

# FORMAL MEETING AGENDA BOARD OF SUPERVISORS

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

## WEDNESDAY, DECEMBER 5, 2007

### 9:00 AM

Board of Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, Arizona

#### INVOCATION

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

*One or more members may attend telephonically.  
Members attending telephonically will be announced at the meeting.*

**The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).**

#### BOARD OF SUPERVISORS

1. Introduction of the "Pet of the Month" from Maricopa County Animal Care & Control.

#### PRESENTATION

2. **AMERICAN RED CROSS/MARICOPA COUNTY BLOOD DONOR PROGRAM**

The American Red Cross will present a "Thank You" plaque to Maricopa County in support of "The American Red Cross/Maricopa County Blood Donor Program", and present a "Certification of Appreciation" to Mr. David Smith, County Manager, for his support and commitment. (C3508005000) (ADM650-001)

## **STATUTORY HEARINGS**

### **Clerk of the Board**

#### **3. LIQUOR LICENSE APPLICATION**

Pursuant to A.R.S. §4-201, 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.

Application filed by Kwan Sung Jin for a New Series 12 Liquor License: (MCLL6248)  
(AZ#12077355)

Business Name:	Ebisu Sushi & Grill
Location:	39510 N. Daisy Mountain Road #160, Anthem AZ 85086

### **Transportation**

#### **4. ROAD FILE DECLARATIONS**

Approve petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

- a. **Road File No. 5369** – In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 35) (Supervisory District 3). (C6408077000)
- b. **Road File No. 5370** – In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 43) (Supervisory District 3). (C6408076000)
- c. **Road File No. 5371** – In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 47) (Supervisory District 3). (C6408075000)
- d. **Road File No. 5372** – In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 45) (Supervisory District 3). (C6408074000)
- e. **Road File No. 5373** – In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 49) (Supervisory District 3). (C6408073000)

**AGENCY ITEMS AND STATUTORY MATTERS**

**COUNTY OFFICERS**

**County Attorney**

**5. DONATION OF COMPUTERS**

Pursuant to A.R.S. §11-251(9), approve the donation of 874 computers to various non-profit organizations and authorize the execution of any necessary conveyance documents. The computers are surplus equipment and/or materials that have little or no value and are unauctionable. The hard drives have been removed and destroyed in accordance with County policy. The computers will not have an operating system. (List is on file in the Clerk of the Board's office.) (C1908033000) (ADM119)

**Recorder**

**6. RETROACTIVE SALARY**

Approve a retroactive salary for Brenton Lillie effective as of September 24, 2007. The Recorder's Office IT Director worked directly with the Human Resource recruiter in the hiring of a Developer/Programmer Analyst. After all of the interviews, Brenton Lillie was offered the position with a start date of September 5, 2006. Between the time of the offer to Mr. Lillie and him showing up to work on September 5, 2006, the Recorder's IT Director retired and the Human Resource recruiter found another position outside the County. Since no one could find a list of candidates certified by Human Resources, Mr. Lillie had to be placed in a temporary position and the position was reopened. Brenton Lillie was still the best person for the position and hired effective October 23, 2006. The Recorder's Office is requesting that Brenton Lillie's start date for the salary advancement process to be September 5, 2006. (C3608001800) (ADM3308-001)

**Sheriff**

**7. ONE-TIME LUMP SUM PAYMENT TO SHERIFF'S OFFICE EMPLOYEE**

Approve a one-time, lump sum payment of \$11,859.42 to Sheriff's Office employee, Ricky Edward Hipp, S1723. This amount covers the gross pay difference between what Deputy Hipp earned and what he should have earned between May 7, 2007 and October 7, 2007. Deputy Hipp's pay record was missed in the application of a market adjustment. The expenditure impact to the employer is \$13,494.84, which includes variable benefits. (C5008029M00) (ADM3308)

**8. DONATIONS**

Approve the acceptance of two donations totaling \$1,150 to the Sheriff's Office in the amounts of \$750 from Kachina Kennel Club and \$400 from Louise Kane for use by the Maricopa County Sheriff's Office Animal Safe Hospice (MASH) Unit. (C5008031M00) (ADM3900-006)

**9. IGA FOR REIMBURSEMENT IN OVERTIME EXPENSES**

Approve an intergovernmental agreement between the Wickenburg Police Department and the Maricopa County Sheriff's Office, for the reimburse \$11,000 in overtime expenses for an Officer to be assigned to the High Intensity Drug Trafficking Area (HIDTA), Maricopa County Meth Task Force. The term of this agreement is October 1, 2007 through September 30, 2008. The Sheriff's indirect cost rate for FY 2007-08 is 11.7% and the unrecoverable indirect costs are estimated to be \$1,287. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C5008534200)

**10. RESOLUTION TO THE ARIZONA STATE PARKS BOARD AND ACCEPT GRANT FOR LAW ENFORCEMENT AND BOATING SAFETY FUNDS**

Adopt a Resolution to the Arizona State Parks Board and, if awarded, approve acceptance of a grant for Law Enforcement and Boating Safety Funds not-to-exceed \$425,000. This grant funds 50% of the salaries and benefits for up to 10 existing deputy sheriff positions that provide boating law enforcement on the county lakes and rivers. A 50% soft match requirement is met by funding the balance of these existing positions the General Fund (100). The estimated award period is July 1, 2008 through June 30, 2009. The Sheriff's FY 2007-08 indirect costs rate is 11.7%. These grant funds are the result of A.R.S. §5-383 and indirect cost recovery is not allowed. The unrecoverable indirect costs associated with this grant are estimated to be \$49,725. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C5008535300)

**Superintendent of Schools**

**11. APPLY AND ACCEPT FUNDS TO IMPROVE INSTRUCTIONAL SERVICES FOR GIFTED STUDENTS**

Approve the application for and the acceptance of \$29,275 from the Arizona Department of Education (ADE) for formula based Gifted Education funds to improve instructional services for Gifted students within the Maricopa County Educational Service Agency Gifted Education consortium CTDS# 079999001 (9 charter schools). The term of the contract will be one year beginning July 1, 2007 and ending June 30, 2008. This grant is non-renewable, and a new proposal will be required for the next fiscal year based upon Local Educational Agencies' (LEA) student data submitted to ADE.

The FY 2007-08 budgeted amount for this grant is \$24,122. With the acceptance of \$29,275, this action requires a revenue and expenditure appropriation adjustment increasing the FY 2007-08 Superintendent of Schools (370) Grant Fund (715) revenue and expenditure budgets by \$5,153.

MCSOS indirect rate for FY 2006-07 is 14.16 percent. The restricted indirect cost rate allowed by this grant source is 7.40 percent. Recoverable indirect costs are \$215. The restricted indirect cost rate unallowable by this grant source is 6.76 percent. Unrecoverable indirect costs on this award are \$3,900. If any funds are awarded, the Superintendent of Schools will return to the Board for approval and acceptance of these funds and any subsequent amendments. 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. (C3708015300)

## **TRIAL COURTS**

### **Superior Court Judges and Commissioners**

#### **12. APPOINTMENT**

Pursuant to A.R.S. §12-141 and §22-121, approve the appointment of Court Commissioner Jacki L. Ireland as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace for the period from December 5, 2007 through June 30, 2008, to serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. (C3808005700)

## **COUNTY MANAGER**

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

#### **13. ADMINISTRATIVE CORRECTION AND IGA WITH SRPMIC FOR ACCEPTANCE OF FUNDS FOR THE ARIZONA METH PROJECT**

Approve an Administrative Correction to the action taken on July 25, 2007 (C2008003300) which authorized the application and acceptance of not-to-exceed \$300,000 in tribal gaming funds from the Salt River Pima Maricopa Indian Community (SRPMIC) by Maricopa County for the Meth Project. This correction will authorize the executed Resolution which provides details of the initial action, and approves the Intergovernmental Agreement between SRPMIC and Maricopa County as the acceptance document for \$75,000 for the Arizona Meth Project for FY 2007-08.

Also, pursuant to A.R.S. §42-17105, approve an appropriation adjustment to Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) line item titled "Meth Project," **increasing** FY 2007-08 revenue and expenditure budgets in the amount of \$75,000. Maricopa County will put this grant funding toward the Arizona Meth Project. (C2008003301)

#### **14. ADMINISTRATIVE CORRECTION AND APPROPRIATION ADJUSTMENT**

Approve an Administrative Correction to the action taken on August 8, 2007 that authorized the application and acceptance of not-to-exceed \$300,000 in tribal gaming funds from the Gila River Indian Community (GRIC) by Maricopa County for the Arizona Meth Project. This action will authorize the executed Resolution which provides details of the initial action.

Also, pursuant to A.R.S. §42-17105, approve an appropriation adjustment to Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) line item titled "Meth Project," **increasing** FY 2007-08 revenue and expenditure budgets in the amount not-to-exceed \$300,000. Maricopa County will put this grant funding toward the Arizona Meth Project. (C2008014301)

15. **ADMINISTRATIVE CORRECTION AND IGA FOR ACCEPTANCE OF FUNDS FOR THE WILCOX LATE NIGHT BASKETBALL PROGRAM**

Approve an Administrative Correction to the action taken on August 22, 2007 under C2008021300 which authorized the application and acceptance of not-to-exceed \$5,000 in tribal gaming funds from the Salt River Pima Maricopa Indian Community (SRPMIC) by Maricopa County for the Wilcox Late Night Basketball program. This action will authorize the executed Resolution which provides details of the initial action. In addition, approve the Intergovernmental Agreement between SRPMIC and Maricopa County as the acceptance document for \$5,000 for the Wilcox Late Night Basketball program for FY 2007-08 and retained in file C2008021300.

Also, pursuant to A.R.S. §42-17105, approve an appropriation adjustment to Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) to a new line item titled "Late Night Basketball," **increasing** FY 2007-08 revenue and expenditure budgets in the amount of \$5,000. Maricopa County will put this grant funding toward the Wilcox Late Night Basketball program. (C2008021301)

16. **RESOLUTION, APPLY AND ACCEPT INDIAN GAMING FUNDS FROM THE SALT RIVER PIMA MARICOPA INDIAN COMMUNITY FOR THE MARICOPA COMMUNITY COLLEGE DISTRICT FOUNDATION ACE PROGRAM**

Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to and acceptance of 12% Indian Gaming Funds (Proposition 202, 2002) from the Salt River Pima Maricopa Indian Community (SRPMIC) and Maricopa County for the Maricopa Community College District Foundation ACE program in an amount not-to-exceed \$100,000 for FY 2007-08. Authorize the execution of all acceptance documents including entering into an Intergovernmental Agreement (IGA) between the SRPMIC and Maricopa County when presented and with the review and approval of the Maricopa County Attorney, Civil Division

Pursuant to A.R.S. §42-17105, approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2007-08 revenue and expenditure budgets not-to-exceed \$100,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712).

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. (C2008035300)

## **DEPUTY COUNTY MANAGER**

### **General Government**

**17. RESCIND ACTION AND GRANT AWARD FROM HRSA FOR MINORITY AIDS INITIATIVE PROGRAMS**

Rescind the previous action taken by the Board on October 17, 2007, under C4508001301. This action approved receipt of a grant from the Department of Health and Human Services, Health Resources and Services Administration (HRSA) to General Government for \$193,368 to be applied toward the Ryan White Public Health Grant Fund. (C4508001301)

Approve grant award (1H3MHA08443-01-00) grant number (H3MHA08443) in the amount of \$193,368 from the Department of Health and Human Services' Health Resources and Services Administration (HRSA) to General Government to be applied to Minority AIDS Initiative Programs that increases the Ryan White grant. The notice of grant award was received on August 1, 2007, and is to be expended from August 1, 2007 to July 31, 2008, with a project end date of July 31, 2010.

The estimated General Government indirect Rate is 10% in FY 2007-08. HRSA's indirect allowable rate is 10% of administrative, quality management, and planning council support expenses only. The Recoverable indirect amount is \$2,637; \$164,363 are passed through to sub-recipients and are not subject to indirect. Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 450, Fund 532) associated with the aforementioned grant in an amount of \$193,368. The appropriations adjustment is necessary because these funds were not included in the FY 2007-08 budget. 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. The approval of 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. (C4508005300)

### **Public Health**

**18. NOTICE OF GRANT AWARD FROM HRSA FOR HEALTHCARE FOR HOMELESS INDIVIDUALS**

Approve the Notice of Grant Award (H80CS00044) from the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA) to Maricopa County Department of Public Health, Healthcare for the Homeless (HCH) Program to provide healthcare for homeless individuals. This grant award provides additional funds to the HCH in the amount of \$2,338,527 including estimated program income in the amount of \$292,911 for a total of \$2,631,438. These funds are for the grant budget period from November 1, 2007 through October 31, 2008.

The Department of Public Health's indirect rate for FY 2007-08 is 18%. This grant allows for indirect reimbursement at a rate of 15.163%. Total indirect expenses are estimated to be \$390,388 of which \$328,864 is recoverable and \$61,522 is not recoverable. Sub-recipient expenses in the amount of \$133,762 are not subject to indirect charges.

If approved, the department will require a revenue and expenditure appropriation adjustment to the Public Health Grant fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$867,750 for the FY 2008-09. Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$98,623 for FY 2007-08. The appropriations adjustment is necessary because these funds were not included in the FY 2007-08 budget. 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. The approval of 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. Funding for this contract is provided by a grant from HRSA, and will not affect the County general fund. (C8602073215)

**19. REVENUE AND EXPENDITURE APPROPRIATION ADJUSTMENTS FOR IGA WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES**

Approve Amendment No. 8 to Intergovernmental Agreement associated with Contract HG352193, between the Arizona Department of Health Services (ADHS) and Maricopa County Public Health Department. This amendment increases the revenue and expenditure appropriation accounts (Department 860, Fund 532) in the amount of \$132,219. This increase is necessary because actual ADHS grant award amount, as shown through Procurement Change Orders from ADHS, exceeds the appropriations amount approved by the Board on March 21, 2007. This increase brings the actual total grant award from \$1,870,898 to \$2,003,117 for the grant budget term of January 1, 2007 through December 31, 2007. The Department of Public Health's indirect rate for FY2007-08 is 18.0%. Indirect costs are estimated at \$20,169 and are fully recoverable. 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. The approval of 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. (C8603089208)

**20. AMENDMENT TO IGA FOR TOBACCO USE PREVENTION PROGRAM**

Approve Amendment No. 8 to the Intergovernmental Agreement (IGA) HG354361 between the **Arizona Department of Health Services** (ADHS) and the Maricopa County Department of Public Health (MCDPH), Tobacco Use Prevention Program for FY 2007-08. This amendment provides additional funding to the Tobacco Use Prevention Program for the amount of \$77,500, for the term of July 1, 2007 through June 30, 2008. The Department of Public Health's indirect rate for FY 2007-08 is 18.0%. Arizona Department of Health Services allows for 15% of Personnel Services and Employee Related Expenses. The full indirect costs are estimated at \$10,983, of which \$0 is recoverable. The amount of \$77,500 is a sub-recipient expense, which is not eligible for indirect charges.

Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$77,500 for fiscal year 2008. The appropriation adjustment is necessary because these funds are not included in the FY 2007-08 budget. 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. The approval of 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. Funding for this IGA is provided to the MCDPH by a grant from ADHS HG354361 and does not affect the County general fund. (C8603159208)

**21. SUBCONTRACT AGREEMENT FOR FAMILY SUPPORT/FAMILY PRESERVATION SERVICES**

Approve the Subcontract Agreement from Child and Family Resources, Inc to the Maricopa County Department of Public Health (MCDPH) for family support/family preservation services to families in need. This Subcontract Agreement provides for \$52,356 to MCDPH for the contract term starting October 1, 2007 and ending September 30, 2008. Maricopa County Department of Public Health indirect cost rate for FY 2007-08 is 18.0%. This grant allows for 12.907% indirect cost reimbursement, therefore; of the \$8,567 in total indirect expenses \$5,985 is recoverable and \$2,582 is unrecoverable. Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$851 for FY 2007-08. The appropriation adjustment is necessary because these funds are not included in the FY 2007-08 Adopted Budget. If approved, the department will require a revenue and expenditure appropriation adjustment to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$13,389 for FY 2008-09. 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. The approval of 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. (C8606577102)

**22. AMENDMENT TO GRANT AWARD FOR THE WOMEN AND CHILDREN'S COMMUNITY HEALTH GRANT**

Approve Amendment No. 1 to the Grant Award (HG754060-005) from the Arizona Department of Health Services to Maricopa County Department of Public Health (MCDPH) for the Women and Children's Community Health Grant. Pursuant to Page 8,"Terms and conditions" Paragraph 2, "Option to Renew Grant", the contract is extended for an additional year beginning January 1, 2008 through December 31, 2008. The amendment also provides MCDPH with \$587,768 for the aforementioned term. MCDPH indirect cost rate for FY2007-08 is 18.0%. The grant indirect costs are reimbursable at a rate of 18.0%. Full indirect costs are estimated at \$76,694 all of which are recoverable (net of \$85,000 in subrecipient expenses not subject to indirect charges). Appropriations adjustment is not requested at this time as these funds are included in the 2007-08 Adopted Budget. 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. The approval of 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. (C8607041301)

**23. PURCHASE ORDER FOR ADDITIONAL FUNDING FOR THE PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE PROGRAM**

Approve the Purchase Order from Arizona Department of Health Services (ADHS) to Maricopa County Department of Public Health for additional funding for the Intergovernmental Agreement (IGA) HG754199 for the Public Health Emergency Preparedness and Response program. The Purchase Order allows for two payments totaling \$1,378,571 for the budget period starting August 31, 2007 through August 8, 2008. The Department of Public Health's indirect rate for FY 2007-08 is 18.0%. Indirect costs are estimated at \$210,290 and are fully recoverable. No appropriations adjustment is requested at this time as these funds were included in the FY 2007-08 Adopted Budget. 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. The approval of 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. (C8607050202)

**24. AMENDMENT TO IGA FOR TOBACCO BRIEF INTERVENTION SERVICES**

Approve Amendment No. 1 to the intergovernmental agreement between the **Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS)** and the Maricopa County Department of Public Health to provide tobacco brief intervention services. This amendment is effective upon execution by both parties and exercises the option in the agreement per Section 1, paragraph 24 to extend the agreement for a one year period starting upon full-execution of the agreement to June 30, 2008. This amendment also provides additional funds to the MIHS in the amount of \$29,600 for the budget period July 1, 2007 through June 30, 2008. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. Funding for this agreement is provided by the Tobacco Education/Prevention Grant from Arizona Department of Health Services and will not increase the County general fund budget. (C8607471201)

**25. AMENDMENT TO IGA FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) No. C86074912 with the **Tolleson Elementary School District** to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment is effective upon execution by both parties and exercises the option in the agreement per Section 1, paragraph 24 to extend the agreement for a one year period starting upon full-execution of the agreement to May 1, 2008. This amendment also provides additional funds to the Tolleson Elementary School District in the amount of \$4,000 for the budget period July 1, 2007 through May 1, 2008. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. Funding for this agreement is provided by the Tobacco Education/Prevention Grant from Arizona Department of Health Services and will not increase the County general fund budget. (C8607491201)

**26. TRANSFER OF EXPENDITURE AUTHORITY FOR EXPANSION OF THE OFFICE OF VITAL REGISTRATION**

Pursuant to A.R.S. §42-17106(b), approve the transfer of revenue and expenditure authority, from Non-Departmental (470) Grant Fund (249), Expenditure Authority Reserve (4711) Line Item Potential Fee Increases to Public Health (860) Public Health Fee Fund (265).

This action will require an expenditure and revenue appropriation adjustment **decreasing** the FY 2007-08 Non-Departmental (470) Grant Fund (249) by \$213,392 and **increasing** the FY 2007-08 Public Health (860) Public Health Fee Fund (265) by \$213,392. These adjustments will result in a County-wide net impact of zero.

Approval of this action will allow the Department of Public Health's Vital Registration Program to keep pace with the FY 2008 demand levels for service. Since the inception of the VitalChek Network contract (C8607024100), which allows customers to make request online, the Vital Registration Program has experienced a steady 10% increase in the demand of request for birth and death certificates. The increase in expenditure and revenue will allow the Vital Registration Program to operate in an effective and efficient manner while providing excellent customer service. (C8608033M00)

**27. STUDENT ROTATION TRAINING AGREEMENT WITH UNIVERSITY OF WYOMING FOR CLINICAL TRAINING EXPERIENCE**

Approve the Affiliation Agreement entitled "Student Rotation Training Agreement" between the University of Wyoming (UW) and the Maricopa County Department of Public Health to provide clinical training experience for UW nursing and other students in the Department of Public Health STD program. The agreement is non-financial, and is effective November 1, 2007 until June 30, 2012. (C8608038000)

**28. IGA FOR CAR SEAT AND BIKE HELMET EDUCATION, DISTRIBUTION, AND STORAGE**

Approve an intergovernmental agreement (IGA) between the **Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS)** and the Maricopa County Department of Public Health to provide car seat and bike helmet education, distribution, and storage. The term of the agreement is from January 1, 2008 through December 31, 2008, and will provide MIHS with a total dollar amount not-to-exceed \$85,000. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. Funding for this agreement is provided to the Department of Public Health by a grant from the Arizona Department of Health Services (HG754060-005) and does not affect the County general fund. (C8608039200)

**Workforce Management and Development**

**29. REVISIONS TO HR POLICY 2423 SEVERANCE PAY FOR RELEASE OF CLAIMS**

Approve revisions to HR2423, "Severance Pay for Release of Claims" as recommended by the Director of Workforce Management and Development. This Board-approved policy provides for the payment of severance in exchange for a release of all claims against the County: to employees impacted by an involuntary reduction in force; or to employees separated from County employment when the County Manager determines that it is appropriate to pay severance in exchange for a release of all claims. (C3108008600) (ADM635)

**ASSISTANT COUNTY MANAGER – JUSTICE PLANNING AND INFORMATION**

**Medical Examiner**

**30. EXECUTIVE COMPENSATION PACKAGE**

Approve an Executive Compensation Package (ECP) for Angellee S. Chen as an unclassified Medical Examiner in the Office of the Medical Examiner's Office; ECP change leave accrual rates to schedule 3 effective July 16, 2007. The approval of this item will not affect Dr. Chen's salary. (C2908004600) (ADM3308-002)

## **ASSISTANT COUNTY MANAGER – COMMUNITY SOLUTIONS AND INNOVATION**

### **Community Development**

**31. APPLY FOR CDBG FUNDING FOR EXPANSION OF A COUNTY FACILITY**

Authorize the St. Mary's Food Bank Alliance (tenant) to submit an application for FY 2008-09 Community Development Block Grant (CDBG) Funding. Because the County owns the building and the land, the Board, as landlord, must approve the tenant's request to submit an application for CDBG funding which may result in expansion of a County facility. The County-owned facility is located at 13050 W. Elm, Surprise, AZ, and the request is to expand the current facility to accommodate a 1,500 sq. ft. meal preparation area for the Kids Cafe Program and a new loading dock. Kids Cafe provides evening meals to children at 23 sites five days a week year round. (C1708033000)

### **Human Services**

**32. AMENDMENT TO IGA WITH MARICOPA COUNTY HOUSING AUTHORITY**

Approve an amendment to the Intergovernmental Agreement (IGA), C2205100200 between the Maricopa County Housing Authority and Maricopa County Human Services Department for a Lease Agreement on a Head Start classroom and playground facility located at the Kuban Housing Development, 5834 E. Santos Bravo, #1 and #2, Guadalupe, Arizona. The term of this agreement is for three years commencing July 1, 2007 through June 30, 2010. This agreement does not include any county general funds. (C2205100201)

**33. AMENDMENT TO CONTRACT WITH ARIZONA CALL-A-TEEN YOUTH RESOURCES, INC**

Approve Amendment No. 6 to Contract C2207073100 between Arizona Call-A-Teen Youth Resources, Inc. and Maricopa County's Human Services Department. This amendment incorporates the 2007-2008 Performance Measures as mandated in Federal Register 666.300 allowing the local Board to negotiate with the Governor on economic, demographic and other characteristics within the local area achieving performance. The effective date of this amendment is July 1, 2007. All other terms and conditions of this contract shall remain unchanged. (C2207073106)

**34. CONTRACTS FOR THE EMPLOYED WORKER TRAINING PROGRAM**

- a. Approve a contract between **United Fibers** and Maricopa County Human Services Department, for the Employed Worker Training Program (EWTP) in the amount of \$40,000. This contract is effective from December 5, 2007 until December 4, 2008. This contract does not include any County General Funds. (C2208124100)
- b. Approve a contract between **Gold Tech** and Maricopa County Human Services Department, for the Employed Worker Training Program (EWTP) in the amount of \$40,000. This contract is effective from December 5, 2007 until December 4, 2008. This contract does not include any County General Funds. (C2208125100)
- c. Approve a contract between **Bonded Logic** and Maricopa County Human Services Department, for the Employed Worker Training Program (EWTP) in the amount of \$40,000. This contract is effective from December 5, 2007 until December 4, 2008. This contract does not include any County General Funds. (C2208126100)

**35. LEASE AGREEMENT FOR HOME DELIVERED MEALS**

Approve Vehicle Lease Agreement V2008-20-MCSTS, between **Area Agency on Aging** and Maricopa County Human Services Department, for three vehicle leases in the amount of \$3.00. This contract is effective from July 1, 2007 until June 30, 2008. This contract will allow for the three hybrid vehicles to be used for the purpose of transporting home delivered meals from the Area Agency senior center(s) to authorized clients and related transportation under contract with the Area Agency. (C2208127100)

**CHIEF FINANCIAL OFFICER**

**Animal Care & Control**

**36. AGREEMENT WITH LUCKY DOG RESCUE FOR ANIMAL RESCUE**

Approve an agreement between Lucky Dog Rescue, a 501(c)3, 1146 N. Mesa Drive, Suite 102-262, Mesa AZ 85203, and Maricopa County Animal Care and Control (MCACC) authorizing Lucky Dog Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. MCACC 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 390 new hope rescues over the term of the agreement, for a total of \$15,600. The term of this agreement is from November 14, 2007 through November 13, 2010. (C7908044100)

**37. KENNEL PERMIT**

Pursuant to A.R.S. §11-1009, approve kennel permit #400 for **Marci Sale, d.b.a. Larkspur Lab Kennels**, located at 1141 E. Sage Brush Street, Gilbert, AZ 85296 in District 2, for the term of October 31, 2007 through October 30, 2008. The cost of a kennel permit is \$328. (C7908045C00) (ADM2304)

**38. DONATIONS**

- a. Accept the monetary donation from **Phoenix Flyers** of Glendale, AZ in the amount of \$300; and, William Beck of Scottsdale, AZ in the amount of \$500 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. 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. (C7908046700) (ADM2300-006)
  
- b. Accept the monetary donation from **Best Western International, Inc. Employee Activity Committee** of Phoenix, AZ in the amount of \$2,096.99 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. 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. (C7908047700) (ADM2300-006)

- c. Accept the restricted monetary donation from **Friends of Animal Care & Control** (FACC's) of Phoenix, AZ in the amount of \$51,392 to fund various spay and neuter programs and replenish the contingency fund for Maricopa County Animal Care & Control.

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.

This action will require an increase in revenue and expenditure appropriation authority for the FY 2007-08 Animal Care and Control (790) Animal Care and Control Grants Fund (573) in the amount of \$51,392. (C7908048700) (ADM2300-006)

- d. Accept the monetary donation from **Claudia Dalton** of New River, AZ in the amount of \$500 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. 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. (C7908049700) (ADM2300-006)

## Finance

### **39. FUND 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.

### **40. UTILITY EASEMENT WITH APS COMPANY FOR ELECTRICAL SERVICES**

- a. Approve and authorize the Chairman to execute a Utility Easement in consideration of \$1.00 with Arizona Public Service Company (APS), its successors and assigns, to construct, operate and maintain overhead and underground electric lines and appurtenant facilities to provide electrical service to the **Hassayampa Solid Waste Transfer Station**. Also, authorize the Chairman to execute all documents and agreements with APS necessary to provide electrical service to operate and maintain the Hassayampa Solid Waste Transfer Station. (C1808026000)
- b. Approve and authorize the Chairman to execute a Utility Easement in consideration of \$1.00 with Arizona Public Service Company (APS), its successors and assigns, to construct, operate and maintain overhead and underground electric lines and appurtenant facilities to provide electrical service to the **Morristown Solid Waste Transfer Station**. Also, authorize the Chairman to execute all documents and agreements with APS necessary to provide electrical service to operate and maintain the Morristown Solid Waste Transfer Station. (C1808027000)

**41. LICENSE AGREEMENT WITH THE SILVER SPOON CAFÉ, LLC**

Approve a License Agreement with The Silver Spoon Café, LLC allowing the placement of a food and beverage station in the first floor area of the Downtown Justice Center located at 620 West Jackson Street in Phoenix, Arizona. The License shall be revocable and may be canceled by Licensor or Licensee upon giving 30 days written notice of revocation. The Licensee shall pay a one-time license fee of \$10.00 as adequate consideration for entering into this agreement. Licensee agrees to install and maintain, at Licensee's sole cost and expense, all necessary trade fixtures pertaining to this business operation and shall also obtain all applicable permits and licenses as required. (C1808029000) (ADM645)

**Materials Management**

**42. 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. (ADM3005)

**Award**

- 07135-RFP      Air Quality Public Relations Campaign – AQ (\$1,390,000 estimate/one year)**  
Contract award (Emergency procurement authorization by County Manager) to provide air quality public relations campaign services as requested by the Maricopa County Air Quality Department.
- o      Riester Sonoran LLC

**Renewals/Extensions:**

It is recommended that the Board of Supervisors 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).

**Until December 31, 2010**

- 04149-C      Dairy Products (\$2,700,000 estimate/three years)** Price agreement renewal for the purchase of dairy products for the Sheriff's office.
- o      Lively Distributing Inc
- 06093-C      Bread Mixes, All Types (\$625,000 estimate/three years)** Price agreement renewal for the purchase of white bread mix for the Sheriff's office.
- o      Puratos Bakery Supply

**43. CHANGES TO THE MARICOPA COUNTY PROCUREMENT CODE ARTICLES**

Amend Articles 1, 2, 3, 4, 5, and 13 of the Maricopa County Procurement Code as depicted in the document submitted to the Board for approval. These amendments reflect changes to the Maricopa County Procurement Code to update language, add new procurement methods, correct mistakes and make necessary reference changes. The Maricopa County Procurement Code was last updated in 2004. (On file in the Clerk of the Board's Office.) (C7308003600)

**Parks and Recreation**

**44. AMENDMENT TO THE SPECIAL USE AGREEMENT WITH ARIZONA KARTING ASSOCIATION**

Approve Amendment No. 3 to the Special Use Agreement between Maricopa County and Arizona Karting Association (C3002047B) extending the term date from April 5, 2012 to April 5, 2017. This amendment will also result in a change to the Concessionaire's Administrative Fee Schedule. Arizona Karting Association agrees to pay Maricopa County Administrative Fees estimated to be \$74,831 over the span of the agreement. There are no renewal options remaining on this Agreement. (C3002047B03)

**ASSISTANT COUNTY MANAGER – REGIONAL DEVELOPMENT SERVICES**

**Planning and Development**

**45. IGA FOR A COOPERATIVE FACILITY USE ARRANGEMENT**

Approve and execute an intergovernmental agreement (IGA) with the Flood Control District of Maricopa County to participate in a Cooperative Facility Use Arrangement that allows the Flood Control District to accept office space from the county at a Facility Use Fee of \$2,312 per year. The term of this agreement commences on the effective date and will expire 60-months thereafter as outlined in the IGA. Either party may terminate this agreement by providing 30-day written notice. A corresponding agenda item is found on the Flood Control District agenda under C6908029200. (C4408007000)

**ASSISTANT COUNTY MANAGER – PUBLIC WORKS**

**Transportation**

**46. 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.) (ADM2007)

**47. EXTENSION OF THE DESIGN AND CONSTRUCTION CONTRACT WITH SRP**

Approve the extension of the design and construction contract with Salt River Project (SRP) to June 30, 2008; and authorize expending the balance of the contract in the amount of \$100,000 from Project Number T068, Ellsworth Road from Germann Road to Ray Road - Phase 1, in FY 2007-08. (Supervisory District 1) (C6404228503)

**48. APPLY AND ACCEPT A HIGHWAY EXPANSION AND EXTENSION LOAN PROGRAM**

Authorize Maricopa County's Department of Transportation to apply for and accept a "Highway Expansion and Extension Loan Program" (HELP) loan from Arizona Department of Transportation in FY 2007-08 in an amount of up to \$25,683,000 to purchase the right-of-way needed for two Transportation Improvement Program (TIP) projects: (Supervisorial District 5) (C6408090000)

- o MC 85 from 107th Avenue to 91st Avenue; and
- o MC 85 from 91st Avenue to 75th Avenue.

**49. REIMBURSEMENT AND CONTRACT WITH SALT RIVER PROJECT FOR ENGINEERING SERVICES AND CONSTRUCTION**

Approve reimbursement to Salt River Project (SRP) the amount of \$24,400 for engineering services and construction by SRP contracted forces for the relocation and installation of the SRP owned electrical facilities in conflict with Maricopa County Department of Transportation (MCDOT) Project T087, Queen Creek Road: Arizona Avenue to McQueen Road. MCDOT acknowledges that SRP facilities have prior rights. The cost may not exceed the estimated amount of \$24,400 by more than 10%.

Approve and execute the referenced SRP Design and Construction Contract for SRP Job Order XA3-03703. This approved reimbursement and signed contract will be in effect for two years from the date of approval by the Board of Supervisors. (Supervisorial District 1) (C6408094100)

**50. JOB ORDER CONTRACT WITH STANDARD CONSTRUCTION COMPANY, INC**

Approve the award of Job Order Contract (JOC) No. 2007-047 with Standard Construction Company, Inc., for a total sum amount of \$3,000,000 for Intersection Improvement Services performed when requested by the Maricopa County Department of Transportation through a specific Work Assignment. (Supervisorial Districts 1, 2, 3, 4 and 5) (C6408095500)

**51. JOB ORDER CONTRACT WITH AJP ELECTRIC, INC.**

Approve the award of Job Order Contract (JOC) No. 2007-048 with AJP Electric, Inc., for a total sum amount of \$3,000,000 for Intersection Improvement Services performed when requested by the Maricopa County Department of Transportation through a specific Work Assignment. (Supervisorial Districts 1, 2, 3, 4, and 5) (C6408096500)

**52. IGA FOR IMPROVEMENTS TO INTERSECTION OF EL MIRAGE ROAD AND INDIAN SCHOOL ROAD**

Approve an intergovernmental agreement between the **City of Avondale** and Maricopa County, through the Maricopa Department of Transportation (MCDOT), for improvements to the intersection of El Mirage Road and Indian School Road (Project T276). The total cost of the Project is \$1,200,000. Avondale will advance all funds required to complete the Project. MCDOT will reimburse Avondale \$160,000 in FY 2008-09. (Supervisorial District 4) (C6408099200)

**53. IGA FOR IMPROVEMENTS TO INTERSECTION OF WESTWIND PARKWAY AND INDIAN SCHOOL ROAD**

Approve an intergovernmental agreement between the **City of Avondale** and Maricopa County, through the Maricopa Department of Transportation (MCDOT), for improvements to the intersection of Westwind Parkway and Indian School Road (Project T270). The estimated total cost of the Project is \$360,000 to \$480,000. Avondale will advance all funds required to complete the Project. MCDOT will reimburse Avondale 50% of the actual cost of the Project in FY 2008-09. (Supervisorial District 4) (C6408100200)

**54. DEVELOPMENT AGREEMENT WITH WOODSIDE HOMES**

Approve a Development Agreement DMP 2004-001, with Woodside Homes, as recommended in the previously approved Development Master Plan case for Walden Ranch, DMP 2004-001. (Supervisorial District 4) (C6408103000)

**55. DEVELOPMENT AGREEMENT WITH CITRUS 278 LLC, NORTHERN 120 LLC AND NORTHERN 40 WEST LLC,**

Approve a Development Agreement with Citrus 278 LLC, Northern 120 LLC and Northern 40 West LLC, as recommended with the previously approved development known as Avalon, Zoning Case Z 2007-22. This is a 450 acre development in the vicinity of Northern Avenue and Cotton Lane that was previously approved by the Board subject to stipulation for a development contribution for regional transportation infrastructure. This Development Agreement details the regional transportation issues, including roadway construction, right-of-way requirements and cost share contributions for roadway improvements associated with the approved development. (Supervisorial District 4) (C6408104000)

## **BOARD OF SUPERVISORS**

**Clerk of the Board**

**56. APPOINTMENTS**

- a. **Aggregate Mining Operation Zoning District #1 Recommendation Committee – Reappoint** C.R. Herro, Industry Member, Tom Lowry, Industry Member, Richard Wehbe, Community Member, Joseph McCord, Community Member and **appoint** Brent Kerbs as a Community Member, whose term is effective from the date of Board approval through October 5, 2010. (C0608039900) (ADM3441-001)
- b. **Sheriff's Public Safety Personnel Retirement System Local Board – Reappoint** Dean Wolcott, whose term is effective from January 1, 2008 through December 31, 2011. (C0608040900) (ADM3904-001)
- c. **Sheriff's Public Safety Personnel Retirement System Local Board – Reappoint** John Garcia, whose term is effective from the date of Board approval through December 31, 2011. (C0608040900) (ADM3904-001)
- d. **County Attorney Investigator's Public Safety Personnel Retirement System Local Board – Reappoint** John Garcia, as a citizen member, whose term is effective from January 1, 2008 through December 31, 2011. (C0608041900) (ADM420-001)

- e. **Voluntary Vehicle Repair And Retrofit (VVR&R) Program Advisory Committee – Reappoint** Mr. Alex Studham representing the Arizona Department of Environmental Quality (ADEQ) whose term shall be a two-year term to expire January 31, 2010. (C8508008900) (ADM2360-001)
- f. **Trip Reduction Program Regional Task Force – Reappoint** Sheila Henson representing District 5, Daniel Mather representing District 3, and Matthew Quick representing District 2, whose terms will be effective February 1, 2008 through January 31, 2010. (C8508009900) (ADM2358-001)
- g. **State Board of Equalization – Accept the resignation** of Charles "Hos" Hoskins and **appoint** Robert F. Koehler as nominated by Supervisorial District 4. Mr. Koehler will fill the unexpired term effective as of the date of Board approval through December 31, 2008. (C0608046900) (ADM4908-001)

**57. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS**

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

**58. ORGANIZE THE LIBERTY PARK IMPROVEMENT DISTRICT**

Organize the Liberty Park Improvement District for the purpose of providing domestic water services to the properties in the proposed development (Liberty Park). The proposed district is located in the vicinity of Jackrabbit Trail and MC85. A petition representing 100% of the property owners of Liberty Park, LLC has been presented requesting the formation of a domestic water improvement district to provide water to the Liberty Park Development. (Supervisorial District 4) (C6408101000) (ADM4302)

## **SETTING OF HEARINGS**

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

### **Clerk of the Board**

#### **59. SUMMER MESA IRRIGATION WATER DELIVERY DISTRICT**

Pursuant to A.R.S. §48-3423, accept the petitions for the proposed Summer Mesa Irrigation Water Delivery District filed on November 13, 2007 as they have been determined to be signed by a majority of the owners of the acreage within the proposed district (the Assessor's certification is on file in the office of the Clerk).

Additionally, approve a bond in the amount of \$500 to cover the amount of probable expenses which will be incurred in the organization of the district, set a hearing for the petitions to be held at 10:00 a.m., January 2, 2008 and order the Clerk of the Board to publish the petition and notice twice in a newspaper and post copies within the district at conspicuous places.

At the hearing on January 2nd, any land owner within the proposed district may appear and object to the organization thereof or to the proposed boundaries thereof or to the inclusion of his land therein. The Board will hear and consider all comments in favor and against the organization of the district and decide whether to approve or reject the organization of the district with the boundaries proposed in the petition or with modified boundaries. (Supervisorial District 2) (C0608043700)

### **Transportation**

#### **60. ROAD FILE DECLARATION**

Set a public hearing to declare the following roads into the county highway system for 10:00 a.m., Wednesday, January 2, 2008.

- a. **Road File No. (A346).** In the vicinity of 26th Street (Old New River Road to Carlise Road). (Supervisorial District 3) (C6408102000)
- b. **Road File No. (A347).** In the vicinity of 44th Avenue from one quarter mile south of Carver Road to Carver Road. (Supervisorial District 5) (C6408091000)
- c. **Road File No. (A348).** In the vicinity of Harmony Lane, from 119th Avenue to 115th Avenue; Rose Garden Lane, from 119th Avenue to 115th Avenue; 119th Avenue, from Sun Valley Lane to Harmony Lane; 118th Avenue, from Sun Valley Lane to Rose Garden Lane and 117th Avenue, from Rose Garden Lane to Harmony Lane. (Supervisorial District 4) (C6408092000)
- d. **Road File No. (A349).** In the vicinity of 223rd Avenue, from Ocupado Drive to Dove Valley Road. (Supervisorial District 4) (C6408093000)

### **Planning and Development**

#### **61. CASES**

Schedule Planning and Development public hearings on zoning cases and other matters for the December 19, 2007 meeting. (List is on file in the Clerk of the Board's office) (F23248)

## **CONSENT AGENDA**

### **Clerk of the Board**

62. **ASRS Claims** – 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 are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001)
63. **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 and retained in accordance with ASLAPR approved retention schedule. (ADM4300)
64. **Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723)
65. **Check Enforcement Fund Quarterly Report** – In accordance with A.R.S. §13-1811(F) County Bad Check Trust Fund, accept the quarterly financial reports of all revenues and expenditures from the Check Enforcement Fund for the periods of July 2007 through September 2007. Report is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule. (ADM404-001)
66. **Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809)
67. **Market Ranges** – Approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. (List of additional and/or replacement market ranges are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3308-006)
68. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701)
69. **Secured Tax Roll Corrections** – Approve requests from the Assessor for correction of the Secured Tax Roll 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. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705)
70. **Settlement of Property Tax Cases** – Approve the settlement of tax cases dated December 5, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704)

- 71. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, 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. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816)
- 72. **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 and retained in accordance with ASLAPR approved retention schedule.) (ADM708)

## **FLOOD CONTROL DISTRICT AGENDA**

**FCD-1.** 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. (ADM1910)

### **FCD-2. REAPPOINTMENT**

**Flood Control Advisory Board** – Reappoint, Melvin Martin nominated by Supervisorial District (5), whose term is effective from the date of Board approval through November 14, 2012. (C0608042900)

### **FCD-3. IGA FOR A COOPERATIVE FACILITY USE ARRANGEMENT**

Approve and execute Intergovernmental Agreement (IGA) FCD 2007A014 between the Flood Control District of Maricopa County and the Maricopa County Planning and Development to participate in a cooperative Facility Use Arrangement that allows the District to accept office space from the County at a Facility Use Fee of \$2,312 per year. The term of this agreement commences on the effective date and will expire 60-months thereafter as outlined in the IGA. Either party may terminate this agreement by providing 30-day written notice. A corresponding agenda item is found in the Board of Supervisors' agenda under C4408007000. (C6908029200)

## **STADIUM DISTRICT AGENDA**

### **SD-1. AWARD OF JOB ORDER CONTRACTS**

Approve the award of the following contracts:

- Job Order Contract (JOC) No. SD 08-001-A with Parsons-3D/International, Inc., 2111 East Highland Ave., Suite 402B, Phoenix, AZ 85016,
- Job Order Contract (JOC) No. SD 08-001-B with Jokake Construction Company, 5013 East Washington Street, Suite 100, Phoenix, AZ 85034 and
- Job Order Contract (JOC) No. SD 08-001-C with Caliente Construction Inc., 242 South El Dorado Circle, Mesa, AZ 85202

Each contract is awarded for a not-to-exceed amount of \$3,000,000 in each year of the Contract [no individual Job Order may exceed \$1,000,000, including all change orders] and a not-to-exceed amount of \$15,000,000 over the life of the contract for work performed when requested by the Maricopa County Stadium District (MCSD) through a specific Work Assignment. (C6808004500)

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

73. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the 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.) (ADM605)
74. Supervisors'/County Manager's summary of current events. (ADM606)

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**\*\*\*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. Richard R. and April Roark (Roark Construction, Inc.)**– This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2007-00409, Richard R. and April Roark; Roark Construction, Inc. (Supervisory District 4) (ADM3417-052)

**\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\***

## **PLANNING AND ZONING AGENDA**

### **CONSENT AGENDA:** **(Detailed below)**

1. Z2007-064, Precise Plan of Development in the C-O PD, SC overlay & Wickenburg Scenic Corridor zoning district, located at the northeast corner of Granite Valley Drive and Routzahn Way (in the Sun City West area) (District 4)

### **REGULAR AGENDA:** **(Detailed below)**

2. TA2007-020, Text Amendment to adopt the 2006 International Plumbing Code (All Districts) (Continued to the 12/19/07 BOS hearing. Case needs to be continued and scheduled for hearing on that date.)
3. Z2006-107, Rezone from Rural-43 to Rural-43 RUPD, located at the north west corner of Desert Hills Drive & 7th Avenue (in the Anthem area) (District 3) (Case requires a  $\frac{3}{4}$  super-majority vote for approval) (Applicant requested continuance to the 01/16/08 BOS hearing. Case needs to be continued and scheduled for hearing on that date.)
4. Z2007-098, Stipulation Modification to an approved Special Use Permit (SUP) for a landfill in the Rural-190 zoning district, located at the northwest corner of Butterfield Stage Road & 99th Avenue (in the Goodyear area) (District 5) (Continuance to the 02/06/08 BOS hearing. The Planning and Zoning Commission is expected to act on this case on 01/03/08. This case needs to be continued and scheduled for hearing as appropriate)

**CONSENT AGENDA DETAIL:**

1.     **Z2007-064**     District 4

Applicant:     Orcutt/Winslow Partnership for Sun Health Properties, Inc.  
Location:     Northeast corner of Granite Valley Drive and Routzahn Way (in the Sun City West area)  
Request:     Precise Plan of Development for a medical office in the C-O PD SC, WHSC zoning district (approximately 2.9 acres) – Granite Valley Office Building II

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2007-064, subject to stipulations “a” through “v”. Commissioner Johnson seconded the motion, which passed with a unanimous vote of 8-0.

- a.     Development of the site shall comply with the site plan entitled “Granite Valley MOB II”, consisting of one (1) sheet, dated (revised) September 4, 2007, and stamped received September 6, 2007, except as modified by the following stipulations.
- b.     Development of the site shall be in conformance with the narrative report entitled “Precise Plan of Development, Granite Valley Medical Office Building II”, consisting of four (4) pages, dated (revised) September 4, 2007, and stamped received September 6, 2007, except as modified by the following stipulations.
- c.     Development of the site shall be in conformance with the landscape plan entitled “Granite Valley MOB II”, consisting of two (2) sheets, dated (revised) August 29, 2007, and stamped received September 6, 2007, except as modified by the following stipulations.
- d.     Development of the site shall be in conformance with the sign package for “Granite Valley MOB II”, consisting of five (5) pages, stamped received September 6, 2007, except as modified by the following stipulations.
- e.     Development of the site shall be in conformance with the elevations “Granite Valley MOB II”, consisting of one (1) sheet, stamped received September 6, 2007, except as modified by the following stipulations.
- f.     MCDOT indicates the following stipulations shall be met:
  - Any landscaping in County right-of-way must meet Chapter 9 (Road Design Manual).
  - Installation of sidewalk on perimeter roads meeting The American with Disabilities Act requirements for ramps is recommended.
- g.     All trees shall be double-staked when installed.
- h.     A continuous parapet shall screen all roof-mounted equipment.
- i.     All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened from view.

- j. All buildings constructed upon this property shall be constructed to attain a noise reduction level as per ARS 28-8482.
- k. At the lease office of the "Granite Valley MOB II" shall be a sign notifying the current and future leasers that they are located within the state-defined "territory in the vicinity of a military airport" with the following language:

"You will reside in a property in the 'vicinity of a military airport' as described by State of Arizona statute ARS §28-8481. You will be subject to direct over flights and noise by Luke Air Force Base jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flight operations per year, at on average of approximately 170 overflights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

For further information, please check the Luke Air Force Base website at [www.luke.af.mil/urbandevelopment](http://www.luke.af.mil/urbandevelopment) or contact the Maricopa County Planning and Development Department."

Such notification shall be permanently posted the lease office of the Falcon Plaza on not less than an 8½ inch by 11 inch sign and be included in all rental agreements.

- l. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- m. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- n. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a Grading Permit. The applicant must contact the State office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- o. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
- p. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- q. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.

- r. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- s. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- t. Major changes to the site plan and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
- u. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- v. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

**REGULAR AGENDA DETAIL:**

**2. TA2007-015** All Districts

Applicant: Commission Initiative  
Location: County-wide  
Request: Text Amendment to the Maricopa County Local Addition and Addenda to adopt the 2006 International Plumbing Code

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend approval of TA2007-015. Commissioner Brooks seconded the motion, which passed with a unanimous vote of 8-0.

**Note: Case to be continued to the 12/19/07 BOS hearing.**

**3. Z2006-107** District 3  
Case requires a  $\frac{3}{4}$  super-majority vote for approval

Applicant: Sonora West Development for Cadora Desert Hills  
Location: Northwest corner of Desert Hills Drive & 7th Avenue (in the Anthem/Desert Hills area)  
Request: Rezone from Rural-43 to Rural-43 RUPD (approximately 74.23 acres) – Desert Hills Equestrian Estates

**COMMISSION ACTION:** Commissioner Aster moved to continue Z2006-107 for 60-days. Commissioner Jones seconded the motion, which failed 4-4 as follows:

Commissioner Jones - yes	Commissioner Pugmire - no
Commissioner Aster - yes	Commissioner Bowers - no
Commissioner Barney – yes	Commissioner Brooks - no

Commissioner Johnson – yes                      Chairman Smith                      - no

**COMMISSION ACTION:** Commissioner Aster moved to deny Z2006-107. There was no second. Motion failed.

**COMMISSION ACTION:** Commissioner Barney moved to recommend approval of Z2006-107, subject to stipulations “a” through “v”. Commissioner Brooks seconded the motion, which passed with a majority vote of 6-2 with Commissioners Aster and Jones dissenting.

- a. Development of the site shall comply with the Zoning Exhibit entitled “Desert Hills Equestrian Estates”, consisting of three (3) full-size sheets, dated revised May, 2007, and stamped received September 11, 2007, except as modified by the following stipulations. Within thirty (30) days of Board of Supervisors approval, a revised zoning exhibit will be submitted to the County to address changes to the RUPD table.
- b. Development of the site shall be in conformance with the narrative report entitled “Desert Hills Equestrian Estates”, consisting of eighteen (18) pages, dated revised September 5, 2007, and stamped received September 11, 2007, except as modified by the following stipulations.
- c. Development of the site shall be in conformance with the landscape plan entitled “Preliminary Landscape Plan Desert Hills Equestrian Estates”, consisting of four (4) full size sheets, dated revised August 16, 2007, and stamped received September 11, 2007, except as modified by the following stipulations.
- d. The Rural-43 RUPD zoning district for Desert Hills Equestrian Estates shall be subject to the following development standards:

Development Standard	Rural-43 Base	Rural-43 RUPD Proposed
Maximum building height / stories	30’/2 stories	30’/2 stories
Minimum front setback	40’	40’
Minimum side setback	30’	20’
Minimum street side setback	20’	20’
Minimum rear setback	40’	30’
Minimum lot size	43,560 sq. ft.	35,000 sq. ft.
Minimum lot width	145’	110’
Average lot area per dwelling unit	43,560 sq. ft.	47,000 sq. ft.
Maximum lot coverage	15%	20%
Minimum distance between Buildings on same lot	15’	15’
Required parking spaces per unit	2	2
Wall Height	6’	6’
Signage	32 sq. ft.	32 sq. ft.
Equestrian Arena Lighting	Max. 25’ per Anthem Design Standards	25’ Maximum

- e. Construction of a bridge will not be allowed over Skunk Creek Wash to bridge the development of this site into the interior roadway network of Anthem.
- f. The equestrian facility will be for the use and benefit of the residents of Desert Hills Equestrian Estates only. A Special Use Permit will be required and approved by the

Board of Supervisors if the facility is expanded beyond the use and benefit of the residents of Desert Hills Equestrian Estates.

- g. The private equestrian facility arena lights shall be shut off by 9:00 p.m.
- h. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
  - 1. Provide a total half-width of 65' right-of-way on Desert Hills Drive.
  - 2. Provide a total half-width of 40' right-of-way on 7th Avenue (total length).
  - 3. Construct ultimate half-width improvements, including pavement, curb and gutter, to perimeter roads (7th avenue and Desert Hills Drive).
- i. All trees shall be double-staked when installed.
- j. A continuous parapet shall screen all roof-mounted equipment.
- k. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground mounted.
- l. All interior streets within the proposed development are to be constructed to minimum County standards.
- m. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- n. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- o. All development and engineering design shall be in conformance with the Drainage Regulations and current engineering policies, standards and best practices at the time of application for construction.
- p. Drainage review of planning and or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- q. The applicant or his successor shall obtain approval of any development plans from the Office of Arizona State Fire Marshal prior to any construction.
- r. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to Final Plat approval, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- s. Prior to Final Plat approval, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.

- t. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- u. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- v. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

**Note: Case to be continued to the 01/16/08 BOS hearing.**

4. **Z2007-098** District 5

Applicant: Gammage & Burnham for Waste Management of Arizona  
Location: Northwest corner of Butterfield Stage Road & 99th Avenue (in the Mobile/Goodyear area)  
Request: Stipulation Modification to an approved Special Use Permit (SUP) for a landfill in the Rural-190 zoning district (approximately 962 acres) – Butterfield Station Landfill

November 1, 2007

**COMMISSION ACTION:** Commissioner Johnson moved to continue Z2007-098 to the regular meeting of November 15, 2007. Commissioner Jones seconded the motion, which passed with a unanimous vote of 8-0.

November 15, 2007

**COMMISSION ACTION:** Commissioner Johnson moved to continue Z2007-098 to the regular meeting of January 3, 2008. Commissioner Aster seconded the motion, which passed with a unanimous vote of 6-0.

**Note: It is anticipated that the Commission action of January 3, 2008 will be presented at the Board of Supervisor's hearing of February 6, 2008. Case to be continued indefinitely or to the 02/06/08 BOS hearing.**