREEMENT WITH ARIZONA GOLDEN RESCUE FOR NEW HOPE PROGRAM**

Approve an Agreement between Arizona Golden Rescue, a 501 (C) 3 corporation, 5814 W. Del Lago Circle, Glendale, AZ 85308, and Maricopa County to allow Arizona Golden Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates six new hope rescues over the term of the agreement, for a total of \$240. The term of this Agreement is from September 16, 2009 through June 30, 2010. (C-79-10-029-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **39. AGREEMENT WITH LITTLE RASCALS RESCUE FOR NEW HOPE PROGRAM**

Approve an Agreement between Little Rascals Rescue, a 501 (C) 3 corporation, P. O. Box 87291, Phoenix, AZ 85027, and Maricopa County to allow Little Rascals Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates six new hope rescues over the term of the agreement, for a total of

\$240. The term of this Agreement is from September 16, 2009 through June 30, 2010. (C-79-10-031-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**40. IGA WITH THE TOWN OF GILBERT FOR ABANDONED ANIMAL SHELTER SERVICES**

Approve an Intergovernmental Agreement (IGA), between Maricopa County Animal Care & Control and the Town of Gilbert for Animal Control Abandoned Animal Shelter Services. This IGA is effective from September 1, 2009 through June 30, 2012. The Town of Gilbert agrees to pay full cost recovery for shelter services for FY2009-2010 estimated to be \$26,601 based on fees approved by the Board of Supervisors on November 2, 2005 (C-79-06-024-7-00) and historical levels of service for this jurisdiction. (C-79-10-032-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**41. AMENDAMENT TO IGA WITH THE TOWN OF GILBERT FOR ABANDONED ANIMAL FIELD SERVICES**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) C-79-08-001-2-00 between Town of Gilbert and Maricopa County Animal Care and Control, for the purpose of expanding field enforcement services to respond to abandoned animal calls as defined in the Gilbert Town Code, Ordinance 2228; and to extend the Agreement through June 30, 2012. This Amendment is effective from July 1, 2007 until June 30, 2012.

Maricopa County Animal Care and Control is requesting General Provisions, Section 1. Term of the IGA be deleted and replaced with:

1. Term:

Upon its execution by both Parties this agreement is effective from July 1, 2007 through June 30, 2012. Any modification or amendment to the terms and conditions of this agreement shall be approved by both Parties in writing. Pursuant to A.R.S. § 11-952(G) this Agreement shall be filed with the COUNTY Recorder.

Maricopa County Animal Care and Control is requesting Appendix A, Compensation Schedule of the IGA be amended to add:

**4. ADDITIONAL SERVICE FEE: ABANDONED ANIMALS**

Animal Pickup \$52.00 per trip per vehicle

Maricopa County Animal Care and Control is requesting Appendix B, Services – Performance Standards of the IGA be amended to add:

**4. Abandoned Animals.**

The County shall respond to all calls initiated by Gilbert for abandoned animals in accordance with the hours of operation and will charge for these services in addition to the regular contract fee as specified in Appendix A. Response time 3 hours.

Animal Control Services in response to abandoned animals calls as defined in the new amendment to the Code of Gilbert, Ordinance No. 2228, adopted May 12, 2009.

All other terms and conditions of this IGA shall remain in full force and effect. (C-79-10-033-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**42. KENNEL PERMIT FOR CLEARWATER KENNELS**

Approve kennel permit #012 pursuant to A.R.S. §11-1009 for Susan Anderson, d.b.a. Clearwater Kennels, 7601 N. 185th Avenue, Waddell, AZ 85355 in District 4 for the term of September 16, 2009 through September 15, 2010. The cost of a kennel permit is \$328. (C-79-10-030-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Human Services**

**43. AMENDMENT TO GRANT CONTRACT WITH PIMA PREVENTION PARTNERSHIP**

Approve Amendment No. 3 to the Grant Contract between Pima Prevention Partnership and Maricopa County through its Human Services Department/Education Division/ Head Start Zero-Five Program in an amount up to \$336,000 to provide marriage education training to Head Start and Early Head Start eligible parents. This amendment is funded by a Healthy Marriage Initiative grant from U.S. Department of Health and Human Services (C-22-08-128-3-01 / 90YD0225 – 09CH7096-000) that is composed of five, one-year terms. This amendment extends the contract term for the third of five years from September 30, 2009 through September 29, 2010. Per the Human Services Department Indirect Cost Plan, there are no indirect costs associated with the administration of this grant. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. The grant does not include any Maricopa County General Funds.

Maricopa County is one of 24 programs across the county to be awarded a Healthy Marriage Initiative Grant with funding of \$411,772 awarded each year. As part of this grant, the program is required to contract with an organization in our community that has demonstrated success in delivering marriage education services to provide this education. Maricopa County Head Start Zero-Five Program has contracted with Pima Prevention Partnership to provide 1,200 service units of marriage education training. All other terms and conditions of the original Contract remain the same, and all prior unexpired Amendments are in full force and effect. (C-22-08-129-1-03)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**44. ACCEPT GRANT FUNDING FROM THE ARIZONA DEPARTMENT OF EDUCATION FOR THE CHILD AND ADULT CARE FOOD PROGRAM**

Approve the acceptance of grant funds from the Arizona Department of Education / Child and Adult Care Food Program (CACFP) (Arizona A.G. Contract No. KR02-1170-ALS) to Maricopa County through its Human Services Department / Education Division / Head Start Zero-Five Program up to the amount of \$264,000. CACFP funds reimburse meal service expenses for children enrolled in the Maricopa County Head Start Zero-Five Program.

Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant award begins on October 1, 2009 and ends on September 30, 2010. The indirect

cost agreement signed with the Department of Health and Human Services specifies that food costs and sub awards are not subject to indirect cost recovery, therefore, total indirect costs would be zero. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. The grant does not include any Maricopa County General Funds.

Meal service expenses are paid by funds from our annual grant award (C-22-09-134-G-00 / 09CH7096-44) through contracts with Mesa Public Schools (C-22-10-015-3-00), Chandler Unified School District (C-22-10-017-3-00), Tempe Elementary School District # 3 (C-22-10-016-3-00), and Scottsdale Unified School District (C-22-10-019-3-00). These four contracts are schedule for approval at the September 2, 2009 Board of Supervisors Formal Meeting. Meal services are provided to 1,305 low-income children (1,198 in Head Start and 107 in Early Head Start). Based on the length of time a child spends in the classroom, they will receive 1/3 to 2/3 of their daily nutritional needs by these meals and/or snacks. (C-22-10-024-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**45. AMENDMENT TO AGREEMENT WITH FSL HOME IMPROVEMENT TO PERFORM WEATHERIZATION LOW-INCOME ASSISTANCE FUNDED BY AMERICAN RECOVERY AND REINVESTMENT ACT**

Approve Amendment No. 8 to the grant agreement between FSL Home Improvement, an Affiliate Corporation of the Foundation for Senior Living and Maricopa County administered by its Human Services Department (C-22-08-089-1), to increase the Contract amount by \$2,980,800 for Weatherization Low-Income Assistance - American Recovery and Reinvestment Act (ARRA) services; making the total Contract funding for FY 2010 \$4,036,235. Funding for this Amendment was provided by a grant from the Department of Commerce, Energy Office (DOC/EO) (C-22-09-156-3-00). The Contract period is July 1, 2009 through June 30, 2010. Indirect costs are not applicable to this amendment. This amendment will not impact the County general fund. The overall grant budget will be adjusted as necessary to accommodate this amendment through a future reconciliation.

Changes to the Contract Amendment include the following:

Attachment A: Incorporate Revisions to the Special Provisions;

Attachment B: Incorporate Revisions to the Scope of Work. (The Scope of Work within this Amendment only pertains to ARRA funds.); and

Attachment C: Incorporate additional ARRA Operating Budget. (This ARRA Operating Budget is separate from previous Amendment Operating Budget.)

NOTE: The DOC ARRA funds in the amount of \$2,980,800 will have an expenditure period beginning July 1, 2009 through March 31, 2010. (C-22-08-089-1-09)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**46. AGREEMENT WITH VALLE DEL SOL, INC. FOR THE HOMELESS PREVENTION AND RAPID REHOUSING PROGRAM - ARRA**

Approve a Management and Implementation Agreement under the Homeless Prevention and Rapid Rehousing Program between Valle del Sol, Inc., a non-profit agency, and

Maricopa County through its Human Services Department, in the not-to-exceed amount of \$600,174. The purpose of this grant Agreement is to provide financial assistance and /or services to help individuals and families gain housing stability. This Agreement, funded through the American Recovery and Reinvestment Act (ARRA) of 2009, is effective upon execution and will expire no later than August 4, 2012, or upon expenditure of all grant funds. Indirect costs do not apply to this Agreement. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. No general funds will be used for this activity.

The intent of the Homeless Prevention and Rapid Rehousing Program is to help those who are homeless or who would be homeless but for this assistance and who can remain stably housed after the temporary assistance ends. This program is funded through the U. S. Department of Housing and Urban Development. (C-22-10-021-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**47. AGREEMENT WITH COMMUNITY LEGAL SERVICES, INC. FOR THE HOMELESS PREVENTION AND RAPID REHOUSING PROGRAM - ARRA**

Approve a Management and Implementation Agreement under the Homeless Prevention and Rapid Rehousing Program between Community Legal Services, Inc., a non-profit agency, and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$239,826. The purpose of this grant Agreement is to provide legal services to help individuals and families gain housing stability. This Agreement, funded through the American Recovery and Reinvestment Act (ARRA) of 2009, is effective upon execution and will expire no later than August 4, 2012, or upon expenditure of all grant funds. Indirect costs do not apply to this Agreement. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. No general funds will be used for this activity.

The intent of the Homeless Prevention and Rapid Rehousing Program is to help those who are homeless or who would be homeless but for this assistance and who can remain stably housed after the temporary assistance ends. This program is funded through the U. S. Department of Housing and Urban Development. (C-22-10-022-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**48. AGREEMENT WITH EXITO, INC. FOR THE NEIGHBORHOOD STABILIZATION PROGRAM**

Approve a Management and Implementation Agreement under the Neighborhood Stabilization Program between Exito, Inc., a non-profit agency, and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$1,720,000. The purpose of this grant Agreement is to provide permanent supportive housing for seniors. This Agreement, funded through the Housing and Economic Recovery Act of 2008, is effective upon execution and will expire September 15, 2013. Indirect costs do not apply to this Agreement. These funds have been included in the FY 2009-2010 budget. No general funds will be involved in this activity.

The intent of the Neighborhood Stabilization Program is to address the issue of vacant, foreclosed residential housing in Maricopa County. Exito, Inc. will utilize the Neighborhood Stabilization Program funds to acquire and rehabilitate up to ten foreclosed single family housing units in the Goodyear area for use as rental housing for seniors. Supportive

services will be provided by Exito, Inc. and its partner agencies through their own existing revenue streams. This program is funded through the U. S. Department of Housing and Urban Development . (C-22-10-023-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **CHIEF FINANCIAL OFFICER**

### **Finance**

#### **49. FUNDS TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are 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 are incorporated herein by this reference.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Materials Management**

#### **50. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

**a. 04084-C, FOODS: PERISHABLE, FRESH FRUITS & VEGETABLES**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 04084-C

Item: Foods: Perishable, Fresh Fruits & Vegetables (\$3,362,500) Increase price agreement value from \$3,340,000 to \$6,702,500. Recommendation for contract value increase, as requested by MCSO, in the amount of \$3,362,500. Contract initial award value was \$2,400,000 subsequent increase was made in the amount of \$700,000 on July 23, 2008 Board Agenda. An additional increase of \$240,000 on May 21, 2009, Department Agenda brought the value of the contract to \$3,340,000. The new value of the contract is \$6,702,500.

Association of Arizona Food Banks  
Willie Itule Produce Inc  
Coliman Pacific Corporation (C-73-10-017-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. 04135-S, VETERINARY SERVICES**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 04135-S

Item: Veterinary Services (\$166,250) Increase price agreement value from \$300,000 to \$466,250. Recommendation for contract value increase, as requested by MCSO, in the amount of \$166,250. Contract renewal value was \$300,000. The new value of the contract is \$466,250.

Bethany Animal Hospital PLLC  
Durango Equine Vet Clinic  
Indian Bend Animal Hospital  
Southside Animal Hospital  
Dr. Dan Klinski  
Emergency Animal Clinic, PLC (C-73-10-016-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. 04149-C, DAIRY PRODUCTS**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 04149-C

Item: Dairy Products (\$1,925,000) Increase price agreement value from \$2,700,000 to \$4,625,000. Recommendation for contract value increase, as requested by MCSO, in the amount of \$1,925,000. Contract renewal value was \$2,700,000. There have been no other value increases. The new value of the contract is \$4,625,000.

Lively Distributing Inc (C-73-10-018-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. 09055-S, LOW VOLTAGE ELECTRICAL SERVICES**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09055-S

Item: Low Voltage Electrical Services (\$350,000 estimate/three years until September 30, 2012, with three one-year renewal option) Three year multiple award contract for County wide electrical services.

Comletric  
JFK Electrical Contracting Enterprises  
Magnum Power Infrastructures

Malone Electric Inc.  
Valley Wide Electric Co. (C-73-10-020-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Risk Management**

### **51. MEDICARE, MEDICAID, AND SCHIP EXTENSION ACT OF 2007**

Approve the designation of Claims Manager, Risk Management Department, as Account Representative for the County for purposes of complying with Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (MMSEA), and authorize the Risk manager to sign any necessary related documents on behalf of the Board upon review and approval as to form by assigned legal counsel. (C-75-10-004-2-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

### **Planning and Development**

### **52. SALVAGE POLICY FOR THE REGIONAL DEVELOPMENT SERVICES CONSTELLATION FOR THE DISPOSAL OF COMPUTER EQUIPMENT**

1.) Approve a two year extension of the IT salvage method for Regional Development Services Constellation (RDSA) as an approved County option for the disposal of computer equipment in order to maximize revenue. This extension is requested to run from October 1, 2009 to September 30, 2011. 2.) Declare as surplus and 3.) Authorize the disposition of computer equipment that is no longer used for operations within the RDSA constellation. 4) In accordance with A.R.S. 11-251(9), authorize the utilization of an internet auction process as described below for the disposition of surplus items. The RDSA constellation consists of the following departments: Air Quality, Emergency Management, Environmental Services, Equipment Services and Planning and Development.

The original pilot project was for a period between October 15, 2008, through June 30, 2009. Though authorized for six months the program was only active for three months due to account setup and delays in resolving internal Maricopa County issues. It was successful in generating \$10,596.56 in cash sales to the general public, donating computer systems valued at \$6,800 to the Human Services Campus and \$1,000 in systems sold to a local surplus company, the highest of three bidders. Approximately 15 Maricopa County Employees took advantage of the sale by being the high bidder on eBay and over 1,200 lbs. of equipment was saved from landfills.

All hard drives will be wiped using the DOD 5220.22-M standard or hard drive manufacture's "Secure Erase" feature. The original operating system may be transferred if sold including the Certificate of Authenticity label. The sale of equipment under this pilot project will only include the original operating system purchased with the PC's. The operating system that the County uses as a part of the Enterprise Agreement with Microsoft will not be used or sold and will be wiped as described above. The estimated revenue generated from this pilot project is \$50,000. To date, RDSA has realized \$0 in return from the salvage agreement with UNICOR and/or Dell. To provide the equipment in a salvageable manner, it costs RDSA

approximately \$4,000 annually.

If RDSA has equipment that is not advantageous to auction via an Internet auction site, this equipment will be disposed of in accordance with law and the Maricopa County Procurement Code. Any items proving unauctionable through this process will be disposed of through approved alternate means. Pilot Process and Policy All computers will be evaluated to determine the best method of recovery in order to maximize revenue return to Maricopa County RDSA. The methods available are: a. Turn items over to County salvage for shipment to UNICOR as current arrangement allows. b. Donate items to charitable organizations as approved by the BOS per A.R.S. 11-251.9. c. Sell or transfer items to other County departments. d. Distribute list of current equipment to at least three IT salvage companies, and sell items to the highest bidder. e. List items on a Public WEB Based Auction Site and sell to highest bidder. Recoup shipping/handling fees as appropriate. If hard drives cannot be wiped they will be destroyed as per DOD standard (three holes drilled into drive media). In the case of b, c, d and e above, all hard drives will be wiped using the DOD 5220.22-M standard or hard drive manufacture's "Secure Erase" feature and reloaded with the original manufacture's software image where available. All items will be sold AS-IS without any warranty or returns allowed. (C-44-10-014-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

### **Facilities Management**

#### **53. MARICOPA DOWNTOWN COURT TOWER ENGRAVING INSTRUCTIONS**

1) Approve the name to be engraved on the Maricopa Downtown Court Tower to be:  
"Superior Court  
Maricopa County"

as depicted on the attached rendering. The Facilities Review Committee and the Court Tower Oversight Committee have reviewed the name and have made the recommendation for approval. This facility is located in District 5.

2) Approve the following quote by Alexander Hamilton to be engraved within the facade of the building, as depicted in the attached rendering:

"THE FIRST DUTY OF SOCIETY IS JUSTICE"

County policy states that the Board of Supervisors shall approve the naming of all County buildings. The Court Tower Team has worked with the Court Tower Oversight Committee and the Facilities Review Committee on this item and all support the naming and the approval of the quotes. (C-70-10-004-M-00)

Supervisor Stapley thanked the Facilities Review Committee and the Court Tower Oversight Committee for doing such an excellent job in the inscriptions and design.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Public Works**

**54. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-10-093-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**55. CONTRACT WITH TRANSYSTEMS FOR OLD US-80 AT GILA RIVER BRIDGE REHABILITATION (GILLESPIE DAM BRIDGE)**

Approve Contract No. 2007-053, between Maricopa County Department of Transportation and TranSystems Corporation for Bridge Rehabilitation of the Old US 80 Bridge at Gila River (Gillespie Dam Bridge), Bridge Preservation Project T188. The Consultant shall be paid a fee not-to-exceed \$700,050.00. This Contract completion date shall be 300 days after the Notice to Proceed has been issued.

In addition, the County shall compensate the Consultant for post design services, based on the rates documented in Consultant's Fee Schedule, a not-to-exceed amount of \$119,586.00. The post design allowances shall only be utilized for post design services and shall only be activated by means of a Change Order to this Contract.

The purpose of this project is to improve the Old US 80 Bridge at Gila River by providing structural repairs to this historic bridge. This project consist of preparation of construction documents for the rehabilitation of the historic, steel Parker truss, 9-span, 1665'-8" long bridge over Gila River and the design of Interpretive Center at each end of the bridge and design of temporary detour. This bridge was built in 1927 in the general vicinity of Arlington in Maricopa County, and is listed in the National Historic Sites Register. Supervisory District No. 5 (C-91-10-032-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**56. CONTRACT WITH STANLEY CONSULTANTS, INC. FOR ON-CALL PROFESSIONAL ENGINEERING AND DESIGN SERVICES**

Approve Contract No. 2009-022 with Stanley Consultants, Inc. for On-Call Professional Engineering and Design Services. This contract shall be effective for a period of two years with an option to renew for an additional one year period following Board of Supervisors approval or until the expenditure of \$2,000,000.00, whichever occurs first.

A broad range of design support services are anticipated under this On-Call Professional Engineering and Design Services contract. The Consultant will provide professional services in the area of: roadway plan and profile drawings; preparation of cost estimate quantity takeoffs; preparation of project specifications; preparation of preliminary design or Design Concept Reports; provide post design services; technical memorandums; preparation of small drainage studies; design of highway structures (box culverts; head walls; retaining walls; irrigation and storm drain manholes and junction structures; bridges; scour protection); Value Engineering; and economic analysis. Supervisory District: All (C-91-10-021-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**57. CONTRACT WITH KIMLEY-HORN & ASSOCIATES, INC. FOR ON-CALL PROFESSIONAL ENGINEERING AND DESIGN SERVICES**

Approve Contract No. 2009-021 with Kimley-Horn and Associates, Inc., for On-Call Professional Engineering and Design Services. This contract shall be effective for a period of two years with an option to renew for an additional one year period following Board of Supervisors approval or until the expenditure of \$2,000,000 whichever occurs first.

A broad range of design support services are anticipated under this On-Call Professional Engineering and Design Services contract. The Consultant will provide professional services in the area of: roadway plan and profile drawings; preparation of cost estimate quantity takeoffs; preparation of project specifications; preparation of preliminary design or Design Concept Reports; provide post design services; technical memorandums; preparation of small drainage studies; design of highway structures (box culverts; head walls; retaining walls; irrigation and storm drain manholes and junction structures; bridges; scour protection); Value Engineering; and economic analysis. Supervisory Districts: All (C-91-10-022-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**58. CONTRACT WITH AZTEC ENGINEERING ARIZONA, LLC FOR ON-CALL PROFESSIONAL ENGINEERING AND DESIGN SERVICES**

Approve Contract No. 2009-020 with AZTEC Engineering Arizona, LLC for On-Call Professional Engineering and Design Services. This contract shall be effective for a period of two years with an option to renew for an additional one year period following Board of Supervisors approval or until the expenditure of \$2,000,000.00, whichever occurs first.

A broad range of design support services are anticipated under this On-Call Professional Engineering and Design Services contract. The Consultant will provide professional services in the area of: roadway plan and profile drawings; preparation of cost estimate quantity takeoffs; preparation of project specifications; preparation of preliminary design or Design Concept Reports; provide post design services; technical memorandums; preparation of small drainage studies; design of highway structures (box culverts; head walls; retaining walls; irrigation and storm drain manholes and junction structures; bridges; scour protection); Value Engineering; and economic analysis. Supervisory District: All (C-91-10-023-5-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**59. AMENDMENT IGA WITH THE TOWN OF QUEEN CREEK FOR IMPROVEMENTS**

Approve Amendment No. 1 to the Intergovernmental Agreement between Maricopa County, acting through the Maricopa County Department of Transportation (County) and the Town of Queen Creek (Town) for fire pre-emption equipment installation and maintenance at the intersection of Riggs Road and Sossaman Road. There is no direct cost to the County associated with this amendment.

The purpose of this amendment is to define the respective obligation and responsibilities for each Partner with respect to the installation and maintenance of the fire pre-emption equipment of the traffic signal at the intersection of Riggs Road and Sossaman Road.

The Town will be responsible for the cost, installation, liability and operation and maintenance of the fire pre-emption equipment. In accordance with the terms of the original agreement, the County will retain ownership of and responsibility for the traffic signal and its associated equipment with regard to equipment upgrades, damage replacements and major maintenance issues. Supervisory District No: 1 (C-64-08-113-2-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**60. AMENDMENT TO IGA WITH THE TOWN OF QUEEN CREEK FOR TRAFFIC SIGNAL AT INTERSECTION OF RIGGS ROAD AND POWER ROAD**

Approve Amendment No. 1 to the Intergovernmental Agreement between Maricopa County, acting through the Maricopa County Department of Transportation (County) and the Town of Queen Creek (Town) for fire pre-emption equipment installation and maintenance at the intersection of Riggs Road and Power Road. There is no direct cost to the County associated with this amendment.

The purpose of this amendment is to define the respective obligation and responsibilities for each Partner with respect to the installation and maintenance of the fire pre-emption equipment of the traffic signal at the intersection of Riggs Road and Power Road.

The Town will be responsible for the cost, installation, liability and operation and maintenance of the fire pre-emption equipment. In accordance with the terms of the original agreement, the County will retain ownership of and responsibility for the traffic signal and its associated equipment with regard to equipment upgrades, damage replacements and major maintenance issues. Supervisory District No: 1 (C-64-08-045-2-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**61. NEW TRAFFIC CONTROLS ON 93RD AVENUE**

Approve new traffic controls (Stops) on unincorporated right-of-way at the following location:

A TWO-WAY STOP on 93rd Avenue at Marshall Avenue for Northbound and Southbound traffic.

A TWO-WAY STOP on 93rd Avenue at San Miguel Avenue for Northbound and Southbound traffic.

This agenda item is the result of an in-house safety study conducted by MCDOT. After evaluating current traffic volumes, accident records and sight distance it was determined that warrants were met for a two-way stop at these locations. Supervisory District No: 4 (C-91-10-024-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**62. NEW TRAFFIC CONTROLS ON MADISON STREET**

Approve new traffic controls (No Stopping, Standing, Parking Anytime) on unincorporated right-of-way at the following location:

A NO STOPPING, STANDING, PARKING ANYTIME ZONE on Madison Street from 6th Avenue to 385 Feet West of 6th Avenue. (Both Sides)

This agenda item is the result of a Traffic Engineering Study conducted at the request of the Maricopa County Facilities Management Department and the Maricopa County Sheriff's Office. Vehicles parked on Maricopa County right-of-way are causing sight obstructions to the traveling public. In the interest of public safety these signs are warranted. Supervisory District No: 5 (C-91-10-020-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**63. NEW TRAFFIC CONTROLS ON 76TH STREET**

Approve new traffic controls (Stop Signs) on unincorporated right of way at the following location:

All Traffic to stop before entering or crossing a THROUGH STREET within the prescribed limits of: 76th Street from 100 Feet north of McKellips Road to 100 Feet south of Hermosa Vista Drive.

This agenda item is the result of an in-house Traffic Engineering Study being conducted to install (Stops) on county roadways. Supervisory District No: 2 (C-91-10-031-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**64. NEW TRAFFIC CONTROLS ON 122ND AVENUE**

Approve new traffic controls (Stops) on unincorporated right-of-way at the following location:

A TWO-WAY STOP on 122nd Avenue at Alta Vista Road for Northbound and Southbound traffic.

This agenda item is the result of an in-house safety study conducted by MCDOT. After evaluating current traffic volumes, accident records and sight distance it was determined that warrants were met for a two-way stop. Supervisory District No. 5 (C-91-10-030-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**65. NEW TRAFFIC CONTROLS ON MARICOPA COUNTY ROUTE 85**

Approve new traffic controls (Speed Limits) on unincorporated right-of-way at the following location:

A 45 MPH SPEED LIMIT ZONE on Maricopa County Route 85 from Turner Road to State Route 85.

This agenda item is the result of completion of MCDOT's Safety Improvement Project to reduce speeds in areas that have changed from rural to urban. Supervisory District No. 4 (C-91-10-029-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**66. NEW TRAFFIC CONTROLS ON 45TH AVENUE**

Approve new traffic controls (Stops) on unincorporated right-of-way at the following location:

A TWO-WAY STOP on 45th Avenue at Ivanhoe Street for Northbound and Southbound traffic.

This agenda item is the result of an in-house safety study conducted by MCDOT. After evaluating current traffic volumes, accident records and sight distance it was determined that warrants were met for a two-way stop. Supervisory District No. 5 (C-91-10-028-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**67. NEW TRAFFIC CONTROLS ON INDIAN SCHOOL ROAD**

Approve new traffic controls (Speed Limits) on unincorporated right-of-way at the following location:

A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE) on Indian School Road from El Mirage Road to 111th Avenue (This partially rescinds the 50 MPH speed limit zone dated May 2, 1988).

This agenda item is the result of completion of MCDOT's Safety Improvement Project to reduce speeds in areas that have changed from rural to urban. Supervisory District No. 4 (C-91-10-026-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**68. NEW TRAFFIC CONTROLS ON DUSTY LANE**

Approve new traffic controls (Stop Signs) on unincorporated right of way at the following locations:

All Traffic to stop before entering or crossing a THROUGH STREET within the prescribed limits of: Dusty Lane from 100 Feet north of Ray Road to 100 Feet south of Galveston Street.

This agenda item is the result of an in-house Traffic Engineering Study being conducted to install (Stops) on county roadways. Supervisory District No. 5 (C-91-10-027-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**69. NEW TRAFFIC CONTROLS ON 7TH AVENUE**

Approve new traffic controls (Speed Limits) on unincorporated right-of-way at the following location:

A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE) on 7th Avenue from .25 miles North of Cloud Road to Desert Hills Drive (This rescinds the 50 MPH speed limit

zone dated March 20, 1989).

A 35 MPH SPEED LIMIT ZONE on 7th Avenue from Desert Hills Drive to Saddle Mountain Road.

This agenda item is the result of completion of MCDOT's Safety Improvement Project to reduce speeds in areas that have changed from rural to urban. Supervisory District No. 3 (C-91-10-025-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Planning and Development**

#### **70. ZONING CASES**

Schedule Planning and Development public hearings on zoning cases and other matters for the October 7, 2009 meeting. (List on file in the Clerk of the Board's Office) (C-44-10-019-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Public Works**

**71.** Set a public hearing to declare the following roads into the county highway system for 9:00 .m., Wednesday, October 21, 2009.

#### **a. ROAD FILE NO. A-421**

Adopt a Resolution to set a hearing on Road File No. A-421, said alignment is also known as MC85 from Apache Road to Baseline Road, lying within Supervisor District No. 2. (C-91-10-033-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **b. ROAD FILE NO. A-422**

Adopt a Resolution to set a hearing on Road File No. A-422, said alignment is also known as Mary Street from Gilbert Drive to Curry Road lying within Supervisor District No. 1. (C-91-10-035-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. ROAD FILE NO. A-423**

Adopt a Resolution to set a hearing on Road File No. A423, said alignment is also known as Deer Valley Road from 117th Avenue to Lake Pleasant Parkway and Williams Drive from El Mirage Road to 117th Avenue, lying within Supervisor District No. 4. (C-91-10-034-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **CONSENT AGENDA**

### **Clerk of the Board**

**72. APPOINTMENTS**

Approve the Official Appointments of Barbie Eckert, Marie Ann Freer, Martha Sarabia, Lois L. Leonardi, and Mary Pack as Deputy County Recorder. (C-06-10-085-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**73. DUPLICATE WARRANTS**

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-10-089-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**74. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held March 18, 2009; April 15, 2009; May 18, 2009; June 10, 2009; June 29, 2009 and July 15, 2009. (C-06-10-078-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**75. PRECINCT COMMITTEEMEN**

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-10-088-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**76. SETTLEMENT OF PROPERTY TAX CASES**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated September 16, 2009. List is on file in the Clerk of the Board's Office. (C-06-10-090-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**77. STALE DATED WARRANTS**

Pursuant to A.R.S. §11-644 the Board of Supervisors finds that claims presented, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. List of claims is on file in the Clerk of the Board's Office. (C-06-10-087-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**BOARD OF SUPERVISORS ADDENDUM**

**Clerk of the Board**

**A-1. RESCIND ACTION OF NEW LICENSE APPLICATION FOR HEART AND SOUL CAFE**

Rescind the action taken by the Board on September 2, 2009 that approved the New Series (12) Liquor License application filed by Sheila Lori Bryson for Heart and Soul Cafe at 4705 E. Carefree Highway #117, Cave Creek, AZ 85331, due to a posting error. (AZ 12078086)(Supervisory District 3)

This item was approved at the September 2, 2009 Formal Meeting with the understanding that the Constable had posted the application for at least 20 days prior to the meeting. After the meeting, it was discovered the application was never posted so the item must be rescinded in order to comply with statutory posting requirements. The Constable has confirmed that the application will be posted on Sept. 10, 2009. The application is tentatively scheduled to be heard again at the October 7, 2009 Formal meeting. We have petitioned the State Liquor Department for an extension of time. (C-06-10-091-L-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Sheriff**

**A-2. IGA WITH THE ARIZONA GAME AND FISH COMMISSION FOR WATER CRAFT LAW ENFORCEMENT GRANT**

Approve the Intergovernmental Agreement (IGA) and acceptance of \$129,000 in grant funding from the Arizona Game and Fish Commission to fund salary, overtime and water craft engine capital equipment repair and replacement. The term of this Agreement is the date signed by all parties and filed with the Arizona Secretary of State and expires June 30, 2010.

Also approve an exemption to the Technology Finance Program (TFP) to allow the Sheriff's Office to proceed with the purchase of replacement engines for a twin engine water craft currently in MCSO water craft fleet.

As \$17,000 of this funding will be spent on capital equipment purchases which are excluded from the indirect cost calculation, the amount of this funding subject to the Sheriff's FY 2010

indirect cost rate of 16.6% is \$112,000. The unrecoverable indirect costs are estimated to be \$18,592.00. (C-50-10-032-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Office of the County Manager**

#### **A-3. RESOLUTION TO APPLY FOR AND ACCEPT TRIBAL GAMING FUNDS FROM THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY**

Pursuant to A.R.S. 5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Salt River Pima-Maricopa Indian Community for the Arizona Meth Project program in an amount not-to-exceed \$200,000. The grant period is July 1, 2009-June 30, 2010. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Salt River Pima-Maricopa Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

Pursuant to A.R.S. § 42-17106(b), if funds are approved, approve an appropriation adjustment to County Manager (200), Non-Departmental grant Fund (249), Non-operating/non-project (0001), increasing the FY 2009-10 revenue and expenditure budgets not-to-exceed \$200,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C-20-10-011-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Human Services**

#### **A-4. IGA WITH MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT TO PROVIDE EDUCATIONAL SERVICES FOR EARLY HEAD START AND HEAD START STAFF**

Approve an Intergovernmental Agreement (IGA) between Maricopa County Community College District (MCCCD) and Maricopa County administered through its Human Services Department - Education Division/Head Start Zero-Five Program, up to the amount of \$90,000. This partnership between MCCCD and the Head Start program has been in place since 2004. The purpose of this Agreement is to provide educational services for Head Start and Early Head Start staff, including academic counseling, degree planning, and college level coursework to increase the staff's educational qualifications. This IGA is effective from July 1, 2009 until June 30, 2012. This is an expenditure contract in the amount up to \$90,000 and is not subject to indirect charges. The expenditures from this contract are reimbursed under C-22-09-134-G-00 - Maricopa County FY 2009-10 Head Start/Early Head Start Base Funding; and, C-22-09-154-G-00 - Acceptance of American Recovery and Reinvestment Act Head Start/Early Head Start Cost of Living Adjustment and Quality Improvement Funds. The overall grant budget will be adjusted as necessary through a future reconciliation.

The Head Start Act of 2007 requires increasing levels of educational certifications for Head Start and Early Head Start teachers and teacher aides that are phased in between September 30, 2010 and September 30, 2013. Some of these program staff must enroll in

college-level instruction in order to meet these new educational requirements. This IGA enables the Head Start Zero-Five Program to provide the required training and pay college tuition for teachers and teacher aides to meet these new educational requirements. In addition, the Head Start Performance Standards, which are the federal regulations governing the Head Start and Early Head Start programs, outline requirements to attach academic credit to staff training and development activities, whenever possible. This IGA enables the Program to meet this regulation (CFR 45 Part 1304.52(k)(2)). This IGA will enable staff to attend any one of the community colleges in the MCCC system. (C-22-10-020-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Research and Reporting**

#### **A-5. INTERGOVERNMENTAL AGREEMENT WITH ARIZONA BOARD OF REGENTS ON BEHALF OF ARIZONA STATE UNIVERSITY FOR PANDEMIC INFLUENZA SURVEY**

Approve a Intergovernmental Agreement (IGA) between Arizona Board of Regents for and on behalf of Arizona State University and Maricopa County through the Office of Research and Reporting, in the not-to-exceed amount of \$32,000. This IGA is funded by a grant from Arizona Department of Health Services, (BTS 0137). The purpose of this IGA is to conduct a Public Survey on Pandemic Influenza. This IGA is effective from September 1, 2009 until December 31, 2009.

The ASU Decision Theater has requested that the Office of Research and Reporting conduct a public opinion survey on Pandemic Influenza as part of a grant from ADHS. The broad research objective is to improve decision-making around emergency preparedness via developing effective risk communication message pathways. The ASU Decision Theater will develop a survey instrument to collect baseline information on general public's perception and reactions to the current situation of pandemic influenza. This information collected from the survey and optimal message pathway models developed by the project team will assist ADHS, local jurisdictions, and hospitals in mitigating the potential effects of intense patient surge. (C-46-10-001-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING RECESSED**

Chairman Wilson recessed the Board of Supervisors to reconvene as the Board of Directors of various special districts.

### **MEETING RECONVENED**

Chairman Wilson reconvened the Board of Supervisors.

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

- 78. Public comment** on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those

who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the

Blue Crowley spoke on transit, stating the rural routes are not included on bus maps and he felt this and other changes should be made with regards to rural bus schedules.

## **79. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

Supervisor Wilcox said an Aids Walk will be held on Sunday, October 4th to augment funds not available through other funding sources. She said that aids funds have been cut and many are now having to do without medications. The walk will be in downtown Phoenix and walkers may sign-up for a \$25 charge. She said groups could sign up together and other donations would be appreciated.

**\*\*\*The Board of Supervisors will now consider Code Enforcement Reviews.\*\*\***

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.**

### **CODE ENFORCEMENT REVIEW**

#### **PZ-1. HAHN - V200701590**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200701590, Hahn (Supervisor District 4) (C-44-10-015-M-00)

Darren Gerard reported that this case, opened in August 2007, is a violation for miscellaneous junk, trash and debris on property owned by respondents Meredith and Bonnie Hahn since 1987.

Following inspection, which found multiple dwellings, occupied trailers, and unpermitted construction, the respondents were ordered to clean up the site. At a May 29, 2008, hearing the Hahn's were ordered to pay a fine of \$300 plus \$30 per diem. In November 2008 the Hearing Officer gave them an additional 120 days to bring the site into compliance. An additional 120 days was also granted on March 26, 2009. At a fourth hearing on July 30, 2009, the Hearing Officer noted the property had not been cleaned up in two years and ordered a fine of \$500 plus \$250 per diem. The respondent was present at this hearing. Mr. Gerard urged the Board to uphold the Hearing Officer's Order of Judgment including the accruing fines which now total \$12,500 and will continue to accrue at approximately \$7,500 per month until compliance is verified. The site will be considered compliant when cleared of all unpermitted structures, unregistered and inoperable vehicles, occupied trailers and RV's, and miscellaneous junk, trash and debris and respondent calls for an inspection by staff. Mr. Gerard noted that the respondent originally had five properties that were non-compliant and had cleaned four of them and this will be taken into consideration when entering into a settlement agreement after compliance is reached.

Mr. Hahn said that during the two year period he was never told what the problems were on the property and the biggest problems turned out to be a "shade structure" that was within 30 feet of a fence line. He is dismantling this structure. He had asked for a permit on a trailer, called a residence but which is really a storage building for supplies. He added he also has a hay barn which "they won't give a permit on" because until

everything is "in line" they will not permit any of it. Admitting he owns the property and what is on it, Mr. Hahn said he is trying to understand what work needs to be done to be in compliance. He added he cannot afford to pay these kinds of fines.

After discussion, Mr. and Mrs. Hahn believed they could complete the necessary work in 120 days and Mr. Gerard agreed to meet with them at the end of this meeting to set-up a time to meet with staff to discuss what needs to be done. After compliance is reached, negotiations can be held to compromise the per diem portion of the fine.

Motion to uphold Hearing Officer's Order of Judgment by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**PZ-2. HUTZLER - V200801670**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200801670, Hutzler (Supervisor District 2) (C-44-10-016-M-00)

Darren Gerard said this case shows violation in the construction of an attached accessory dwelling unit and a detached storage unit without an issued building permit or zoning clearance by respondents David and Renee Hutzler who built their home in 2003. A stop-work order was issued in July 2007 when a building inspector observed additional unpermitted construction. Mr. Hutzler submitted applications for permits on the two structures in 2007 and 2008, these permits have not been issued. On December 8, 2008, a notice of violation was issued with orders to obtain permits or to remove the structures. A hearing was held August 6, 2009, which respondent attended, The order was a fine for \$300 plus \$30 per diem until compliance is reached. Fines total \$1,530 as of today. Permits must be issued and a final drainage inspection held for compliance.

Mr. Hutzler said he had tried to comply with demands from Flood Control, adding that after he completed his accessory storage building, the District had required a 100 year flood drainage report to be done. He said he completed and submitted plans on his home and believed they were approved except for drainage. He consulted engineers on obtaining a 100 year study and the cost was \$10,000. He said he was granted extra time to get the plans completed and they are complete today and are ready to turn in. Meanwhile, he received an email from Darren Gerard informing him he owed \$1,000 on his fine. He said he has been out of work for the past year and does not have money to pay for this. He asked for additional time in which to get the now-completed plans submitted and approved by Flood Control. He has been able to obtain funds through family to complete his home and he believed the additional time would allow him to do this. He hoped an additional 30 days would be enough time.

Supervisor Stapley asked Mr. Gerard if he could administratively waive the fines if the Board upheld the order of judgment and if Mr. Hutzler completed everything within the next 60 days.

Joy Rich, Assistant County Manager, said that some of the fine does need to be recovered to cover departmental costs and the Board's direction would be taken into consideration when negotiating a settlement.

Motion to uphold Hearing Officer's Order of Judgment with a 60 day extension, then if in compliance a payment schedule will be negotiated to cover costs; if compliance is not reached the original fine will be reverted to, including any new accruals; by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**PZ-3. WHITE - V200602308**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200602308, White (Supervisor District 3). (C-44-10-017-M-00)

Darren Gerard said this case involves grading a roadway without an issued permit or drainage clearance. The respondents are Gary and Dorothy Marie White who bought the property in 2005. A roadway was graded in 2006 to access five lots, including subject property, without obtaining a permit, but a permit was subsequently issued. To date the respondent has not called for a final inspection and roadway is not in compliance. Mr. Gerard noted that the issued permit was for a paved roadway. A hearing was held June 2, 2009, at which the respondent was not represented. Fines of \$300 plus \$30 per diem was ordered, which now total \$3,480 and will continue to accrue until compliance is verified. This requires passage of a final drainage inspection.

Gary White said he purchased this property from Brian Frey several years ago and has never done any physical changes to the property. They reside elsewhere. He explained that Brian Frye owns the neighboring property on which he is building his permitted house. Mr. White said that Big 10 Development was unable to carry through on the development of the five properties and Brian Frye had been forced to take it over installing certain things, for which he obtained permits. Mr. White said he signed a permit for Brian Frye to put in certain services that Big 10 Development had not started. He said his property supposedly included a road, a gate, a well and they were not received. He believed Big 10 is in bankruptcy. Mr. Frye is attempting to furnish these services. Mr. White said that they cannot move forward with the road without cancelling the old permits for a paved road in order to apply for a new permit for a dirt road. The other property owners have to sign off on this change and several of the other properties are in foreclosure, putting this approval in the hands of a bank.

Supervisor Kunasek asked Darren Gerard about the permit issued for a paved roadway, inquiring if a permit for a dirt roadway would be possible. Mr. Gerard said a permit could be issued for an unpaved roadway. Mr. Gerard said the issue is that the work has been done and without having a valid permit. They could attempt to get a modified permit without paving.

Brian Frey testified that Brian Wampler, Big Ten Development, promised to put in a gate, pave the road, install sewer, dig a well, and he said he obtained a permit for a paved roadway assuming Brian Wampler would pay the \$50,000 cost. After Big Ten's bankruptcy, Bill Noe, Planning Department, had suggested changing it for a graded roadway permit. He said that on April 27, 2009, he renewed the permit for his and Mr. White's parcels. On June 9, 2009, Mr. White received a letter stating he was non-compliant because of having no permit.

Mr. Frey went to the Planning Department and was told to write a letter to Tom Ewers, Planning Department Supervisor stating his claim. He passed out the letter his attorney had written for the Board's perusal. Mr. Frye's understanding was that the original permits involving paved roadways for the five parcels could be cancelled and two new permits for his and Mr. White's land for graded roads could be issued and this would close the case. This is what he is now trying to get completed.

Discussion on the intricacies of getting this done ensued and it was determined that given 30 additional days the permits could be issued. Mr. Gerard asked the respondent to stay after the meeting to discuss setting up a time to meet with staff.

Motion to uphold Hearing Officer's Order of Judgment with an extension of 30 days to facilitate issuance of the permit, then, upon compliance, staff can negotiate on the fines, by: Supervisor Kunasek, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned at 10:00 a.m.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **IMPROVEMENT DISTRICT AGENDA**

The Board of Directors of the Improvement District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, September 16, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Paul Golab, Outside Counsel to the Board.

### **I-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board meetings held May 18, 2009. (C-06-10-083-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

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

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **FLOOD CONTROL DISTRICT AGENDA**

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, September 16, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board

### **F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-10-092-7-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-2. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Flood Control District meetings held March 18, 2009; April 15, 2009; and May 18, 2009. (C-06-10-080-7-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-3. IGA FOR WATER RESOURCES INVESTIGATIONS WITH THE U.S. GEOLOGICAL SURVEY**

Approve Intergovernmental Agreement (IGA) FCD 2009A015, between the United States Geological Survey [Agreement #10W4AZ00300 (USGS)] and the Flood Control District of Maricopa County (District), for the period of October 1, 2009 to September 30, 2010, to continue collecting data on local watersheds. The total cost of the IGA is \$277,940. The District costs under this Agreement will be \$138,970, with the USGS contributing the remaining \$138,970. Payments from the District are to be made quarterly.

This Agreement will develop and evaluate long term flood histories on watercourses in Maricopa County, and provide information critical to the determination of the risk of flooding in these watercourses. The information generated by the USGS's ongoing work is vital to the safety of Maricopa County residents, and to the continuing hydrologic studies performed by the District.

This agenda item impacts Supervisory Districts 1, 2, 3, 4, and 5. (C-69-10-014-3-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-4. AMENDMENT TO IGA FOR SPOOK HILL FLOOD RETARDING STRUCTURE REHABILITATION**

Approve Amendment No. 2 Intergovernmental Agreement (IGA) FCD 2004A009B between the Arizona Department of Transportation (ADOT) and the Flood Control District of Maricopa County (District) for construction of the Loop 202L Freeway and modifications to the Spook Hill Flood Retarding Structure (Project [FRS]) Rehabilitation due to the construction of the Loop 202L Freeway. This Amendment is to define the right-of-way permitting responsibilities, and the District's final Project construction costs of \$4,707,145.44.

ADOT constructed the Loop 202L Freeway adjacent to and within the flood pool of the Spook Hill FRS Rehabilitation. The freeway passes over the FRS at its north and south ends. As part of the freeway construction contract, IGA FCD 2004A009 allowed for major modifications to the FRS. The cost will be offset by reduction in the cost to ADOT of District land rights. All approvals will be mutually agreed upon with the District reserving the right to submit conditions and restrictions if a permit request involves structural changes. This Agenda Item is located in Supervisor District 2. (C-69-05-139-2-04)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-5. RESOLUTION FOR FLOODPRONE PROPERTIES ASSISTANCE PROGRAM**

Adopt Resolution FCD 2009R012, Floodprone Properties Assistance Program (FPAP) FY 2009-10 authorizing the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to acquire Floodprone properties as listed on Exhibit "A" in accordance with the FPAP policy. Acquisitions will be based on voluntary acceptance of offers by the applicants, which will be made according to ratings following the prioritization procedure previously approved by the Flood Control Advisory Board (FCAB) and the Board of Directors of the District (Board), and within the Board-approved FPAP budget.

Approve the following associated adjustments to the District (690) FY 2010-2014 Five-Year Capital Improvement Program (CIP), which result in a net change of \$0: (1) Decrease Flood Control Capital Projects Fund (990) Year 1 (FY 2009-10) project expenditure budget for the Floodprone Properties Assistance Program Project (F700) by \$500,000; (2) Increase the Flood Control Capital Projects Fund (990) Year 1 (FY 2009-10) project expenditure budget for the Saddleback FRS Project (F331) by \$500,000.

This FPAP is voluntary and builds on previous program efforts to provide another mechanism through which the District can achieve its mission of protecting the public from hazards due to flooding. This program is an alternative to acquisition of residential structures located in Floodprone areas where standard CIP project are determined to be unfeasible in providing the necessary flood protection from flood hazards.

FY 2009-10 FPAP cost savings over the District's FY 2009/10 adopted FPAP budget are being applied to Project F331 to accelerate the Saddleback FRS Modifications Project. This agenda item is located in Supervisor Districts 1, 2, 3, 4, and 5. (C-69-10-017-6-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-6. CONTRACT FOR SONOQUI WASH CHANNELIZATION, PHASE III RIGGS ROAD TO EMPIRE BLVD.**

Award Contract FCD 2009C011, Sonoqui Wash Channelization, Phase III Riggs Road to Empire Boulevard, to JE Fuller/Hydrology and Geomorphology, Inc., for professional engineering services. This contract is a lump sum of \$822,960.45, plus a not-to-exceed amount of \$429,574.75 for optional items. These optional items include additional field geotechnical investigations, construction documents for additional system components, plant salvage plans, and post-design services. The total contract amount including optional items will not exceed \$1,252,535.20. The contract performance is 371 calendar days effective the date of the Notice to Proceed.

This is a qualification-based selection in accordance with Maricopa County Procurement Code, Article 5, Paragraph 504.

The Flood Control District of Maricopa County (District) completed the Queen Creek/Sonoqui Wash Hydraulic Master Plan in 2000. The Main Branch of Sonoqui Wash was identified south of Riggs Road upstream to Empire Boulevard as a segment to be channelized to reduce the floodplain delineated in the Master Plan. This branch will be channelized in Phase III. This Agenda item is located in Supervisory District 1. (C-69-10-016-5-00)

Supervisor Brock thanked Tim Phillips for all the work on the Sonoqui Wash Project.

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-7 SETTING OF HEARING - 2009 COMPREHENSIVE FLOODPLAIN MANAGEMENT PLAN AND PROGRAM**

Pursuant to A.R.S. §48-3616 B, set a public hearing for October 7, 2009 to solicit comments and consider the adoption of Resolution 2009R011, 2009 Comprehensive Floodplain Management Plan and Program. Upon Board approval, this item will become effective October 7, 2009.

Arizona Revised Statute Section 48-3616 states that a report "...shall be prepared at least every five years beginning in 1985 and shall indicate the past efforts of the district in eliminating or minimizing flood control problems and state the planned future work of the district to eliminate or minimize flood control problems." This report requirement is in addition to the Capital Improvement Program that must be prepared annually.

As the administrator of the National Flood Insurance Program's (NFIP) Community Rating System (CRS) for unincorporated Maricopa County, the District is also tasked with completing a floodplain management plan. The floodplain management plan must review and recommend a program of activities to address the county's vulnerability to flooding and educate residents about loss reduction measures and the beneficial functions of floodplains. The NFIP awards credits for the Plan, which result in lower flood insurance rates within the unincorporated county. Maricopa County is currently rated CRS Class 5, which results in up to a 25% reduction in flood insurance rates within the unincorporated county. (C-69-10-015-6-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **FLOOD CONTROL DISTRICT ADDENDUM**

### **FA-1. FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT FUNDING FOR FLOODPLAIN MAP MAINTENANCE**

Approve and accept Federal Emergency Management Agency (FEMA) grant funding under FEMA's Map Maintenance program to update the County's Flood Insurance Rate Maps (FIRMS) and Flood Insurance Study (FIS) utilizing local contractors.

Approve a revenue and expenditure increase to the FY 2009-10 Flood Control District (690) Flood Control Grant Fund (989) Non-recurring/non-project (0001) budget in the amount of \$600,000.00. The District's indirect cost rate for FY 2010 is 4.3%. The grant does not allow for recovery of indirect costs. Therefore, unrecoverable indirect costs total \$51,600.

The Map Maintenance program performance period is September 24, 2009 to September 24, 2011. A Mapping Activity Statement (MAS) is currently being finalized between FEMA and the District. The MAS will provide a list of tasks for reimbursement from FEMA for a total estimated amount of \$1,200,000.00.

Approving the FEMA grant funding for floodplain map maintenance will provide the citizens of Maricopa County and other entities with flood hazard identification necessary to regulate floodplains. This item impacts Supervisory Districts 1, 2, 3, 4, and 5. (C-69-10-018-G-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **FA-2. FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT FUNDING FOR PALO VERDE WATERSHED DETAILED FLOODPLAIN DELINEATION STUDY**

Approve and accept Federal Emergency Management Agency (FEMA) grant funding in support of the Flood Control District of Maricopa County (District) Palo Verde Watershed Detailed Floodplain Delineation Study, contract FCD 2008C046 approved on August 19, 2009 (C-69-10-011-5-00).

Approve a revenue and expenditure increase to the FY 2009-10 Flood Control District (690) Flood Control Grant Fund (989) Non-recurring/non-project (0001) budget, in the amount of \$200,000.00. The District's indirect cost rate for FY 2010 is 4.3%. The grant does not allow for recovery of indirect costs. Therefore, unrecoverable indirect costs total \$12,900.

The grant performance period is September 24, 2009 to September 24, 2011. The grant will partially reimburse the District's expenditures under contract FCD 2008C046. The balance of the \$2,032,001.95 contract award value will remain the District's unilateral funding obligation.

The current Zone A floodplains in the Palo Verde watershed were delineated using approximate hydrology methods and 10-foot topography. With new power generating facilities under development in the area and residential subdivisions planned, this detailed floodplain delineation study is necessary to more successfully manage current and future floodplain uses for this part of the County. FY 2010-11 funding will be handled during the Flood Control District's budget development process. This item is located in Supervisory

Districts 4 and 5. (C-69-10-019-G-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

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

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **LIBRARY DISTRICT AGENDA**

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, September 16, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board

### **L-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Library District meetings held March 18, 2009; April 15, 2009; and May 18, 2009. (C-06-10-081-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **LIBRARY DISTRICT ADDENDUM**

### **LA-1. SOLE SOURCE CONTRACT WITH FKI LOGISTEX**

Approve a Sole Source Contract with FKI for the purchase of library system hardware, software and ongoing maintenance. The term of this contract is for five years beginning the 1st day of October, 2009 and ending the 30th day of September 2014. Sole Source is estimated at \$180,000 over the five-year term.

FKI equipment is in two branches branch of the Library District. This sole source procurement was publicly advertised from July 16, 2009 through July 23, 2009, and was conducted in accordance with the Maricopa County Procurement Code and the County's Sole Source Procedure. In addition, this procurement was reviewed and approved by OMB and OET in June of 2009. This item is subject to final legal review and approval of the contract. (C-65-10-006-3-00)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **LA-2. SOLE SOURCE CONTRACT WITH 3M**

Approve a Sole Source Contract with 3M for the purchase of library system hardware, software and ongoing maintenance. The term of this contract is for three years beginning the 1st day of October, 2009 and ending the 30th day of September 2012. Sole Source is estimated at \$1,030,000 over the three-year term.

3M equipment is in every branch of the Library District. This sole source procurement was publicly advertised from July 16, 2009 through July 23, 2009, and was conducted in accordance with the Maricopa County Procurement Code and the County's Sole Source Procedure. In addition, this procurement was reviewed and approved by OMB and OET in June of 2009. This item is subject to final legal review and approval of the contract. (C-65-10-005-3-00)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

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

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **STADIUM DISTRICT AGENDA**

The Board of Directors of the Library District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, September 16, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

### **S-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Stadium District meetings held March 18, 2009 and May 18, 2009. (C-06-10-082-7-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

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

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Official Record Keeper