



"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 AGENDA

## 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)

**Wednesday, April 01, 2009  
9:00 AM**

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*See the Clerk and fill out a speaker's form if you would like to address the Board regarding any matter on the agenda.*

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1. **INVOCATION**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

**BOARD OF SUPERVISORS**

4. **Pet Showcase by Maricopa County Animal Care and Control.**
5. **FAIR HOUSING PROCLAMATION**

Approve and proclaim the month of April 2009 Fair Housing Month in Maricopa County, Arizona. All citizens of Maricopa County are encouraged to work for tolerance and equal opportunity in our own communities. (C-17-09-050-M-00)

**PRESENTATIONS**

**County Manager**

6. **EMPLOYEE AWARDS FOR REWARDING IDEAS PROGRAM**

Present the following employees awards from the Rewarding Ideas Program: (C-20-09-043-M-01)

<b>EMPLOYEE</b>	<b>DEPARTMENT</b>	<b>SUGGESTION</b>	<b>SAVINGS</b>	<b>AWARD</b>
Sue Liebler	Elections	Elimination of printing one set of precinct registers and rosters used at each polling place for each election.	\$41,400 (tangible)	\$2,500
Dorothy Shilow and Melanie Glass	Elections	Elimination of printing, folding and mailing of polling place agreements – instead send agreements via email.	\$756 (tangible)  \$1,689.63 (intangible)	\$125.00/each

Amy Willis	Human Services	Improvement to department's standard operating procedure that eliminates 16 hours each payroll period.	\$5,304 (intangible)	\$100
Ryan McDevitt	Recorder's Office	Automation of the processing of map information sheets.	\$480 (tangible)	\$96
Dan McNeil and Dustin Wood	Facilities Management	Replacement of lock sidebars at the Lower Buckeye Jail.	\$13,427 (tangible)	\$1,250/each

## STATUTORY HEARINGS

### Clerk of the Board

#### 7. 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. PERSON TO PERSON TRANSFER FOR PENNIE LEE'S**

Pursuant to A.R.S. §4-203, approve a Person to Person Transfer of a Series 6 Liquor License from Rick Francis Robarge to Pennie Lee for Pennie Lee's at 12417 W. Glendale Avenue, Glendale, AZ 85307. (AZ #06070382) (Supervisorial District 4) (C-06-09-320-L-00)

**b. SPECIAL EVENT FOR CROWN OF LIFE LUTHERAN CHURCH**

Pursuant to A.R.S. §4-203.02, approve a Special Event Liquor License Application filed by Richard J. Anderson for the (Crown of Life Lutheran Church at 19803 R.H. Johnson Boulevard to be held on April 4, 2009 from 10:00 a.m. to 1:00 p.m. (Supervisorial District 4) (C-06-09-350-L-00)

**c. SPECIAL EVENT FOR FRANCISCAN RENEWAL CENTER INC.**

Pursuant to A.R.S. §4-203.02, approve a Special Event Liquor License Application filed by Charles Brown for the Franciscan Renewal Center at 5802 E. Lincoln Drive, Paradise alley, AZ 85253 to be held on May 8, 2009 from 5:00 p.m. to 11:00 p.m. (Supervisorial District 2) (C-06-09-351-L-00)

**d. SPECIAL EVENT FOR ST. STEVEN'S CATHOLIC CHURCH**

Pursuant to A.R.S. §4-203.02, approve a Special Event Liquor License Application filed by Fr. Pierre Hissey for the St. Steven's Catholic Church at 24827 S. Dobson Road, Sun Lakes, AZ 85248 to be held on April 13, 2009 from 5:00 p.m. to 10:30 p.m. (Supervisorial District 1) (C-06-09-352-L-00)

**e. SPECIAL EVENT FOR FROHSINN MC INC OF THE SUN CITIES**

Pursuant to A.R.S. §4-203.02, approve a Special Event Liquor License Application filed by Anna M. Schmidt for the Frohsinn MC Inc of the Sun Cities at 19803 R.H. Johnson Boulevard, Sun City West, AZ 85375 to be held on April 5, 2009 from 2:00pm to 10:00pm. (Supervisory District 4) (C-06-09-353-L-00)

**AGENCY ITEMS AND STATUTORY MATTERS**

**COUNTY OFFICERS**

**Sheriff**

**8. DONATIONS TO THE SHERIFF'S OFFICE**

Accept the following donations to the Sheriff's Office that were over \$250 and posted during the month of February 2009: \$287.00 from Eddie Seese; \$300 from Lee T. Walker for MASH; and \$400 from Tina McVaughn for a MASH Unit adoption. (C-50-09-062-D-00)

**9. AGREEMENT WITH JOHN C. LINCOLN HEALTH NETWORK FOR PARAMEDIC AND EMT TRAINING**

Approve the affiliation agreement between John C. Lincoln Health Network and Maricopa County on behalf of the Sheriff's Office to share Lincoln's facilities for paramedic and Emergency Medical Technician (EMT) training. This agreement is from January 1, 2009 through December 31, 2010 and may be terminated by either party with thirty days written notice.

The Board has approved similar agreements with John C. Lincoln on behalf of the Sheriff's Office in the past. (C-50-09-061-M-00)

**10. EXCEPTION TO THE POLICY FOR ADMINISTERING GRANTS (A2505) TO THE SHERIFF'S OFFICE**

Approve an exception to the Policy for Administering Grants (A2505) Section D. 1 to the Sheriff's Office for FY 2010 that would allow the Sheriff's Office to apply for unnamed law enforcement or detention related grants and/or agreements that may or may not allow indirect cost recovery. Approval of this item authorizes application only and the Sheriff's Office will return to the Board for approval to accept any specific awards granted. Each subsequent request to accept an award will be presented as a new agenda item with a unique number.

The Sheriff's Office indirect cost rate for FY 2009 is 12.2%. The Board has approved similar annual requests for the Sheriff's Office over the past several years. (C-50-09-059-G-00)

**11. IGA WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR LOCATION AND MANAGEMENT OF THE PRE-BOOKING SERVER**

Approve the intergovernmental agreement (IGA) between Arizona Department of Public Safety and Maricopa County on behalf of the Sheriff's Office for the location and management of the arrest capture data collection (ACDC)/pre-booking communications server.

This agreement allows the Sheriff's Office pre-booking server to be physically housed at the DPS data center while the Sheriff's Office would continue its responsibility for maintenance, estimated at approximately \$1,000 per year. The server supports an application that is utilized by arresting agencies to book suspects into Maricopa County Jails. This agreement takes effect upon signing by both parties and filing with the Secretary of State and continues indefinitely. (C-50-09-060-M-00)

**12. SOLE SOURCE PURCHASE OF GRANT FUNDED COPLINK MODULES AND RELATED HARDWARE**

Approve the Sole Source purchase and installation of additional software modules and support services for the existing COPLINK system from Knowledge Computing Corporation. This Sole Source Contract Serial 09027-SS is in the amount of \$312,837.50. The Contract also provides for the purchase of additional software modules and support services in the future with additional pricing. The contract is for a term of four years and seven months, beginning on the 1st day of April, 2009 and ending the 31st day of October, 2013. Also, approve an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to purchase the necessary hardware and software for the installation of COPLINK.

Sole Source contract is in the amount \$312,837.50. Once installed and operational, this system will require on-going maintenance/support estimated to be \$59,387.50 annually. Ongoing support will be funded from RICO (214). The COPLINK system was initially approved by the Board on January 4, 2006 under C-50-06-0516-3-00. (C-50-08-538-3-01)

**13. UNDERCOVER LICENSE PLATE AND EXEMPTION FROM MARKINGS**

Pursuant to A.R.S. §38-538-03 and §28-2511 (A), approve the issuance of non-governmental license plates and exemption from county markings for one vehicle being used for law enforcement relative to Human Smuggling. The vehicle number is 11915, a 2009 Ford Crown Victoria which is designated to eventually replace Sheriff's vehicle 11538. Exemption from markings is requested for the success of the operation and safety of Sheriff's Office deputies. (C-50-09-063-M-00)

**14. SALE AND TRANSFER OF EQUIPMENT TO TACTICAL SUPPORT POSSE**

Pursuant to A.R.S. 11-251 (9), approve the sale for \$3,628 of County vehicle #31434, a 2004 Ford Expedition that is designated to go to auction to the Tactical Support Posse. The amount is the average auction value of two like vehicles sold at auction in the last 8 months. **UNANIMOUS CONSENT OF THE BOARD IS REQUIRED.** This item was continued from the March 18, 2009 meeting. (C-50-09-057-M-00)

## **COUNTY MANAGER**

### **Crime Prevention - Meth Program**

**15. TERMINATION OF IGA WITH AZ BOARD OF REGENTS FOR COMMUNITY CRIME ANALYSIS CENTER**

Approve termination of Intergovernmental Agreement (IGA) C-42-08-022-0-00 with the Arizona Board of Regents for and on behalf of Arizona State University and its Center for Violence Prevention and Community Safety for the Community Crime Analysis Center (CCAC). The effective date of termination is April 17, 2009. The IGA is being terminated based on Maricopa County's current economic situation and the need to prioritize the use of funds.

Also, approve an adjustment to the FY 2008-09 budget, transferring \$387,616 from the Non-Departmental (470) General Fund (100) Other Programs (4712) Non-Recurring Non-Project (0001) "Community Crime Analysis Center" line to the Non-Departmental (470) General Fund (100) Other Programs (4712) Non-Recurring Non-Project (0001) "Crime Prevention Grants" line, reversing the adjustment made in C-42-08-022-0-00. (C-42-08-022-0-01)

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

**16. EXECUTIVE COMPENSATION PACKAGE**

Approve an Executive Compensation Package (ECP) for Wade Swanson, an unclassified Director - Litigation in the General Litigation Department, authorizing a deposit of 80 hours of PTO and 80 hours of FML to his leave balance(s) and awarding a Schedule #4 Leave Accrual Rate effective March 30, 2009.

If approved, this ECP agreement will authorize a deposit of 80 hours of PTO and 80 hours of FML to Wade Swanson leave balance(s) and award him a Schedule #4 Leave Accrual Rate effective March 30, 2009. (C-20-09-046-M-00)

## **DEPUTY COUNTY MANAGER**

### **Public Health**

**17. RESCIND ACTION AND CANCEL MOU WITH VALLEY OF THE SUN YOUNG MEN'S CHRISTIAN ASSOCIATION**

Rescind the action on June 18, 2008 (C-86-08-083-0-010) and thereby cancel the non-financial Memorandum of Understanding (MOU) between Valley of the Sun Young Men's Christian Association (VOSYMCA), and Maricopa County by and through the Department of Public Health (MCDPH), HIV/HCV Infection Control and Surveillance. Due to a change in VOSYMCA administration this MOU was never executed by VOSYMCA and could not be carried out. This MOU period was from June 2, 2008 to June 1, 2009. (C-86-08-083-0-01)

**18. RESCIND BOARD ACTION TO APPROVE AND ACCEPT GRANT FUNDS FROM THE ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY**

Rescind board action C-86-06-001-3-01 taken on March 15, 2006, to approve and accept grant funds from the Arizona Governor's Office of Highway Safety (GOHS) Federal 402 grant (Contract No. 2006-OP-023) to Maricopa County through its Department of Public

Health's Office of Health Promotion and Education and send notice of termination. Contract was never executed by GOHS. Termination is due to the GOHS' cancellation of award. (C-86-06-001-3-02)

**19. IGA WITH GLENDALE UNION HIGH SCHOOL DISTRICT FOR HIGH SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve an Intergovernmental Agreement (IGA) between Glendale Union High School District and Maricopa County by and through its Department of Public Health to provide high school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$4,000 for budget period beginning January 14, 2009 through May 1, 2009.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-09-059-3-00)

**20. IGA WITH MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT FOR TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve an Intergovernmental Agreement (IGA) between Maricopa County Community College District and Maricopa County by and through its Department of Public Health to provide tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$35,620 for budget period beginning December 16, 2008 through May 1, 2009.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-09-060-3-00)

**21. AMENDMENT TO IGA WITH DEER VALLEY UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve Amendment No. 4 to Intergovernmental Agreement (IGA) between Deer Valley Unified School District and Maricopa County through its Department of Public Health to increase the contract by \$3,000 to provide school-based tobacco use prevention and education services for contract period ending May 1, 2009. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$128,500 for the contract term July 1, 2006 through May 1, 2009.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-07-418-2-04)

**22. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR THE TUBERCULOSIS CONTROL PROGRAM**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) Contract No. (HG854521) between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health for the Tuberculosis Control Program. This amendment will replace the price sheet for the Amendment No. 1 and decreases funding in the amount of \$115,068 for a new not-to-exceed amount of \$460,014 for the budget term July 1, 2008 through June 30, 2009. This amendment also makes administrative changes to the Uniform Terms and Conditions. All other terms and conditions of the original IGA remain unchanged and in full force and effect. The Department of Public Health's indirect rate for FY 2008-09 is 18%. Grant indirect expenses in the amount of \$70,172 are fully recoverable.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by a grant from ADHS and does not affect the County's general fund. (C-86-09-008-G-02)

**23. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR STD SERVICES**

Approve Amendment No. 2 to the Intergovernmental Agreement (IGA) No. HG854321 between Arizona Department of Health Services (ADHS) and Maricopa County by and through its Department of Public Health to provide grant funding for STD Services. This amendment budget amount is not-to-exceed \$370,748 for the budget term January 1, 2009 through December 31, 2009. This amendment also makes administrative changes to the Uniform Terms and Conditions. All other terms and conditions of the original IGA remain unchanged and in full force and effect. The Department of Public Health's indirect rate for FY 2008-09 is 18%. Grant indirect expenses are fully recoverable and are estimated at \$56,555.

Funds for this IGA are provided by a grant from ADHS and does not affect the County's general fund. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. This amendment replaces the original price sheet for prior year, January 1, 2008 through December 31, 2008 and the budget term is decreased by \$1,865. (C-86-08-064-2-03)

**24. AMENDMENT TO GRANT CONTRACT FOR THE WELL WOMAN HEALTHCHECK PROGRAM CYCLE TO CARE TREATMENT PROJECT**

Approve Amendment No.1 to Grant Contract award from the Phoenix Affiliate of the Susan G. Komen Breast Cancer Foundation, Inc. d.b.a. the Phoenix Affiliate of Susan G. Komen for the Cure to Maricopa County through its Department of Public Health to provide the Well Woman Healthcheck Program Cycle to Care Treatment Project. This amendment increases the contract amount by \$25,000 for a total funding amount of \$150,000 for budget term April 1, 2009 through March 31, 2010.

The Department of Public Health's indirect rate is 18% for FY 2008-09. Total indirect costs are estimated at \$27,000 all of which is unrecoverable. The total sum of the grant consists of sub-recipient pass-through funds not subject to indirect costs.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funding for this grant is provided by the Susan G. Komen Breast Cancer Foundation, Inc. d.b.a. the Phoenix Affiliate of the Susan G. Komen for the Cure and will not affect the County general fund. (C-86-09-052-3-01)

**25. PARTICIPATING HEALTH PROVIDER AGREEMENT WITH MERCY CARE PLAN**

Approve the Participating Health Provider Agreement with Mercy Care Plan and Maricopa County through its Department of Public Health (MCDPH). The term of this agreement shall begin upon execution by both parties for a period of one year with automatic one-year renewals with a 90 day termination clause. This contract will generate revenue for MCDPH is a projected amount of \$200,000 for a one year period and may change based on the number of clients actually served. There is no cap to the revenue generated through this agreement. (C-86-09-058-3-00)

**26. AGREEMENT FOR THE USE OF FACILITIES WITH SUN CITY GRAND**

1. Rescind the action taken on July 25, 2007, (C-86-08-012-0-00) to approve the Agreement for the Use of Facilities between Sun City Grand and Maricopa County through its Department of Public Health's Emergency Management Program (PHEM). This agreement was never executed by the Contractor and an updated version of the Agreement is submitted for approval.

2. Approve the (revised) Agreement for the Use of Facilities between Sun City Grand and Maricopa County through its Department of Public Health's Office of Preparedness and Response (OPR) to collaborate with Sun City Grand for the use of their facilities in the event of a public health emergency. The term of this non-financial agreement shall begin upon execution by both parties and shall be in effect until terminated by either party. (C-86-08-012-0-01)

**ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

**Animal Care & Control Services**

**27. AGREEMENT WITH COOPER'S CHANCE ANIMAL RESCUE, INC. FOR NEW HOPE PROGRAM**

Approve an Agreement between Shannon Steemke, d.b.a. Cooper's Chance Animal Rescue, Inc., 3510 E. Lynx Pl, Chandler, AZ 85249, and Maricopa County to allow Cooper's Chance Animal Rescue, Inc. 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 22 new hope rescues over the term of the agreement, for a total of \$880. The term of this Agreement is from April 1, 2009 through June 30, 2010. (C-79-09-080-3-00)

**28. AGREEMENT WITH MAYDAY PIT BULL RESCUE & ADVOCACY FOR NEW HOPE PROGRAM**

Approve an Agreement between Jennifer Mazzocchi, d.b.a. Mayday Pit Bull Rescue & Advocacy, 1208 E. Marco Polo Road, Phoenix, AZ 85024, and Maricopa County to allow Mayday Pit Bull Rescue & Advocacy 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 30 new hope rescues over the term of the agreement, for a total of \$1,200. The term of this Agreement is from July 1, 2009 through June 30, 2012. (C-79-09-081-3-00)

**29. AGREEMENT WITH LOST OUR HOME PET FOUNDATION FOR NEW HOPE PROGRAM**

Approve an Agreement between Lost Our Home Pet Foundation, a 501 (C) 3 non-profit corporation, 16211 N. Scottsdale Road, A6A #1276, Scottsdale, AZ 85254, and Maricopa County to allow Lost Our Home Pet Foundation 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 22 new

hope rescues over the term of the agreement, for a total of \$880. The term of this Agreement is from April 1, 2009 through June 30, 2010. (C-79-09-082-3-00)

## **Human Services**

### **30. AMENDMENT TO AGREEMENT WITH FSL HOME IMPROVEMENT FOR WEATHERIZATION AND UTILITY REPAIR AND REPLACEMENT SERVICES**

Approve Amendment No. 5 to the Agreement between FSL Home Improvements, an Affiliate Corporation of the Foundation for Senior Living and Maricopa County administered by its Human Services Department (C-22-08-089-1), in the increased amount of \$783,980 for the contract period July 1, 2008 through June 30, 2009.

This is an expenditure contract to a sub-recipient with an additional total grant award amount of \$783,980 and is not subject to indirect charges. The additional expenditures from this contract are reimbursed under revenues from Arizona Public Service (C-22-08-059-3-01) and Arizona Department of Commerce, Energy Office (C-22-09-022-3-02) and will not impact the County general fund budget.

Also, approve the following changes:

\* Incorporate "Contract Operating Budget – MCHSD July 1, 2008 to June 30, 2009 Amendment #5".

\* Total funding for FY 2009 is \$1,918,451.

\* Correction to the "Contract Operating Budget – MCHSD July 1, 2008 to June 30, 2009 Amendment #4 - SWG BUDGET – 1. Administration Costs" increase of \$30; the amount was transposed and was listed as \$10,633, should have been \$10,663.

The total contract amount of \$1,134,471 will increase to \$1,918,451. All other terms and conditions of the original contract remain in full force and effect. This contract does not contain any County general funds. (C-22-08-089-1-05)

### **31. AMENDMENT TO IGA WITH THE TOWN OF YOUNGTOWN FOR SPECIAL TRANSPORTATION SERVICES**

Approve Amendment No. 2 to Intergovernmental Agreement between Town of Youngtown and Maricopa County to decrease the funding for FY 2008-2009 by \$5,602.73 for a new aggregate not-to-exceed amount of \$20,892.27. This amendment is effective from date of Board approval through June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

The transportation service will be provided to the Town's elderly, disabled and low-income participants for travel throughout Maricopa County. Indirect costs are recoverable within this contract at a rate of 15.2%, which is the approved indirect cost rate for FY 2008-2009. The indirect costs will be decreased by \$739 as a result of the reduction in funding. Total indirect to be collected will be \$6,714. (C-22-09-078-3-02)

### **32. IGA WITH THE STATE OF ARIZONA FOR SPECIAL TRANSPORTATION SERVICES (NEW FREEDOM)**

Approve an Intergovernmental Agreement between the State of Arizona Department of Transportation (New Freedom T-08-164-00AZ-57-X002) and Maricopa County by and through the Human Services Department (HSD), for the provision of special transportation

services (STS) to the elderly and disabled individuals. This Agreement is effective from December 29, 2008 until December 28, 2009. The purpose of this Agreement is for the provision of grant reimbursement for purchases of items/services as described in Section II. Scope for the amount not-to-exceed \$130,865. HSDs FY 2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$17,267. (C-22-09-132-3-00)

## **CHIEF FINANCIAL OFFICER**

### **Finance**

#### **33. 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.

#### **34. TRANSFER OF EXPENDITURE AUTHORITY FOR CHANDLER INTERIM EMERGENCY SERVICES**

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$16,632 from FY 2008-09 Non-Departmental (470) General Fund (100) Contingency (4711) Non-Recurring (0001) to a new line item in Non-Departmental (470) General Fund (100) Other Programs (4712) Non-recurring (0001) entitled "Chandler Interim Emergency Services." This action authorizes the transfer of contingency funds to pay the City of Chandler in accordance with the intergovernmental agreement between Maricopa County and the City of Chandler for the Provision of Interim Emergency Services within County Islands approved by the Board of Supervisors on August 22, 2007 (C-20-08-023-2-00) in the amount of \$25,912. (C-18-09-046-2-00)

#### **35. SALE OF REAL PROPERTY OF THE AVONDALE FAMILY HEALTH CLINIC TO THE CITY OF AVONDALE**

Deem as advantageous for Maricopa County to sell, and authorize and approve the sale of, approximately 450 square feet of real property (30' X 30' triangle), at the Avondale Family Health Clinic located at the northwest corner of Van Buren and Eliseo Felix Jr. Way, to the City of Avondale for the purchase price of \$8,650.00, and authorize the Chairman to execute all necessary documents approved by County Counsel for the sale of the property. The Facilities Review Committee supports the sale of the property.

On August 20, 2008, the Board of Supervisors granted a Right of Entry (C-18-09-012-8-00) to the City to begin construction of the traffic signal and negotiations for the purchase of the subject property. The City of Avondale has made a written offer to purchase the 450 square feet for \$8,650.00. This agenda item will authorize the selling of the property for the installation and maintenance of a traffic signal at the intersection of Van Buren and Eliseo Felix Jr. Way and will authorize the Chairman to execute all necessary documents approved by County Counsel to sell the property. This item was continued from the February 25, 2009 meeting. **THIS ITEM REQUIRES A UNANIMOUS APPROVAL OF THE BOARD OF SUPERVISORS.** This item was continued from the March 18, 2009 meeting. (C-18-09-043-8-00)

**36. FACILITIES USE AGREEMENT WITH THE ARIZONA BOARD OF REGENTS, AN AGENCY OF THE STATE OF ARIZONA, FOR AND ON BEHALF OF THE UNIVERSITY OF ARIZONA**

Pursuant to A.R.S. §11-251(9), approve a Facilities Use Agreement (G-30119) between Maricopa County and the Arizona Board of Regents, an agency of the State of Arizona, for and on behalf of the University of Arizona and its College of Medicine (the "University") for the use of Maricopa County property as a gross anatomy teaching lab at the Forensic Science Building located at 701 W. Jefferson Street in Phoenix.

This Facilities Use Agreement (G-30119) will allow the University to reconfigure and use approximately 1,000 square feet of vacant space in the Forensic Science Building to conduct gross anatomy classes. In addition, this agreement will allow the University the use of up to 60 parking spaces in the adjacent parking structure if parking spaces are available. The effective date of the Agreement is upon execution by the parties and will terminate June 30, 2012, unless extended by the University, at Maricopa County's sole discretion, through three one-year renewal options. With prior written notice, Maricopa County may reduce the number of parking spaces in the Forensic Science Garage made available to the University. The University will reimburse Maricopa County \$12,000 per year for the use of the lab space and \$35 per month per parking space for the use of parking spaces at the Forensic Science Garage. The University is responsible for all costs associated with the reconfiguration of the lab space and for all utility, operating, and maintenance costs associated with the University's use of the lab space. **THIS ITEM REQUIRES A UNANIMOUS APPROVAL OF THE BOARD OF SUPERVISORS.** This item was continued from the March 18, 2009 meeting. (C-18-09-044-1-00)

**37. POWER DISTRIBUTION EASEMENT FOR ELECTRICAL SERVICE FOR THE NEW VISITORS CENTER AT USERY MOUNTAIN REGIONAL PARK**

Approve and authorize the granting of a Power Distribution Easement, without a public auction pursuant to A.R.S. 11-251 (9), to Salt River Project Agricultural Improvement and Power District (SRP), its successors and assigns, in consideration of \$1.00, to construct, operate, and maintain overhead and underground electric lines and appurtenant facilities to provide electrical service for the new Visitors Center at Usery Mountain Regional Park, and authorize the Chairman to execute the necessary Power Distribution Easement. This item was endorsed by the Facility Review Committee on February 24, 2009. **THIS ITEM REQUIRES THE UNANIMOUS CONSENT OF THE BOARD.** This item was continued from the March 18, 2009 meeting. (C-18-09-045-8-00)

**Materials Management**

**38. 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. 05167-S, STREET SWEEPING SERVICES**

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

Renewal/Extension Date: March 31, 2012

Serial: 05167-S

Item: Street Sweeping Services (\$1,750,000 estimate/three years) Price Agreement renewal for street sweeping services for MCDOT. (C-73-09-061-7-00)

- o **Mr. Dirt of Arizona**

**b. 05194-C, BIO-DIESEL (PETRO/AGRI BLENDS) BULK FUEL PURCHASE & DELIVERY**

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

Renewal/Extension Date: April 30, 2012  
Serial: 05194-C

Item: Bio-Diesel (Petro/Agri Blends) Bulk Fuel Purchase & Delivery (\$17,000,000 estimate/three years) Price Agreement renewal for the purchase of biodiesel fuel for use in County owned vehicles. (C-73-09-060-7-00)

- o **Pro Petroleum**

**ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

**Air Quality Department**

**39. SALE AND OPERATING TRANSFER OF VEHICLES**

Approve the sale and operating transfer of two vehicles from the Air Quality Department (850) Air Quality Fees Fund (504) to the Public Works Department (910) Transportation Operations Fund (232).

Pursuant to A.R.S. 42-17106(B), approve an FY 2008-09 fund transfer of \$30,650 from the Public Works (910) Transportation Operations Fund (232) to the Air Quality Department (850) Air Quality Fees Fund (504). This action requires an increase to the FY 2008-09 Air Quality Department (850) Air Quality Fees Fund (504) Operating (0000) revenue appropriation of \$30,650, and an increase to the FY 2008-09 Public Works (910) Transportation Operations Fund (232) Operating (0000) expenditure appropriation of \$30,650, and offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Operating (0000). The net financial impact to the County is zero.

Transportation will acquire two vehicles as follows:

Equipment Number/Description/Sales Price  
31881/2008 Ford F150 4X4/\$15,325  
31885/2008 Ford F150 4X4/\$15,325 (C-85-09-016-V-00)

**Emergency Management**

**40. URBAN AREA SECURITY INITIATIVE GRANT FOR TOPOFF IV PLANNING REIMBURSEMENT**

Accept the Urban Area Security Initiative (UASI) grant from State of Arizona Department of Homeland Security to Maricopa County Department of Emergency Management (MCDEM) in the not-to-exceed amount of \$7,763.21. This grant was awarded to MCDEM for the reimbursement of a MCDEM planner who spent time on the planning phase of TOPOFF IV exercise. The grant award begins on July 1, 2007 and ends July 31, 2009. The Department of Emergency Management's indirect cost rate for FY 2008-09 is 13.8%. Indirect costs are estimated to be \$1,071 and are not recoverable. 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. There are no documents to be signed. (C-15-09-016-G-00)

**41. STATE HOMELAND SECURITY GRANT FOR MARICOPA COUNTY CITIZEN CORPS PROGRAM**

Accept funds awarded under the State Homeland Security Grant Program (SHSGP) for Maricopa County Citizen Corps program in the not-to-exceed amount of \$44,470. This grant is used to support Citizen Corps programs throughout Maricopa County. The grant award begins on October 1, 2008 and ends September 30, 2009. The Department of Emergency Management's indirect cost rate for FY 2008-09 is 13.8%. Indirect costs are estimated to be \$6,136.86 and are not recoverable. 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.

Accept Homeland Security Grant in the amount of \$44,470 for the support of the Citizens Corps programs within Maricopa County. (C-15-09-017-G-00)

**42. EMERGENCY MANAGEMENT PERFORMANCE GRANT TO SUPPORT EMERGENCY PLANNING EFFORTS**

Accept the Emergency Management Performance Grant (EMPG) for Maricopa County from Arizona Department of Emergency and Military Affairs through the Department of Emergency Management (MCDEM) in the not-to-exceed amount of \$454,388. This grant will be used to support emergency planning efforts within Maricopa County. The grant award begins on October 1, 2008 and ends September 30, 2010. The EMPG grant requires 50/50 match. The department will match the grant with funds from Fund 100 (General Fund), Fund 207 (Palo Verde Fund) and Fund 215 (IGA). The Maricopa County Department of Emergency Management's composite indirect rate is 13.8%. The grantor limits indirect cost recovery to 13.13%. Total Indirect costs are \$55,424 of which \$52,762 is recoverable and \$2,662 in unrecoverable. 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. There are no documents to be signed. (C-15-09-018-G-00)

**Environmental Services**

**43. AMENDMENT TO DELEGATION AGREEMENT #AGR2007-112 WITH ARIZONA DEPARTMENT OF HEALTH SERVICES**

Approve Amendment No. 2 to an Intergovernmental Agreement between Arizona Department of Health Services and Maricopa County through the Environmental Services Department. The purpose of this amendment is to include the Maricopa County Department of Public Health in this delegation. This amendment is non-financial and is effective from the date both parties have signed the agreement until June 30, 2017. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect. (C-88-04-006-2-02)

**Planning and Development**

**44. RESOLUTION TO DELEGATE AUTHORITY TO COLLECT AND COMPROMISE CLAIMS**

Pursuant to A.R.S. 11-251 (1) and (4) adopt a Resolution to delegate authority to collect and compromise claims of the Planning and Development Department.

The department administers a civil hearing process that often results in the issuance of orders for payment of penalties. Currently, the amount of unpaid fees and penalties has become excessive and it is in the best interest of Maricopa County to develop new processes and procedures to expedite collection of these monies.

Adoption of the this Resolution would empower the Director with certain duties, powers and authority to expedite the collection of claims under \$100,000.00, which is applicable for unpaid fees for permits, other services, and penalties for violation of the Maricopa County Zoning Ordinance. (C-44-09-108-M-00)

**ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

**Facilities Management**

**45. SOLE SOURCE MAINTENANCE AGREEMENT WITH MCQUAY SERVICE**

Approve a sole source maintenance agreement between Maricopa County and McQuay Service to provide service to McQuay Chillers.

An open solicitation was held in November, 2008 and no companies were deemed responsible. Representatives of other companies have performed this service in the past with unacceptable results. They do not have current training or technical data to work on the proprietary software that is an integral part of the Chiller. This results in needless delays and cost increases for subcontracting these services to McQuay. (C-70-09-026-3-00)

**46. REIMBURSEMENT TO APS FOR APS FACILITY MODIFICATION FOR DOWNTOWN COURT TOWER AND AUTHORIZATION FOR CREATION OF ESCROW AGREEMENT(S)**

Approve the reimbursement to Arizona Public Service (APS) for engineering design, construction and modification of APS facilities in connection with providing new service to the Downtown Court Tower project. The cost may not exceed the estimated amount of \$1,069,862 by more than 10 percent. In accordance with prior Board of Supervisor's approval, the APS extension agreements related to the project will be executed by the

Director of Facilities Management.

Also, authorize the Chairman of the Board of Supervisor's to execute all documents related to the creation and maintenance of escrow agreement(s) between the Bank of New York Mellon Trust Company, APS and Maricopa County regarding the deposit and future disbursement(s) of the funds and interest earned.

Also authorize the Department of Finance to transfer the final reimbursement to Bank of New York Mellon Trust Company as set forth in the executed escrow agreement. The Department of Finance will classify this transaction as Cash with Trustee for balance sheet purposes; as such no appropriation adjustment is necessary for FY 08-09. The reimbursement will be appropriated in the FY 09-10 budget.

As part of the project development for the new Court Tower, APS will need to bring power to the proposed facility by construction of new electrical distribution improvements from their Lincoln Street sub-station. In accordance with Arizona Corporation Commission guidelines, APS has completed an economic feasibility analysis of the project to determine the estimated cost for the delivery of service to the project. This project has been grandfathered under APS' Schedule 3, Revision 9, which provides that the County may be eligible to recover a portion of the funds related to the improvements, in an amount not-to-exceed, \$1,045,675 based on the electrical load projections supplied by the County for the completed project within the timelines specified in the final agreement. (C-70-09-027-3-00)

#### **Public Works**

#### **47. 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-06-09-374-7-00)

#### **48. ANNEXATION (RIGHT OF WAY) BY THE CITY OF GOODYEAR**

Pursuant to A.R.S. § 9-471(N), approve the annexation by the City of Goodyear of County right-of-way within: McDowell Road from Cotton Lane to Citrus Road, in accordance with Ordinance No. 09-1156. (Supervisory District No. 4) (C-91-09-133-M-00)

#### **49. ANNEXATION (RIGHT OF WAY) BY THE CITY OF PHOENIX**

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of Phoenix of County right-of-way within: 99th Avenue and Campbell Avenue, in accordance with Ordinance No. S-35703. (Supervisory District No. 5) (C-91-09-134-M-00)

#### **50. AMENDMENT TO THE OLD US-80 GILA RIVER BRIDGE, AKA GILLESPIE DAM BRIDGE**

Approve 2nd Amendment to the Grant Application for federal Transportation Enhancement Program Round XVI Funds for Phase I of the Historic Bridge Rehabilitation of the Old US 80 River Bridge, AKA Gillespie Dam Bridge (TT188) which was approved by the Board of Supervisors on August 6, 2008 (C-64-08-228-3-01) by changing the fiscal year in which we will accept the funding from FY 09 to FY 10, plus allow Maricopa County's Department of Transportation to accept the \$1 million in Bridge Funds from FHWA via ADOT, which was previously approved by ADOT for disbursement in FY 2010.

The Old US 80 Gila River Bridge, aka Gillespie Dam Bridge is the second most historic of Arizona's bridges, serves area agricultural users and residents, and is an important alternate to SR 85. The Bridge is in need of repairs to maintain its structural integrity and provide the foundation for historic restoration efforts.

In Phase One, repairs/rehabilitation will be made to allow the superstructure to function as designed and to address areas where the Gillespie Dam Bridge does not meet current AASHTO guidelines. This project was ranked #1 by the MAG Enhancement Peer Review Group on June 24, 2008.

Amend the approved Agenda Item (C-64-08-228-3-01) to move the acceptance date of funds from FY 2009 to FY 2010 and to also allow Maricopa County's Department of Transportation to accept the \$1 million in Bridge Funds from FHWA via ADOT, which was previously approved by ADOT for disbursement in FY 2010. Supervisory District No. 5. (C-64-08-228-3-03)

**51. PURCHASE OF TWO RIGHTS-OF-WAY FROM THE ARIZONA STATE LAND DEPARTMENT (ASLD)**

Approve the purchase of two Rights-of-Way from the Arizona State Land Department (ASLD) by Maricopa County by and through the Department of Transportation (MCDOT), for access to a MCDOT excess parcel in the Southwest Quarter of Section 10, T4N R1W. The Rights-of-Way consist of one 2.9 acre parcel (State Land #16-112917), valued by market appraisal at \$129,195, and one 3.24 acre parcel (State Land #16-111729), estimated at \$192,000.

Pursuant to A.R.S. 11-251, the Board declared excess the parcel of land in the SW ¼ Sec 10 T4N R1W: approximately 67.65 acres on July 25, 2007 (C-64-07-280-0-00), authorizing MCDOT to sell the parcel at public auction, or in the event of a sale to a municipality, at market value without an auction, to reduce Department liability and maintenance, and generate revenue for future projects. Supervisory District No. 4 (C-91-09-144-M-00)

**52. QUIT CLAIM DEED WITH THE CITY OF TEMPE**

Approve and execute a Quit Claim Deed from Maricopa County to the City of Tempe. This Quit Claim Deed identifies rights that were obtained by Maricopa County as part of Project No. 68859 – McClintock (Hayden) Road (Red Mountain Freeway to McKellips Road). These rights include roadway rights and utility easements and were obtained as part of a road widening project that was accomplished in partnership with the City of Tempe, as described in an Intergovernmental Agreement with the City of Tempe recorded in Maricopa County Records 1997-0083486 and approved by the Board of Supervisors on January 29, 1997 (C-64-97-199-2). These roadway and utility rights were acquired by Maricopa County within the existing city limits of the City of Tempe lying within Section 11 of Township One North, Range Four East.

Maricopa County entered into an Intergovernmental Agreement (C-64-97-199-2-00) with the City of Tempe to widen and reconstruct McClintock (Hayden) Road between the Red Mountain Freeway and McKellips Road. This Intergovernmental Agreement was approved by the Board of Supervisors on January 29, 1997 and was recorded in Maricopa County Records 1997-0083486. As part of this project it was necessary to acquire roadway right-of-way and utility easements. Per the Intergovernmental Agreement Maricopa County was the lead agency in acquiring the right-of-way. A portion of these rights acquired by Maricopa County for the project were located within the existing city limits of the City of Tempe. The City of Tempe, per said Intergovernmental Agreement, operates and maintains the roadway right-of-way that lies within their corporate jurisdiction. In order to facilitate this operation and

maintenance of said roadway it is necessary for the County to transfer rights obtained by the County within the city limits to the City of Tempe. Thirty day legal advertising notification has been met. Please return Quit Claim Deed to the Real Estate Division for delivery to City of Tempe for their acceptance. Quit Claim Deed will be recorded following Tempe acceptance.

Project No. 68859, McClintock (Hayden) Road (Red Mountain Freeway to McKellips Road).  
Supervisory District No. 1 (C-91-09-145-M-00)

**53. JOB ORDER CONTRACT WITH SD CRANE BUILDERS, INC.**

Approve Job Order Contract No. 2008-019 between Maricopa County Department of Transportation and SD Crane Builders, Inc. for Fencing Services, Fiscal Year 2009. This contract shall be effective for a period of one year from the Board of Supervisors award date. The Contractor shall be paid a fee not-to-exceed 3,000,000 per year. Market escalations in material costs may be negotiated upon written request from the Contractor or Maricopa County Department of Transportation.

This work shall include but not be limited to supplying all labor, material, equipment, and traffic control for fence installation (new and replacement) and commercial/industrial fence repairs, to include but not limited to: chain link, wood, vinyl, razor ribbon, barbed wire, ornamental iron and gates (manual and electric) on an as-needed basis for various locations throughout Maricopa County. Supervisor Districts 1, 2, 3, 4 and 5 (C-91-09-146-5-00)

## **BOARD OF SUPERVISORS**

### **Clerk of the Board**

**54. APPOINTMENT TO THE HOUSING AUTHORITY OF MARICOPA COUNTY**

Approve the appointment of Deborah Kasik as the resident commissioner for the Housing Authority of Maricopa County. The term of appointment will be effective as of the date of Board approval through June 30, 2012. (C-06-09-335-9-00)

## **SETTING OF HEARINGS**

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

### **Planning and Development**

**55. ZONING CASES**

Schedule Planning and Development public hearings on zoning cases and other matters for the April 15, 2009 meeting. (List is on file in the Clerk of the Board's Office) (C-44-09-107-M-00)

### **Public Works**

- 56.** Set a public hearing to declare the following roads into the county highway system for 9:00 a.m. Wednesday, May 6, 2009.

**a. ROAD FILE NO. A418**

Adopt a Resolution to setting hearing on Road File No. A418, said alignment is also known as Cavalry Road from 7th Avenue to 3rd Avenue.

General Vicinity: Cavalry Road from 7th Avenue. Supervisor District No. 3 (C-91-09-138-M-00)

**b. ROAD FILE NO. 5810**

Adopt a Resolution to setting hearing on Road File No. 5810 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: El Mirage Road and Pinnacle Peak Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-140-M-00)

**c. ROAD FILE NO. 5811**

Adopt a Resolution to setting hearing on Road File No. 5811 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 123rd Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-141-M-00)

**d. RESET PUBLIC HEARING RELATED TO ROAD FILE NO. 5807**

Reset the public hearing initially scheduled for April 1, 2009 to a new hearing date of 9:00 am, Wednesday, May 6, 2009 to adopt a Resolution for setting a hearing on Road File No. 5807 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Area bordered by Olive Avenue on the South, Peoria Avenue on the North, Perryville Road on the West and Citrus Road on the East. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-122-M-01)

**County Manager**

**57. TERMINATION OF THE MARICOPA COUNTY SPORTS AUTHORITY**

Adopt a resolution to set a public hearing for Wednesday, May 6, 2009, for the purposes of terminating the Maricopa County Sports Authority (Authority) pursuant to A.R.S. §11-706 to be effective June 30, 2009. At the hearing, the Board will determine if the Authority is no longer in the public interest, convenience or necessity and shall declare its findings and order the termination of the Authority. In addition, approve the terms and conditions under which the termination of the Authority will be completed.

A.R.S. §11-706 permits the Maricopa County Board of Supervisors (the Board) to terminate the Authority. The termination of the Authority will become effective June 30, 2009. After June 30, 2009, the Maricopa County Sports Commission (Commission), a 501(c)(3) non-profit, non-governmental, organization, d.b.a. the Phoenix Regional Sports Commission, will continue to bring national and international sporting events to the valley, assist in the promotion of existing events and teams, and support youth sports programs.

Upon termination of the Authority, the County will assume all outstanding liabilities and obligations of the Authority, and will acquire all assets of the Authority in accordance with A.R.S. §11-706. After the County receives and reviews the Authority's Fiscal Year 2009 audited financial statements and assets valuation, under a separate action, the County will donate any surplus furniture and equipment, that have little or no value, to the Commission pursuant to A.R.S. §11-251(9).

If ordered, the Authority's termination will be completed in accordance with the terms and conditions as set forth in the executed Termination Terms and Conditions Document. (C-20-09-045-7-00)

## **CONSENT AGENDA**

### **Clerk of the Board**

#### **58. ASRS CLAIMS**

Pursuant to A.R.S. §38-711 et., authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. Claims presented are on file in the Clerk of the Board's Office. (C-06-09-361-7-00)

#### **59. CANVASS OF ELECTIONS**

Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's Office. (C-06-09-362-7-00)

#### **60. 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-06-09-363-7-00)

#### **61. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors' meetings held September 17, 2008; November 17, 2008 and February 2, 2009. (C-06-09-354-7-00)

#### **62. 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-06-09-364-7-00)

#### **63. PROPERTY RE-CLASSIFICATION APPEAL CASES - FOR APPROVAL**

Pursuant to A.R.S. §42-12052, approve the property owner's appeal to re-classify properties, which has satisfied the requirements of occupancy status, and re-classify properties to class three properties (owner occupied). Waive assessed penalties and liens. Direct the County Assessor to re-classify properties to class three (owner occupied),

pursuant to A.R.S. §42-12003. (ADM310-001) (C-06-09-305-7-00)

<b>Property Owner</b>	<b>Parcel</b>
Bean, Derek & Skaggs, Stephanie	132-72-042
Hill, Michael	301-59-031
Palacios, Norlan	102-57-019

**64. PROPERTY RE-CLASSIFICATION APPEAL CASES - FOR DENIAL**

Pursuant to A.R.S. §42-12052, deny the property owner's appeal to re-classify properties, which has not satisfied the requirements of occupancy status, and maintain property classification at class four property (non-owner occupied). The class four property classification (non-owner occupied), remains in effect. (ADM310-002) (C-06-09-306-7-00)

<b>Property Owner</b>	<b>Parcel</b>
Casanares-Lindo, Rosita	501-40-727
Clarke, Douglas M.	301-65-515
Mullins, Paul & Margaret	139-48-120

**65. SECURED TAX ROLL CORRECTIONS**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-365-7-00)

**66. SETTLEMENT OF PROPERTY TAX CASES**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated April 1, 2009. List is on file in the Clerk of the Board's Office. (C-06-09-371-7-00)

**67. TAX ABATEMENTS**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-366-7-00)

**BOARD OF SUPERVISORS ADDENDUM**

**County Attorney**

**A-1. SETTLEMENT OF COX ARIZONA TELECOM V. COCHISE, MARICOPA, PIMA AND PINAL COUNTIES, AND ADOR, TX2007-000015**

Authorize settlement of Cox Arizona Telecom v. Cochise, Maricopa, Pima and Pinal Counties, and ADOR, TX2007-000015, by a reduction in the full cash value of the plaintiff's

personal property for the tax year 2009 in the amount of \$22.5 million, as discussed in Executive Session on March 30, 2009. (C-19-09-046-M-00)

## **Public Works**

### **A-2. REACT PROGRAM EXPANSION**

Approve the expansion of the MCDOT REACT program to three cities and authorize MCDOT to apply for \$852,459 in reimbursement funding from the Maricopa Association of Governments (MAG) Five Year (FY2008-2012) Transportation Improvement Program. Funding will be requested during the budget development process for the next three years. The total cost of the REACT expansion project is \$1,238,859. A local match of 31.19% or \$386,400 is required. MCDOT will provide \$96,600 cash match and the three cities will provide the remaining \$289,800. 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. 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.

To insure regional project coordination and following long-standing federal aid requirements, the MAG five year, annually updated Transportation Improvement Program (TIP) lists all planned transportation improvement projects in the MAG area for the current and subsequent four years. This REACT Program Expansion project is a MCDOT project appearing in the MAG TIP. REACT (Regional Emergency Action Coordinating Team) is a MCDOT team of specialists who assist local agencies within Maricopa County with traffic management during emergency or other special traffic situations. Team members are agency employees who provide additional part-time traffic management services when necessary during a traffic incident or event. The team was first established through AZTech™, a public/private transportation partnership in the Phoenix metropolitan area led by MCDOT. The team has now been operating successfully for several years, and has built a well-respected track record in providing traffic control during traffic incidents. A previous grant via the MAG program successfully established a similar successful program in the City of Surprise under the guidance of MCDOT. This REACT Program Expansion project will provide vehicles, equipment, and staff overtime compensation for teams in three additional cities: Glendale, Peoria, and Scottsdale. MCDOT will develop Intergovernmental Agreements with these cities and guide the establishment of each of the three city programs during the next three years. Thereafter the programs will be funded and administered by each of the expansion cities independent of MCDOT. The partners, including MCDOT, will share equally in the local match required; the respective local contributions are as follows:

Glendale: \$96,600  
Peoria: \$96,600  
Scottsdale: \$96,600  
MCDOT: 96,000  
Total: \$386,400

MCDOT will provide operational services to the City of Peoria to facilitate establishment of the City's REACT Team. In return, the City of Peoria will reimburse MCDOT with its full contribution of match funds. The funding is available on a reimbursement basis for the cost of \$852,459. The department's indirect cost rate of 15.8% is unrecoverable. The department's non-recoverable indirect cost is \$134,692. The project will be in Supervisorial Districts 2,3,4, and 5 (C-91-09-137-M-00)

**A-3. AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDING**

Authorize the application and acceptance of not-to-exceed \$5,950,757 in federal funds (federal-aid highway funding) awarded to the Maricopa County Department of Transportation (MCDOT) through the American Recovery and Reinvestment Act of 2009, as approved by the Maricopa Association of Governments (MAG) and as authorized by the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA).

MCDOT will submit budget requests/adjustments to the Board of Supervisors as specific project and funding designations are made. Indirect costs, if applicable, will be included in the specific project and funding designation requests.

Authorize the use of \$5,950,757 to fund one or more of the transportation projects included on the attached list (Attachment 1).

On March 10, 2009, funds from the American Recovery and Reinvestment Act of 2009 were awarded to Arizona for eligible transportation projects. A portion of the state's funding is being sub-allocated to local governments via ADOT and Metropolitan Planning Organizations (MPOs). Accordingly, Maricopa County's portion of the transportation funds is being awarded through the Maricopa Association of Governments (MAG).

According to MAG, the total amount sub-allocated to the MAG region will be \$104.6 million. In its March 25 meeting, the MAG Regional Council approved a formula that will distribute the funding to all MAG member agencies as follows: Each jurisdiction will receive a minimum allocation of \$500,000, and the balance of the funding will be distributed proportionally based on population. Under this scenario, Maricopa County will receive \$5,950,757. Local matching of the Recovery Act funds is not a requirement for receiving this funding. (These funds can be used for up to 100% of project costs, on a reimbursable basis.)

These Recovery Act funds must be obligated by March 2, 2010 (within one year of apportionment of the funds), or the funding will be reallocated to other jurisdictions. In order to ensure that regional funding is not lost to other jurisdictions, an earlier regional deadline for obligation of funds has been set by MAG for November 30, 2009. The administrative tasks associated with the federal-aid process can be lengthy and extensive, so time is of the essence. It is critical that MCDOT is prepared to begin that administrative process immediately upon notice of project approval from MAG and ADOT.

In anticipation of this Recovery Act funding opportunity, MCDOT submitted the projects on the attached list to MAG for pre-screening to determine eligibility. The MCDOT projects on this list have now been pre-qualified by MAG as projects eligible for Recovery Act funding. MAG has indicated that agencies will need to submit their official lists of projects to MAG by April 3, 2009.

The attached list includes approximately \$16 million in potential projects, and MCDOT is seeking approval to utilize its \$5,950,757 in Recovery Act funds toward funding projects from that list. MCDOT will submit additional budget adjustments to the Board of Supervisors as specific project and funding designations are made. Authorization from the Board of Supervisors in anticipation of the final selection of specific projects from the list will increase MCDOT's ability to proceed efficiently and will expedite the use of the funds for the benefit of the County. Supervisory Districts: All (C-91-09-143-G-00)

**Sheriff**

**A-4. IGA WITH DPS CONCERNING ILLEGAL IMMIGRATION AND HUMAN SMUGGLING**

Approve an intergovernmental agreement (IGA) between Maricopa County, on behalf of the Sheriff's Office, that enhances law enforcement services concerning illegal immigration and human smuggling by providing increased funding to MCSO as intended by Law 2009, Chapter 1, 1st Special Session, Section 2.

This agreement provides up to \$1.6 million of funding to investigate, disrupt, or deter crimes relating to illegal immigration and human smuggling and takes effect April 1, 2009 through March 31, 2010.

Also per A.R.S. 42-17106 approve an increase of \$333,333 to the Sheriff's Grant Fund (251) FY 2009 for estimated revenue and expenditure.

A 15% match on actual expenditures is required. Any match resulting from FY 2009 expenditures will be paid from the Sheriff's General Fund (100) appropriation. An estimated amount the FY 2010 match was included in Sheriff's base budget request. The Sheriff's Office indirect cost rate for FY 2009 is 12.2% and this funding does not support indirect costs. This funding provides for fifteen new positions-one lieutenant, two sergeants, and twelve deputies and supporting supplies and equipment to accomplish the task, which includes vehicle leases. (C-50-09-064-M-00)

**IMPROVEMENT DISTRICT AGENDA**

**I-1. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Improvement District Board of Directors' meeting held September 17, 2008. (C-06-09-372-7-00)

**I-2. DESIGNATION OF SUPERINTENDENT OF STREETS**

1. Rescind the resolution adopted October 15, 2008 (91-09-055-M-00), by the Board of Supervisors designating Robert Herz as Acting Superintendent of Streets.

2. Adopt a resolution designating John Morast as Superintendent of Streets.

Robert Herz, who served as the Acting Superintendent of Streets under a special work assignment, is to be replaced by the appointment of John Morast. John Morast has accepted the position of Superintendent of Streets. The Office of Superintendent of Streets is located within the County Department of Transportation.  
(C-91-09-139-7-00)

**FLOOD CONTROL DISTRICT AGENDA**

**F-1. 50TH ANNIVERSARY OF STATE LEGISLATION FOR CREATION OF FLOOD CONTROL DISTRICTS IN THE STATE OF ARIZONA**

Request the Flood Control District of Maricopa County Board of Supervisors proclaim a celebration on March 23, 2009, to mark the 50th anniversary of the Arizona State Legislation authorizing the creation of Flood Control Districts in the State of Arizona.

The Flood Control District of Maricopa County is responsible for mitigation and prevention of flood damage to property and provides flood protection to the citizens of Maricopa County. (C-69-09-059-M-00)

**F-2. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meeting held September 17, 2008. (C-06-09-367-7-00)

**F-3. 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-06-09-373-7-00)

**F-4. RESOLUTION AMENDMENT AUTHORIZING THE CHIEF ENGINEER AND GENERAL MANAGER TO ACT AS AGENT FOR THE DISTRICT DURING AND AFTER FLOOD EVENTS**

Adopt Resolution Amendment #1 FCD 1999R021A which authorizes the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to act as the Agent for the District during and after flood events for the purpose of filing an application for financial assistance under the Disaster Relief Act. This Amendment will authorize the name to be changed on the Arizona Division of Emergency Management Designation form to Timothy S. Phillips.

If a state of federal disaster is declared during or after a flood, the Agent for the District has the authority to execute, on behalf of the District, items pertaining to the Disaster Relief Act. This item impacts all Supervisory Districts 1, 2, 3, 4, and 5. (C-69-00-119-6-01)

**F-5. RESOLUTION FOR POWERLINE FLOOD RETARDING STRUCTURE FISSURE RISK ZONE MITIGATION PROJECT**

Adopt Resolution FCD 2008R015 for the Powerline Flood Retarding Structure (FRS) Fissure Risk Zone Mitigation Project, authorizing the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to advertise, negotiate, and award contracts for engineering and construction services and to include funding in the District's future five-year Capital Improvement Program (CIP). Project cost is estimated to be \$5,560,000.

Powerline FRS is one of a system of three flood retarding structures the District has identified a need to fully rehabilitate or replace. This system provides significant flood control and erosion protection of public infrastructure, residential, commercial and agricultural land within Maricopa and Pinal Counties. This item impacts Supervisor District 1. (C-69-09-056-6-00)

## **LIBRARY DISTRICT AGENDA**

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

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meeting held September 17, 2008. (C-06-09-368-7-00)

## **STADIUM DISTRICT AGENDA**

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

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meeting held September 17, 2008. (C-06-09-370-7-00)

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

- 68.** 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 Chairman.)
- 69.** Supervisors'/County Manager's summary of current events.