

# 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, JUNE 6, 2007  
9:00 AM**

## 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.

## STATUTORY HEARINGS

### Clerk of the Board

## 2. LIQUOR LICENSE APPLICATIONS

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.

- a. Application filed by Kim Kenneth Kwiatkowski for a Transfer-of-Location of a Series 9 Liquor License: (LL6228)

Business Name:	Circle K Store #6671
Location:	39414 N. Daisy Mountain Drive Anthem, 85086
Former Location:	1342 W. Thomas Road Phoenix, 85013

- b. Application filed by Craighton T. Boates for a Special Event Liquor License: (F23221) (SELL787)

Business Name:	Rotary Club of Anthem
Location:	41703 N. Gavilan Peak Parkway, Anthem, 85086
Date/Time:	July 3, 2007 4:00 p.m. – 10:00 p.m.

- c. Application filed by Gary Villa for a Person-to-Person Transfer and a Transfer-of-Location of a Series 7 Liquor License from Craig Thomas Cicinelli: (LL6227)

Business Name: Alibi Club  
Location: 24202 W. Hwy 85, Buckeye 85326  
Former Location: 7065 College Avenue Tempe, 85281

- d. Application filed by Ruben Jesse Lemus for a Person-to-Person Transfer and a Transfer-of-Location of a Series 7 Liquor License from Michael Agra: (LL6223)

Business Name: The Rock R&R Sports Bar  
Location: 8306 E. Main Street, Mesa, 85207  
Former Location: 2120 W. Camelback Road Phoenix, 85015  
**Planning and Development Recommends Denial**

- e. Application filed by Kia Boi Quach for a new Series 10 Liquor License: (LL6226)

Business Name: Aguila Food Market  
Location: 50903 W. US Highway 60, Aguila, 85320

#### **Transportation**

### **3. 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, right-of-way or properties along the alignments into the Department of Transportation's 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. A328** – In the vicinity of Chandler Heights Road Bridge at Sonoqui Wash. (Supervisorial District 1) (C6407205000)
- b. **Road File No. 5057** – In the vicinity of Harquahala Valley Road (515th Avenue) and Salome Highway from Glendale Avenue. (Supervisorial District 5) (C6407208000)

#### **Air Quality**

### **4. HAZARDOUS AIR POLLUTANTS PROGRAM AND AMENDMENTS TO EXISTING RULES**

This is the time scheduled for a public hearing, as required by A.R.S. §49-479(b), to solicit comments on the proposed Maricopa County Hazardous Air Pollutants (HAPs) Program and proposed amendments to existing rules - Rule 100, Rule 200, Rule 210, Rule 220, Rule 230, Rule 240, and Appendix B - to reflect the requirements of the new program and to improve the rules' clarity and regulatory uniformity among related rules in the Maricopa County Air Pollution Control Rules and Regulations. Following the public hearing, the Board is requested to adopt the proposed Maricopa County Hazardous Air Pollutants (HAPs) Program and the proposed amendments to Maricopa County Air Pollution Control Rules and Regulations Rules 100, 200, 210, 220, 230, 240, and Appendix B. (C8507019700) (ADM2354)

**Environmental Services**

**5. ENVIRONMENTAL HEALTH CODE ORDINANCE P-14**

This is the time scheduled for a public hearing to solicit comments and approve proposed revisions to Chapters I, II, V, VIII, XI and XII of the Maricopa County Environmental Health Code Ordinance P-14 (MCEHC). Proposed code amendments align code definitions with the MCEHC fee schedule, incorporate Arizona Administrative Code drinking water and wastewater standards by reference, expound on wastewater treatment plant operator certification, adjust sewage/waste treatment works construction time frames, add permit fee waiver expirations, modify chemical toilet permit fees and update permitted facility revocation/suspension postings. This item was continued from the May 16, 2007 meeting. (C8807006700) (ADM2102)

**AGENCY ITEMS AND STATUTORY MATTERS**

**COUNTY OFFICERS**

**Clerk of the Board**

**6. FIREWORKS PERMIT APPLICATION**

Pursuant to A.R.S. §36-1603, approve the application filed by John Teixeira for an original Fireworks Display Application: (ADM665-66)

Organization:	Tonopah Valley Community Council
Location:	38201 W. Indian School Road, Tonopah, 85354
Date/Time:	July 4, 2007 9:00 p.m.

**7. AMENDED/RESTATED SUBLEASE & PURCHASE AGREEMENTS FOR DESERT VISTA & AVONDALE FHC**

Approve the Amended and Restated Desert Vista Sublease and Purchase Agreement with the Special Health Care District with a Recording #2004-1292924. On November 1, 2004, Maricopa County entered into an Amended and Restated Intergovernmental Agreement with the Maricopa County Special Health Care District (C3905016201). The purpose of the Agreement was to provide for the transfer of certain assets and liabilities to the Maricopa County Special Health Care District. The Amended and Restated Desert Vista Sublease and Purchase Agreement recalculates the amount of space subleased by Maricopa County at Desert Vista and establishes an agreed upon rental rate for that space as it relates to a dispro share triggered event and also acknowledges that the District consents that it has received and accepted the environmental reports for the Desert Vista facility.

Approve the Amended and Restated Avondale FHC Sublease and Purchase Agreement with the Special Health Care District with a Recording #2004-1292925, as discussed in Executive Session on April 30, 2007. This agreement acknowledges that the District consents that it has received and accepted the environmental reports for the Avondale FHC. (C0607085200) (C3905016201)

**8. MAIL BALLOT ELECTION**

Pursuant to A.R.S. §16-225 and 16-558, approve a mail ballot election for the Rancho Grande Landerwood Irrigation Water Delivery District No. 24 to be conducted by the Rancho Grande Landerwood Irrigation Water Delivery District on November 21, 2007. A special taxing district may conduct a mail ballot election if the governing board of the special district obtains approval from the Board of Supervisors before publishing the call of election. The cost incurred for the election is paid by the District therefore there is no financial impact to the County. (Supervisorial District 3) (C0607086700) (ADM4360-002)

**9. PROPOSED NAMING OF SHADOW MOUNTAIN**

Direct the Clerk of the Board to notify the Arizona State Board on Geographic and Historic Names regarding the Board of Supervisors' support for the proposed naming of the commonly recognized feature within the Phoenix Mountain Preserve known as Shadow Mountain. Shadow Mountain is a mountain range near Cave Creek and Thunderbird Road between, 28th to 32nd Streets and within the Phoenix Mountain Preserve. The name Shadow Mountain has been used locally since the 1940s and appears on commercial and City of Phoenix publications. (C0607089700) (ADM4914)

**County Attorney**

**10. CONTRACT WITH CATHOLIC HEALTHCARE WEST CHILD ABUSE ASSESSMENT CENTER**

Approve a contract with Catholic Healthcare West Child Abuse Assessment Center d.b.a. St. Joseph's Hospital and Medical Center to gather evidence and provide courtroom testimony in the prosecution of sexual assaults or sexual abuse matters involving minors. The contract term is from July 1, 2007, to June 30, 2008. Catholic Healthcare West will be reimbursed \$500 per case, \$350 per interview and/or lab fees of \$300 per case. (C1905015101)

**Elections**

**11. TRANSFER AND EXPENDITURE INCREASE FOR ELECTION COSTS**

Pursuant to A.R.S. §42-17106(B), approve the transfer of expenditure authority between the General Government General Fund (Department 470, Fund 100) and the Elections Department Fund (Department 210, Fund 100) in an amount not-to-exceed \$600,000. This action will require an expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) General Fund (100) General Government Contingency (4711) by not-to-exceed \$600,000 and increasing the FY 2006-07 Elections (210) General Fund (100) by not-to-exceed \$600,000. (C2107010800) (ADM1700-003)

**12. AGREEMENT WITH KIDS VOTING INC**

Approve a renewal of the agreement for services for a two-year period with Kids Voting, Inc. at a cost not-to-exceed \$30,000 per year. On July 1, 1998, the Board of Supervisors authorized this sole source procurement with Kids Voting, Inc. for a three-year term July 1, 2007 to June 30, 2009, with an option to renew for additional two-year terms. This is the fourth two-year renewal. (C2198003704)

**Sheriff**

**13. AMENDMENT TO SUB-LEASE AGREEMENT WITH DEL WEBB CORPORATION**

Approve Amendment No. 3 to extend the Sub-Lease Agreement L7361 between Del Webb Corporation and Maricopa County Sheriff's Office for 630 square feet of office space in the Anthem Administration Building, 3701 W. Anthem Way, Anthem, Arizona through June 30, 2008. This agreement is subject to termination pursuant to the provisions of A.R.S. §38-511. The total cost for this space is \$1.00 for the term of the sub-lease. (C5005029M03)

**14. AMENDMENT TO IGA WITH PIMA COUNTY SHERIFF'S DEPARTMENT**

Approve Amendment No. 2 to the intergovernmental agreement (IGA) between Pima County Sheriff's Department and Maricopa County Sheriff's Office for the High Intensity Drug Trafficking Area (HIDTA), Maricopa County Methamphetamine Task Force to extend the term from June 30, 2007 to June 30, 2008. (C5005551303)

**15. AMENDMENT TO CORRECT VEHICLE INFORMATION**

Amend agenda item C5007052M00, approved on February 7, 2007, which authorized a one-time addition to fleet of a RICO-funded Ford F-350 pick up, so that the vehicle information can be re-stated. The year of this vehicle should be 2000 and the VIN should be #1FTSWE1F7YEA83789. (C5007052M01) (ADM3104)

**16. ONE-TIME ADDITION TO FLEET**

Approve a one-time, temporary addition to fleet of redlined vehicle #31123 for Lake Patrol. This vehicle will be modified with the installation of a prisoner cage and will be used as a Posse jail wagon during the summer weekends. Operations and maintenance are anticipated to be \$5,000 and will be covered using Sheriff's budgeted funds. This vehicle will be removed from service at the end of its useful life with no funding from the general fund for its replacement. (C5007075M00) (ADM3104)

**17. LUMP SUM PAYMENT**

Approve a lump sum payment of \$931.14 to compensate Sheriff Detention Officer Mark Allan for time worked as a Field Training Officer for the period of December 19, 2005 through July 2, 2006. The chain of command for D.O. Allan has validated this claim. The compensation will come from budgeted funds. (C5007076M00) (ADM3900-001)

**18. DONATION**

Approve the acceptance of a donation and the one-time addition to fleet of a 2006 Jones 6-stall, stainless steel dog trailer, serial number 1J9DB131X71092815. This donation to the Sheriff's Office MASH Unit from Maricopa Prevention of Cruelty to Animals Posse is valued at \$15,190. This is a temporary addition to fleet and will be retired at the end of its useful life with no funding from the General Fund for replacement and the County's fleet will automatically be reduced. Operating costs, estimated to be \$400 per year, will be funded from MASH designated donations in the Sheriff Donations Fund. (C5007077M00) (ADM3900) (ADM3104)

**19. RESOLUTION TO APPLY AND ACCEPT GRANT FOR HIGHWAY SAFETY**

Adopt a Resolution approving application and acceptance of up to \$430,000 in reimbursable grant funding from the Governor's Office of Highway Safety (GOHS). This funding will be used for projects relating to all aspects of highway safety. The anticipated term of the funding is October 1, 2007 through September 30, 2008. The Sheriff's Office indirect cost rate is 11.7% for FY 2007-08. Unrecoverable indirect costs associated with this grant are estimated to be \$31,005.

A portion of this amount was included in the Sheriff's FY 2007-08 grant fund request. The Sheriff's Office will return to the Board at mid-year to address any necessary grant fund appropriation adjustments resulting from actual awards. 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. (C5007560300)

**Treasurer**

**20. TAX DEED LAND SALES**

Direct the Clerk of the Board to prepare a list of the real property in the County that is held by the State by tax deed on or before the first Monday in November of each year, based on information to be supplied by the Maricopa County Treasurer, and to amend said list from time to time as information is received from the Treasurer.

Authorize the Treasurer to conduct Tax Deed Land Sales pursuant to A.R.S. §42-18301 and in compliance with the Tax Deeded Land Sale Procedures, at such times and in any manner the Treasurer deems appropriate, until such authority is rescinded by this Board. (C4307003700) (ADM656-2007)

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

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for December 2006, January 2007, February 2007, March 2007 and April 2007, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (C4307004700) (ADM4006)

**JUDICIAL BRANCH**

**Juvenile Probation**

**22. VEHICLE EXEMPTION FROM MARKINGS**

Pursuant to A.R.S. §38-538.03 and 28-2511(A), approve the exemption from markings and the use of non-governmental license plates for three vehicles currently part of the fleet, with insufficient mileage to warrant replacement at this time. Exemptions granted pursuant to A.R.S. §38-538.03 are in effect for one year. The list of VIN numbers is on file in the Clerk of the Board's Office. (C2707020M00) (ADM3101V)

Vehicle ID: 21610, 2006 Ford Focus  
Vehicle ID: 51344, 2003 Ford Taurus  
Vehicle ID: 82357, 2003 Chevrolet Cavalier

**Trial Court**

**23. APPOINTMENTS**

- a. In accordance with A.R.S. §12-141, approve the appointment of retired Superior Court Judges Kenneth Fields and Jonathan Schwartz as Superior Court Judges Pro Tempore for the period from July 1, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts to reduce trial delay. (C3807028000) (ADM1001)
- b. In accordance with A.R.S. §12-141, approve the appointment of retired Superior Court Judge Sarah Grant as Superior Court Judge Pro Tempore for the period from June 6, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts to reduce trial delay. (C3807029000) (ADM1001)
- c. In accordance with A.R.S. §12-141, approve the appointment of retired Superior Court Judges Dennis Dairman and Jeffrey Hotham as Superior Court Judges Pro Tempore for the period from July 1, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts to reduce trial delay. (C3807031700) (ADM1001)
- d. In accordance with A.R.S. §12-141 and A.R.S. §22-121, approve the appointment of Court Commissioner Margaret E. Benny as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace for the period from June 6, 2007 through July 31, 2008, to serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. (C3807032700) (ADM1001)

**COUNTY MANAGER**

**Office of the County Manager**

**24. ARIZONA ARRESTEE REPORTING INFORMATION NETWORK PROJECT**

Approve Renewal No. 1 of Intergovernmental Agreement (IGA) C200701500 between Maricopa County and the Arizona Board of Regents for and on behalf of Arizona State University for the AARIN (Arizona Arrestee Reporting Information Network) Project. The purpose of this renewal is to provide funding in the amount of not-to-exceed \$276,000 for the period of July 1, 2007 through June 30, 2008, subject to the availability of funds. The approval of this IGA will allow the Arizona State University Center for Violence Prevention and Community Safety to continue gathering data from inmates during booking, providing the Maricopa County Criminal Justice System with crucial information for decision making. The term of this IGA shall commence July 1, 2007 and shall terminate on June 30, 2008. The initial IGA was approved by the Board on October 18, 2006. (C2007015000) (C2007015001)

**25. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

Approve the application for and acceptance of grant funding from the Edward Byrne Memorial Justice Assistance Grant (JAG) dollars in the total amount of \$1,592,228 from the Bureau of Justice Assistance (BJA). (C2007095A00)

**26. MEMORANDUM OF UNDERSTANDING WITH THE CITIES OF GLENDALE, PHOENIX, MESA, AND TEMPE AND RELATED BUDGET INCREASE**

Approve a Memorandum of Understanding (MOU) between Maricopa County and the Cities of Glendale, Phoenix, Mesa, and Tempe. This MOU is required pursuant to the grant application requirements. This MOU also includes a negotiated reallocation to Maricopa County of \$772,690 and \$819,538 in funds to be reallocated to the Cities of Phoenix - \$560,736, Mesa - \$129,401, Glendale - \$64,700, and Tempe - \$64,700. Funds received by Maricopa County will be used to support projects in Adult Probation, County Attorney's Office, Juvenile Probation, and the Sheriff's Office. Further, grant awards are to be expended within a four year period of time, starting October 1, 2006, and ending not more than 48 months later. The JAG grant does allow up to 10% of the award for costs associated with administering JAG funds, and Maricopa County Juvenile Probation Department has been designated as the fiscal agent for this consortium of municipalities. (C2007095B00)

Approve an increase to the revenue and expenditure budgets of the following departments: Adult Probation's Grant Fund (211) by \$45,721; County Attorney's Grant Fund (219) by \$251,037; Juvenile Probation's Grant Fund (227) by \$204,454; Sheriff's Office Grant Fund (251) by \$271,478. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and, therefore, the budget law does not prohibit expenditure of these revenues. These budget adjustments do not alter the budget constraining the expenditures of local revenues duly adopted by the Board of Supervisors pursuant to A.R.S. §42-17105.

Approve the waiver of indirect costs. Adult Probation will receive a total of \$45,721; at their indirect rate of 10.3%, their indirect costs are \$4,709 of which \$137 is unallowable and \$4,572 is waived. The County Attorney's Office will receive a total of \$251,037; at their indirect rate of 13.8%, their indirect costs are \$34,643 of which \$9,539 is unallowable and \$25,104 is waived. Juvenile Probation will receive a total of \$204,454; at their indirect rate of 29.0%, their indirect costs are \$59,292 of which \$38,846 is unallowable and \$20,446 is waived. The Sheriff's Office will receive a total of \$271,478; at their indirect rate of 17.8%, their indirect costs are \$48,323 of which \$21,175 is unallowable and \$27,148 is waived. Total indirect costs are \$146,967 of which \$69,698 is unallowable and \$77,269 is waived. These indirect costs are not being sought so that all money can be used to maintain existing programs. (C2007095A00) (C2007095B00)

**Public Defender**

**27. LEASE FOR OFFICE SPACE**

Approve and execute Lease No. L7397 with Coury Avenue Mesa, LLC, as Lessor, for approximately 15,382 square feet of office space located at 308 West Coury Avenue, Mesa, AZ. The 120 month lease shall commence on or about February 1, 2008, and terminate on or about January 31, 2018. Lessor shall provide the County with 26 uncovered unreserved parking spaces at no cost and an additional 20 covered reserved parking spaces at a cost of \$35.00 per month per space. Lessor shall provide turnkey tenant improvements.

Authorize the Office of Management and Budget to adjust the FY 2008-09 General Fund Budget Target to annualize lease costs.

With 270-day prior written notice, the County may terminate the lease after the end of the fifth lease-year provided the County pays a termination penalty equal to six-months rent.

The rent is payable semi-annually and the base rental rate is:

<b>Months</b>	<b>Base Rent</b>	<b>Annual plus parking and rental tax</b>
01-12	\$27.75/sf	\$426,850.50
13-24	\$28.25/sf	\$434,541.50
25-36	\$28.75/sf	\$442,232.50
37-48	\$29.25/sf	\$449,923.50
49-60	\$29.75/sf	\$457,614.50
61-72	\$30.25/sf	\$465,305.50
73-84	\$30.75/sf	\$472,996.50
85-96	\$31.25/sf	\$480,687.50
97-108	\$31.75/sf	\$488,378.50
109-120	\$32.25/sf	\$496,069.50

In addition to the base rent, the County will reimburse the landlord for operating and maintenance expenses above an expense stop of \$7.00 per rentable square foot. (C5207003400)

## **DEPUTY COUNTY MANAGER**

### **Employee Health Initiatives**

#### **28. LODESTAR DAY RESOURCE CENTER**

Approve inclusion of Lodestar Day Resource Center as an affiliated employer and their employees as eligible employees under the Maricopa County's health insurance program, which will include medical, pharmacy, mental health, vision and dental coverage effective July 1, 2007. (C3507023100) (ADM3350-001)

### **Health Care Mandates**

#### **29. APPROPRIATION ADJUSTMENT FOR ELIMINATION OF DISPROPORTIONATE SHARE REVENUE AND EXPENDITURE**

Approve a decrease in the FY 2006-07 Health Care Mandates (390) General Fund (100) revenue and expenditures budgets of \$63,366,600 to eliminate the Disproportionate Share Revenue and Expenditure. Maricopa County will still be obligated to report this pass-through transaction in the Comprehensive Annual Financial Report, but does not need to include it within the County budget. Approval of this action will require an appropriation adjustment decreasing the Health Care Mandates (390) General Fund (100) revenue and expenditures budgets by \$63,366,600. Per A.R.S. §42-17105, this appropriation adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board. (C3907010800) (ADM2104)

**Management and Budget**

**30. REALLOCATION OF COSTS RELATED TO SEPARATION OF AIR QUALITY DEPARTMENT FROM ENVIRONMENTAL SERVICES DEPARTMENT**

Approve an amendment to agenda item C4905018800 approved by the Maricopa County Board of Supervisors on November 17, 2004, to complete the remaining revenue and expenditure appropriation adjustments in FY 2006-07 for the separation of the Air Quality Department from the Environmental Services Department.

In accordance with A.R.S. §42-17106(B), approve the transfer of revenue and expenditure authority between the General Government Grants Fund (Department 470, Fund 249) and the Environmental Services Department Grant Fund (Department 880, Fund 505). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) General Government Grant Fund (249) by an amount not-to-exceed \$200,000 and increasing the FY 2006-07 Environmental Services (880) Grant Fund (505) by an amount not to exceed \$200,000.

Also, approve a fund transfer not-to-exceed \$200,000 from the Environmental Services Grant Fund to the Air Quality Grant Fund to complete the redistribution of funds because there is grant funding remaining in the Environmental Services Grant Fund that belongs to Air Quality.

Approval of these actions will finalize the reallocation of costs from the Air Quality Program in the Department of Environmental Services (880) to other Programs within the Department. The net impact to the County is zero. (C4905018801) (ADM2350) (ADM2375)

**31. ADDITION AND/OR REPLACEMENT OF MARKET RANGES**

Approve the addition and/or replacement of the Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors on April 18, 2007, and amended on May 16, 2007. (C4907038602) (ADM3300-006)

**32. PERFORMANCE-BASED SALARY ADVANCEMENT PLAN**

Approve the document, FY 2007-08 Performance-Based Salary Advancement Plan for Maricopa County departments on file with the Clerk of the Board's Office. The provisions of this document supersede Section VI, Paragraph A of the Maricopa County Compensation Plan, entitled Salary Advancements. The FY 2007-08 Performance-Based Salary Advancement Plan is consistent with the FY 2006-07 Performance-Based Salary Advancement Plan approved by the Board on June 7, 2006, including the average salary advancement will not be more than 3.5% on average. The sole substantive modification is to allow departments to give one-time lump sum increases to employees whose base rate exceeds the maximum of their approved market range at a percentage that is consistent increases given to other employees the department with the same performance evaluation score. (C4907049600) (ADM3308)

**33. TRANSFER EXPENDITURE AUTHORITY FOR RELOCATION OF THE ASSESSOR'S WEST TEMPE OFFICE**

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$300,000 from FY 2006-07 Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to an existing line item in Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) entitled Relocations/New Facility Start up. These are one-time funds to support the relocation of the Assessor's West Tempe Office. The countywide net impact of this adjustment is zero. (C4907050800) (ADM300-003)

**Public Health**

**34. AMENDMENT FOR PUBLIC HEALTH PHYSICAL ACTIVITY PLAN PROGRAM**

Approve Amendment No. 5 to the intergovernmental agreement (IGA) with the Arizona Department of Health Services (HG354175) to the Department of Public Health to provide the Public Health Physical Activity Plan. The amendment extends the contract end date to March 31, 2008, and provides for funding of \$130,000 for the budget term April 1, 2007 to March 31, 2008.

The Department of Public Health's current indirect rate is 18.1%. Grant indirect costs are reimbursable at a rate of 10%. Full indirect costs are estimated at \$21,235 of which \$11,732 is recoverable and \$9,503 is unrecoverable.

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 \$97,500. 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. (C8603096205)

**35. AMENDMENT TO IGA FOR TOBACCO EDUCATION/PREVENTION PROGRAMS**

Approve Amendment No. 7 to the intergovernmental agreement (IGA) for Tobacco Education/Prevention Programs from the Arizona Department of Health Services (HG354361) to Maricopa County Department of Public Health's Tobacco Use Prevention Program for FY 2008. This amendment is for a total amount of \$4,327,763. The term for the additional funds is July 1, 2007 to June 30, 2008. The Department of Public Health's indirect rate for FY 2007-08 is 18.0%. This grant allows for 15% of Personnel Services and Employee Related Expenses. The full indirect costs are estimated at \$546,247, of which \$394,593 is recoverable and \$151,654 is unrecoverable. Sub-recipient expenses in the amount of \$843,963 are 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 \$4,327,763 for FY 2007-08. 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. (C8603159207)

**36. AMENDMENTS TO CONTRACTS**

Approve the amendments to the following contracts:

- a. Amendment No. 4 to the Arizona Department of Economic Security (DES) Contract (E6305001) to the Department of Public Health for the Refugee Screening Medical Assistance Program. This amendment extends the term of this contract to June 30, 2008. The amendment provides for an itemized service budget in the amount of \$138,563 for the July 1, 2007 to June 30, 2008 budget term for the Refugee Coordination and Screening Grant for Refugee Preventative Health services. This amendment also provides for Health Assessment services and states that payments rates shall remain the same as indicated on the Contract Information page of the first year of the contract. Based on previous program years, this fee-based reimbursement is estimated to be \$487,982 bringing the total budget amount for this term to \$626,545.

Maricopa County Department of Public Health's indirect rate for FY 2007-08 is 18.0%. This grant allows for full indirect; therefore, \$95,575 is recoverable.

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 \$626,545 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. (C8604064205)

- b. Amendment No. 2 to the contract for services with Banner Health System d.b.a. Banner Good Samaritan Medical Center through Maricopa County Department of Public Health to provide a Public Health Public Information Line. The contract term is from July 1, 2007 to June 30, 2008, for an amount not-to-exceed \$99,000. (C8604078102)
- c. Amendment No. 3 to the contractor agreement with Value Options of Arizona, Inc. and Maricopa County Department of Public Health's Health Care for the Homeless Clinic (HCH). The amendment provides for administrative changes in the Special Terms and Conditions section and does not change the total contract dollar amount of \$66,799. This amendment will not have an impact on HCH operations. The initial term of this agreement is from July 1, 2006 through June 30, 2007. (C8606025104)
- d. Approve Amendment No. 6 to the contract with Mountain Park Health Center Inc., to provide Well Woman Healthcheck services to uninsured or underinsured women. This amendment increases the contract dollar amount by \$6,000. Total funding for the contract term ending June 30, 2007, will increase from an amount not-to-exceed \$73,571 to an amount not-to-exceed \$79,571. All other terms and conditions of the original Contract shall remain in full force and effect. Mountain Park Health Center was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on June 10, 2005 (PH ROQ 05-008). (C8607004102)

**37. CONTRACT FOR SERVICES WITH THE ARIZONA PARTNERSHIP FOR IMMUNIZATION**

Approve the Contract for Services between The Arizona Partnership for Immunization (TAPI) and Maricopa County by and through its Department of Public Health. This contract will provide TAPI with funds that will be used to train paramedics and public/private sector volunteers to administer vaccinations in the event of an outbreak of a vaccine preventable illness. The amount of this contract is not to exceed \$250,000. The term of this contract is valid upon execution through August 30, 2007. (C8607053100)

**38. IGA WITH PUBLIC HEALTH'S RYAN WHITE PLANNING COUNCIL AND ADHS**

Approve the intergovernmental agreement (IGA) between Maricopa County through its Department of Public Health's Ryan White Planning Council and the Arizona Department of Health Services (ADHS) Contract No. HG754273. ADHS will provide \$41,419 to the Planning Council to produce resource guides for people living with HIV/AIDS. The agreement term begins March 30, 2007 through July 31, 2007. The Department of Public Health's indirect rate is 18.0% for FY 2007-08. These funds do not allow for indirect. The full indirect cost is \$7,455, of which \$0 is recoverable and \$7,455 is unrecoverable.

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 \$41,419 for FY 2007-08. The appropriation adjustments are 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. (C8607056300)

**39. DONATION OF VACCINES FOR IMMUNIZATION OF CHILDREN**

Accept the additional donation of various vaccines, at no cost to Maricopa County, from the Arizona Department of Health Services (ADHS) for use in the Maricopa County Department of Public Health's (MCDPH) Immunization Program in the amount of \$1,300,000. The total value of the vaccines in FY 2006-07 is estimated at \$7,300,000. This grant-like item is awarded in-kind and the value of which will be booked as a revenue and expenditure in the Finance System.

MCDPH's indirect rate for FY 2006-07 is 18.1%. This in-kind grant does not allow for indirect; therefore, \$1,118,798 is unrecoverable. Approve revenue and expenditure adjustments to the Public Health Department's Grant Fund (Department 861, Fund 532) associated with the aforementioned donation in an amount not-to-exceed \$1,300,000. The appropriation adjustment is necessary because these funds were not included in the FY 2006-07 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. 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. (C8607060M00)

**40. AGREEMENT WITH THE GEORGE WASHINGTON UNIVERSITY**

Approve the affiliation agreement between Maricopa County, through its Department of Public Health, and The George Washington University on behalf of The George Washington University Medical Center through its School of Public Health and Health Services to allow students to participate in learning experiences at the Maricopa County Department of Public Health. The agreement is non-financial. The term is from January 1, 2007 and expires December 31, 2009. (C8607061000)

**41. LINKAGE AGREEMENT BETWEEN PROJECT AYUDA AND PARTICIPATING AGENCIES**

Approve the Memorandum of Agreement entitled "Memorandum of Agreement: Linkage Agreement Between Project Ayuda and Participating Agencies" between Maricopa County, through its Department of Public Health, and Paradise Valley Community College, through its Office of Service Learning/Project Ayuda to allow Department of Public Health dietetic interns to receive volunteer credit through Project Ayuda. The agreement is non-financial, and the term is from January 1, 2007 through December 31, 2007. (C8607062000)

**ASSISTANT COUNTY MANAGER - COMMUNITY SERVICES**

**Human Services**

**42. AMENDMENT TO CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES, INC**

Approve the amendment to increase the value of the cost reimbursement contract between Catholic Charities Community Services, Inc., an approved Delegate Agency, and Maricopa County's Human Services Department for the provision of Head Start and Early Head Start services in the western part of the County. This amendment will increase the contract amount by \$223,945 (from \$7,020,196 to \$7,244,141) to provide one-time funds to support the purchase of two vehicles, program materials and supplies, including computers and other technology supplies, playground improvements and storage sheds, building improvements, and building appraisals. Catholic Charities is required to provide a 25% local match for these funds. The target population includes low-income children ages 0-5 years and their families. Funding for this contract is provided by the U.S. Department of Health and Human Services. This contract term remains unchanged from July 1, 2006, to June 30, 2007. This contract does not include any county general funds. (C2207067002)

**43. HEAD START AND EARLY HEAD START SERVICES**

Approve a cost reimbursement contract between Catholic Charities Community Services, an approved Delegate Agency, and Maricopa County's Human Services Department for the provision of Head Start and Early Head Start services in the western part of the county. The target population includes low-income children ages 0-5 years and their families. The contract amount is \$7,016,647. Funding under this agreement is based on Financial Assistance Award by the funding source, U.S. Department of Health and Human Services, not-to-exceed \$7,500,000. This contract is effective on July 1, 2007, and shall terminate June 30, 2008. This contract does not include any County general funds. (C2208064100)

**44. OPERATION OF THE COMMUNITY ACTION PROGRAM**

Approve the agreements with the following cities and private agencies for the operation of the Community Action Programs to provide community services and case management and emergency services for low-income residents in each town/city and surrounding identified geographic areas. The terms of these agreements are for the period of July 1, 2007 to June 30, 2008, and may be renewed for two additional one year terms based on successful financial and program performance. These agreements are contingent upon final approval of the County's FY 2007-08 budget, and the receipt of fully executed agreements between Maricopa County and the Arizona Department of Economic Security. There is no long-term commitment on the part of Maricopa County to continue this program beyond the terms of the agreements. These agreements require that the cities develop and implement programs and services that address the following federal goals for Community Action Programs: securing and maintaining employment; securing adequate education; better Income management; securing adequate housing; providing emergency services; improving nutrition; creating linkages among anti-poverty programs; and, achieving self-sufficiency.

- a. **City of Avondale** – Intergovernmental Agreement with the City of Avondale will provide the funding in a not-to-exceed amount of \$153,324. Funding for this intergovernmental agreement is being provided by the Arizona Department of Economic Security (\$117,193) and Maricopa County (\$36,131). (C2208066200)
- b. **City of Glendale** – Intergovernmental Agreement with the City of Glendale will provide funding in a not-to-exceed amount of \$287,329 for the period of July 1, 2007, to June 30, 2008. Funding for this Intergovernmental Agreement is being provided by the Arizona Department of Economic Security (\$234,223) and Maricopa County (\$53,106). (C2208070200)
- c. **FSL Program for the City of Peoria** – Contract with FSL Programs, an affiliate corporation of the Foundation for Senior Living, a not-for-profit organization will provide the funding in a not-to-exceed amount of \$200,087. (C2208075100)

**45. IGA FOR SERVICES AND EDUCATIONAL PROGRAMS**

Approve the non-financial intergovernmental agreement (IGA) between Higley Unified School District and Maricopa County Human Services Department to collaboratively provide the Maricopa County Head Start program with services to preschool children with disabilities, as defined in A.R.S. §15-761, who are enrolled in the Head Start program. Higley Unified School District will provide services for preschool children with disabilities, who are enrolled in the Head Start program. This agreement is effective from July 1, 2007 to June 30, 2010. (C2208084200)

**46. CONTRACTS FOR SERVICES**

Approve the following contracts for services for the period from July 1, 2007 to June 30, 2008:

- a. FSL Home Improvements (an affiliate corporation of the Foundation for Senior Living, a not-for-profit organization) for the provision of LIHEAP Services. The contract value will not exceed \$954,386. There is no long-term commitment on the part of Maricopa County to continue this program beyond the term of this agreement. (C2208089100)

- b. Central Arizona Shelter Services (CASS) in the amount of \$653,000 to provide emergency shelter, comprehensive supportive services for homeless individuals and families and low demand shelter during the FY 2007-08. The funding for this contract is pending approval of the FY 2007-08 Maricopa County Budget by the Board of Supervisors. (C2208090100)
- c. Sun Health/Olive Branch Senior Center in the amount of \$20,000 to support the provision of a comprehensive array of supportive services to elderly individuals during FY 2007-08. (C2208091100)
- d. Central Arizona Shelter Services (CASS) in the amount of \$72,000 to provide day resource services for homeless individuals during the FY 2007-08. The funding for this contract is pending approval of the FY 2007-08 Maricopa County Budget by the Board of Supervisors. (C2208093100)

## **CHIEF FINANCIAL OFFICER**

### **Animal Care & Control Services**

#### **47. NEW HOPE ANIMAL RESCUES**

Approve the following agreements with Maricopa County 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 thirty-nine dollars (\$39) for each animal rescued:

- a. Helping Animals Live On Rescue (H.A.L.O.), a 501 (c) 3 non-profit corporation, P O Box 30656, Phoenix, AZ 85046. Animal Care & Control estimates 3,000 new hope rescues over the term of the agreement, for a total of \$117,000. The term of this agreement is from May 16, 2007 through April 17, 2010. (C7907085100)
- b. Desert Labrador Retriever Rescue, a 501 (c) 3 non-profit corporation, P O Box 1347, Litchfield Park, AZ 85340. Animal Care & Control estimates 200 new hope rescues over the term of the agreement, for a total of \$7,800. The term of this agreement is from May 16, 2007 through April 17, 2010. (C7907086100)
- c. Arizona St. Bernard Rescue, a 501 (c) 3 not-for-profit corporation, 4836 E. Berneil Drive, Scottsdale, AZ 85253, in the amount of \$390. This contract is effective from July 1, 2007 through June 30, 2008. (C7908002100)
- d. Arizona Cocker Rescue, a 501 (c) 3 not-for-profit corporation, 6501 E. Greenway Parkway #103, PNB 272, Scottsdale, AZ 85284, in the amount of \$585. This contract is effective from July 1, 2007 through June 30, 2010. (C7908003100)

**48. IGA FOR ANIMAL CONTROL FIELD SERVICES**

Approve an intergovernmental agreement (IGA) between Maricopa County through Maricopa County Animal Care & Control and the Town of Gilbert, for Animal Control Field Services as determined in this agreement in the amount of \$120,734. This IGA is effective from July 1, 2007 through June 30, 2010. (C7908001200)

**49. KENNEL PERMITS RENEWALS**

Approve the following kennel permit renewals for the term of May 16, 2007 through May 15, 2008. The cost of each kennel permit is \$328.

- a. Bonnie Yarnell d.b.a. Bimini Kennels, 21039 S. 158th Street, Gilbert, AZ 85296, Permit #081 (Supervisory District 1) (C7907118C00) (ADM2304)
- b. Marilyn Pauly, d.b.a. Evanz Kennels, 16853 N. 39th Drive Phoenix, AZ 85053, Permit #352. (Supervisory District 4) (C7907121C00) (ADM2304)

**50. DONATIONS**

- a. Approve the acceptance of a donation from Kimberly Eilert of Mesa, AZ to Maricopa County Animal Care & Control (MCACC) in the amount of \$500 for the care and well being 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. (C7907119000) (ADM2300-006)
- b. Approve the acceptance of a donation from Bonnie's Barkery of Cave Creek, AZ to Maricopa County Animal Care & Control (MCACC) in the amount of \$422 for the care and well being 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. (C7907120700) (ADM2300-006)

**Finance**

**51. 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.

**52. CONVEYANCE OF REAL PROPERTY**

Pursuant to A.R.S. §11-251 (9), authorize the conveyance of real property that is restricted for the single purpose of the installation, maintenance and repair of domestic water tank and appurtenant items thereto, identified as APN 216-25-0093B, to the Town of Carefree, at no cost, and authorize the Chairman of the Board to execute all necessary documents approved by County Counsel to complete the conveyance of the property. **THIS ACTION REQUIRES A UNANIMOUS ROLL CALL VOTE (C1807040000)**

**Materials Management**

**53. 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**

**06143-RFP      GPS/AVL Mobile Data Computer System (\$700,000 estimate/five years)**  
Contract for purchase of mobile data computer terminals and applicable implementation, software application hosting, and support and maintenance for Maricopa County Human Services Special Transportation Services.

- Mentor Engineering, Inc.

**07019-ROQ      Adult Special Advocacy Attorney Services—OCC (\$1,800,000 estimate/three years)** Contract to provide adult special advocacy attorney services to qualified indigent persons as requested by the Office of Contract Counsel.

- Sabrina Ayers Fisher
- Nicole M. Brickner
- Carol Coghlan Carter
- Stephen Cary Forrester
- Kelly Hammer
- Bernard P. Lopez
- Julia A. Lopez
- Habib Prierce-Byrd
- Robert D. Rosanelli
- Larry J. Ruhl
- Jennifer Ryan-Touhill
- Stephanie Stromfors
- Brian Theut
- Christopher P. Theut
- Paul J. Theut
- Law Office of John Vigileos
- John R. Worth

**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 July 31, 2008**

- 03024-C      Miscellaneous Foods and Staple Grocery Items (\$900,000 estimate/ one year)**  
Price agreement renewal to provide miscellaneous food and staple grocery items for MCSO Food Service.
- Custom Food Service Inc
  - Epicurean Foods
  - Kellogg Supply, Inc.
  - Shamrock Foods

**Approval for Correction to Contract approved on May 16, 2007 Agenda**

Serial 06158-S (Insurance Broker Contract Services – RM) - Correct contract expiration date from May 31, 2010 to June 30, 2010.

**Approval of Sale of County Property**

Approve the sale of 94 Dolphin Model #7200 hand-held barcode scanners and accessories for the Facilities Management Department. These scanners are MS DOS based technology and are now obsolete. Quotations were solicited from companies interested in purchasing the units. No interest responses were received from Peak Technology and Hand Held. RYZEK quoted \$11,470 for the entire lot consisting of the following:

<u>OEM Part #</u>	<u>Description</u>	<u>Quantity</u>	<u>Price</u>
90009330	Docking Station w/ battery slot for #7200	19	\$190.00
90011080	Hand Held Batch Terminal (Dolphin)	94	<u>\$11,280.00</u>
	Total		\$11,470.00

**CAPA APPROVALS**

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

**Finance**  
Beth Brown  
Heather Kowalski  
Joyce Maurmann  
Jacinta Rollins

**OET**  
Julie Belter

**Parks and Recreation**  
Raymond Kaniut

**Sheriff**  
Sue Malinowsky

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

### **Emergency Management**

#### **54. MARICOPA COUNTY CITIZEN CORP PROGRAM AND PLANNER**

Approve and accept \$127,580.00 in 2006 Federal Homeland Security Grant Program 2006-GE-T6-0007 from the Arizona Department of Homeland Security. The grant period is July 1, 2006 to October 31, 2008. This is a reimbursable grant. Approve an appropriation adjustment in the amount of \$10,710.00 for both revenue and expenditures to the Emergency Management Department (150) Emergency Management Fund (215) budget. Also, direct the Office of Management and Budget to budget continued revenue and expense for FY 2007-08 in the amount of \$116,870.00. The funds are being awarded to support the Citizen Corp Planner and the Maricopa County Citizen Corp Program. Maricopa County Department of Emergency Management's (MCDEM) current indirect cost rate is 12.85% for FY 2007-08. Indirect costs of \$16,394.03 are unallowable and unrecoverable. This cost will be fully absorbed in the MCDEM 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. 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. (C1507012300)

#### **55. MARICOPA COUNTY CITIZEN CORPS PROGRAM**

Approve and accept \$47,601.00 in 2006 Federal Homeland Security Grant Program 222205-05 CFDA 97.067 from the Arizona Department of Homeland Security. The grant period is April 1, 2007 to March 31, 2008. This is a reimbursable grant. Approve an appropriation adjustment for FY 2007-08 in the amount of \$47,601.00 for both revenue and expenditures to the Emergency Management Department (150) Emergency Management Fund (215) budget. Maricopa County Department of Emergency Management's (MCDEM) current indirect cost rate is 12.85% for FY 2007-08. Indirect costs of \$6,116.73 are unallowable and unrecoverable. This cost will be fully absorbed in the MCDEM 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. 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. (C1508001300)

### **Environmental Services**

#### **56. SOLE SOURCE CONTRACT FOR WEST NILE VIRUS TESTING**

Approve a sole source contract with ADAPCO, Inc. as the exclusive distributor for Response Biomedical Corporation. The sole source contract, in the amount of \$195,000, will allow the Environmental Services Department to purchase needed RAMP System and West Nile Virus Test Kits. The sole source contract will continue the West Nile surveillance testing through June 2008. Funding for this contract is already part of the department's FY 2007-08 budget request. (C8807008100)

**Equipment Services**

**57. REVENUE AND EXPENDITURE ADJUSTMENTS FOR FUEL AND PARTS**

Pursuant to A.R.S. §42-17106(B), approve an increase in budgeted revenue and expenditures for the Equipment Services Department (Department 740, Fund 654) for FY 2006-07 in an amount not-to-exceed \$2,767,230 due to the increase cost of fuel and parts. The revenue from charges for fuel and parts will offset the wholesale expense. This will require offsetting revenue and expenditure adjustments to Eliminations (Department 980 Fund 900) not-to-exceed \$2,767,230 that will have a net zero impact to the budget. (C7407004800) (ADM3100-003)

**Facilities Management**

**58. AMEND ACTION FOR APPROPRIATE TRANSFER OF FUNDS**

Amend previous Board action (C7007042801), approved on April 18, 2007, which included the following language:

Approve an FY 2006-07 fund transfer of \$1,930,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to the Appropriated Fund Balance (480) General Fund County Improvement Fund (445). Also, increase the FY 2006-07 Appropriated Fund Balance (480) General Fund County Improvement Fund (445) revenue appropriation by \$1,930,000 and expenditure appropriation by \$60,000, and increase the FY 2006-07 expenditure appropriation of the General Government (470) Grants Fund (249) by \$1,870,000 with offsetting revenue and expenditure eliminations in the Eliminations (980) Eliminations Fund (900).

To the following language:

Transfer FY 2006-07 expenditure appropriation of \$1,930,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to the Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) line entitled, "Transfer to CIP funds". Also approve a fund transfer of \$1,930,000 from the Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) "Transfer to CIP funds" line to the Appropriated Fund Balance (480) General Fund County Improvement Fund (445). In addition, increase the FY 2006-07 Appropriated Fund Balance (480) General Fund County Improvement Fund (445) revenue appropriation by \$1,930,000 and expenditure appropriation by \$60,000, and increase the FY 2006-07 expenditure appropriation of the General Government (470) Grants Fund (249) by \$1,870,000 with offsetting revenue and expenditure eliminations in the Eliminations (980) Eliminations Fund (900). (C7007042801) (ADM800-003)

**59. EXPENDITURE BUDGET ADJUSTMENTS FOR ADDITIONAL FACILITY RELATED ISSUES**

Pursuant to A.R.S. §42-17106(B), approve the following FY 2006-07 expenditure budget adjustments in General Government (470) General Fund (100) Central Service Costs (4714):

- Increase Maintenance Contracts by \$500,000.
- Decrease Utilities by \$500,000.

The adjustments have a net zero impact on the overall county budget. (C7007048800) (ADM800-003)

**60. PROFESSIONAL SERVICE CONTRACT FOR ENGINEERING SERVICES**

Approve a professional service contract with MMLA Psomas, Inc. to provide "as needed" engineering services for a two-year period. The consultant will provide planning, programming, estimating, design, and construction administration services for various county projects. Consultant fees for this two-year period shall be \$500,000 or less and are paid by the county's major maintenance budget or by budgeted department funds. (C7007049500)

**61. ADJUSTMENTS TO FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM**

Pursuant to ARS 42-17106(B), authorize the following adjustments to the FY 2006-07 Five-Year Capital Improvement Program:

- o Decrease the FY 2006-07 Appropriated Fund Balance (480) County Improvement Fund (435) expenditure appropriation by \$1,944,313. Bond proceeds are considered non-local revenue for the purpose of the constitutional expenditure limitation, and therefore expenditure appropriation in the County Improvement Fund is not subject to the limitation.
- o Transfer FY 2006-07 expenditure appropriation of \$1,944,313 from the General Government (470) Grants Fund (249) to the Appropriated Fund Balance (480) General Fund County Improvement Fund (445).
- o Decrease the Appropriated Fund Balance (480) County Improvement Fund (435) Downtown Justice Center (DCJC) project expenditure budget by \$1,944,313 in Year 1 and increase the Appropriated Fund Balance (480) General Fund County Improvement Fund (445) Downtown Justice Center (DCJC) project expenditure budget by \$1,944,313 in Year 1. (C7007050800) (ADM800-003)

**Risk Management**

**62. SETTLEMENT AGREEMENT**

Approve the proposed Settlement Agreement between Maricopa County and Plaintiffs Lawrence and Victoria Apodaca, concerning Maricopa County Superior Court Case No. CV2006-014860 (Claim No.: AL8844031241) and authorize the Chairman to sign the settlement agreement and all necessary documents upon review and approval as to form by assigned legal counsel. This matter will be discussed in Executive Session on June 4, 2007. (C7507030100) (ADM409)

**Solid Waste**

**63. EXECUTIVE COMPENSATION PACKAGE**

Approve an Executive Compensation Package (ECP) for Bill Thornton, Director of Solid Waste, in order to deposit 200 hours of Family Medical Leave into his FML leave bank on or about April 30th of 2008, 2009 and 2010, as an employment retention incentive. For more than two years, Mr. Thornton has been the Solid Waste Director. In order for him to complete the implementation of the Solid Waste Strategic Plan, it is requested that the Board of Supervisors approve this ECP as a strategy to retain his employment for the next three years. He has provided critical leadership to Solid Waste and accomplished a number of important goals moving the Department forward. If at the time of his retirement he has accumulated 1,000 hours in his FML bank, Mr. Thornton would be eligible to participate in the Post Employment Health Plan and qualify for Maricopa County to contribute \$10,000 tax free to fund an investment account for the payment of post employment medical expenses. This action will assist Mr. Thornton in qualifying for this benefit. (C6707007M00) (ADM3308-002)

**Transportation**

**64. 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)

**65. TRANSPORTATION ADVISORY BOARD SPECIAL PROJECT FUND**

Approve Maricopa County Department of Transportation's Transportation Advisory Board's (TAB) request to increase the Transportation Advisory Board Special Project Fund from \$1,000,000 up to \$1,500,000. The request to increase the Special Project Fund was made at the January 16, 2007 meeting, which was unanimously approved by the Transportation Advisory Board members. In a continuing effort to better serve the residents of Maricopa County, the Transportation Advisory Board (TAB) would like to increase the Special Project Fund from \$1,000,000 million up to \$1,500,000 million which allows them to respond to proposed transportation projects that it considers to be worthy, but are not programmed in Maricopa County Department of Transportation's Capital Improvement Program. This fund is reauthorized on an annual basis. (C6402255601) (ADM2001) (ADM2038)

**66. OLIVE AVENUE CROSSING AT BEARDSLEY CANAL PROJECT**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) FCD 2004A005A, Olive Avenue Crossing at Beardsley Canal (Project #470), between the Flood Control District of Maricopa County and the Maricopa County Department of Transportation (MCDOT). This amendment is to revise the ownership and maintenance responsibilities for the Olive Avenue Crossing. The Flood Control District is requesting approval of this IGA from the Board of Directors under agenda item C6905059201. (Supervisory District 4) (C6405130201)

**67. AMENDMENT TO FIVE-YEAR TIP – TRANSPORTATION CAPITAL PROJECTS FUND**

Pursuant to A.R.S. §42-17106 (B), approve an amendment to the current FY2007-2011 five-year TIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 21, 2006, by **decreasing** the FY 2006-07 (Year 1), capital budget for the following projects:

<b>Project Number</b>	<b>Name</b>	<b>Capital Budget</b>
T002	Project Reserves Account	\$3,655,000
T006	Unallocated Force Account	\$812,500
T102	Williams Field Road at Higley Road	\$525,000
T112	MC 85: 107th Ave – 91st Avenue	\$1,075,000
T219	Mingus Box Culvert	\$275,000

And, adjusting the following projects by **increasing** the FY 2006-07 (Year 1) capital budget for the following projects:

<b>Project Number</b>	<b>Name</b>	<b>Capital Budget</b>
T001	TIP Development	\$230,000
T011	ROW In-Fill/Roadway Inventory System	\$200,000
T025	Bell Road: SR303 – L101 ITS Imp	\$30,000
T028	PM 10 Program	\$125,000
T039	PM 10: Box Bar and Needle Rock	\$95,000
T047	PM 10: (PH 4) in North Valley	\$30,000
T062	Ellsworth Road: University Road-McLellan Road	\$230,000
T068	Ellsworth Road: Germann Road-Baseline Road	\$1,425,000
T083	MC 85: Cotton Lane – Estrella Parkway	\$175,000
T087	Queen Creek Road: AZ Ave – McQueen Road	\$1,400,000
T099	75th Avenue: MC 85 – Van Buren	\$2,500
T104	El Mirage: Beardsley – Loop 303	\$5,000
T113	MC 85: 91st Avenue – 75th Avenue	\$30,000
T114	Chandler Hgts Road at Sonoqui Wash	\$75,000
T166	MC 85: SR 85 – 75th Avenue	\$50,000
T176	Low Volume Roads Program	\$90,000
T186	Indian School Road: Litchfield - Dysart	\$120,000
T190	Dysart Road Bridge at Colter Channel	\$20,000
T193	Desert Hills at Skunk Creek	\$40,000
T199	Dobson Road Bridge at Salt River	\$15,000
T200	Olive Avenue at Beardsley Canal	\$30,000
T205	99th Avenue at Palmeras	\$25,000
T211	Olive Avenue at Litchfield Road	\$60,000
T213	Cotton Lane at McDowell	\$50,000
T216	Pinnacle Peak Road at 83rd and 91st Avenue	\$450,000
T218	SR 303 at Waddell Road	\$180,000
T225	Hawes Road at Hunt Highway	\$125,000
T226	Warner Road at Power Road	\$50,000
T227	Meeker at Camino Del Sol	\$120,000
T228	Olive Avenue at 103rd Avenue	\$25,000
T229	Sonoma at Dysart Road	\$60,000
T232	R.H. Johnson Boulevard at Meeker	\$75,000
T236	Signal Modernization SC1	\$180,000
T243	Galivan Peak Pkwy: Cloud – Joy Ranch	\$160,000
T248	Deer Valley Road: El Mirage – Lake Pleasant	\$50,000
T251	Riggs Road: Ellsworth Road – Meridan Road	\$15,000
T256	Northern Avenue at El Mirage Road	\$300,000

The requested adjustment is necessary to realign project budgets to more closely match year-end projected expenditure amount, and results in a net impact of zero. (C6407227800) (ADM2000-003)

**68. IGA FOR RUBBERIZED BITUMINOUS SURFACE TREATMENT**

Approve the intergovernmental agreement between Maricopa County and the City of Phoenix for the Rubberized Bituminous Surface Treatment on Lone Mountain Road near 52nd Street. The County is the lead agency with the City of Phoenix paying for the actual costs of the materials for the surface treatment on a 1/4 mile segment of Lone Mountain Road that exists within their jurisdictional boundaries. The estimated cost for this 1/4 mile segment is \$8,200. (Supervisory District 3) (C6407232200)

**69. EASEMENT**

Approve an Easement from Maricopa County, a political subdivision of the State of Arizona to the Salt River Project Agricultural Improvement and Power District, an agricultural improvement district organized and existing under the laws of the State of Arizona. (Supervisory District 2) (C6407233000) (ADM2013)

**70. ANNEXATION BY THE CITY OF PHOENIX**

Approve the annexation by the City of Phoenix of County right-of-way within: 51st Avenue from Estrella Drive to Olney Avenue and also Elliot Road from 55th Avenue to approximately 1100 feet east of 51st Avenue and also Carver Road from 51st Avenue to 1505 feet east of 51st Avenue, in accordance with Ordinance No. G-4884. (Supervisory District 1) (C6407238000) (ADM4213-002)

**71. INDIAN SCHOOL ROAD: OLD LITCHFIELD ROAD TO DYSART ROAD**

Approve the Consultant Services Contract No. 2007-018 with PB Americas, Inc. in the amount not-to-exceed \$1,342,145.44 for construction administration services for the Indian School Road: Old Litchfield Road to Dysart Road, T186. Approval of this agenda is contingent upon the Board adopting the recommended FY 2007-08 budget. (Supervisory District 4) (C6407239500)

**72. NEW RIVER ROAD ACCESS CONTROL AND CORRIDOR IMPROVEMENT STUDY**

Approve Consultant Services Contract No. 2006-027 with PBS&J for a lump sum fee amount not-to-exceed \$383,997.56 for the preparation of the New River Road Access Control and Corridor Improvement Study (New River Road: I-17 to Desert Hills Drive), Project No. T005. The corridor improvement study shall be completed within 420 calendar days from the Notice To Proceed. (Supervisory District 3) (C6407240100)

**73. TRAFFIC CONTROL CHANGES**

Approve the following traffic control changes:

- a. **Camelback Road and Cotton Lane** – A Four Way Stop (from a two-way east/west stop). This partially rescinds the Through Street Resolution on Cotton Lane dated May 21, 1957. (Supervisory District 4) (C6407242000) (F23193)
- b. **Southern Avenue and Rainbow Road** – A Four Way Stop (from a two-way east/west stop). This partially rescinds the Through Street Resolution on Southern Avenue dated January 26, 1976. (Supervisory District 4) (C6407243000) (F23193)
- c. **Southern Avenue and Apache Road** – A Four Way Stop (from a two-way east/west stop). (Supervisory District 4) (C6407244000) (F23193)

**74. NEW TRAFFIC CONTROLS**

Approve the following new traffic controls on unincorporated right-of-way at the following locations:

- a. **43rd Avenue from Southern Avenue to Broadway Road** (both sides) – A NO STOPPING, STANDING, PARKING ANYTIME ZONE. (Supervisorial District 5) (C6407245000) (F23193)
- b. **154th Lane at Greystone Drive for North and Southbound traffic** – A Two-Way Stop. (Supervisorial District 4) (C6407246000) (F23193)
- c. **154th Lane at White Horse Drive for North and Southbound traffic** – A Two-Way Stop. (Supervisorial District 4) (C6407246000) (F23193)
- d. **110th Lane/Morten Avenue at 110th Avenue for East and Westbound traffic** – A Two-Way Stop. (Supervisorial District 4) (C6407247000) (F23193)
- e. **Memorial Drive from 100 Feet East of Daisy Mountain Drive to Whitman Drive** – All Traffic to stop before entering or crossing a THROUGH STREET within the prescribed limits of: (Supervisorial District 3) (C6407248000) (F23193)
- f. **31st Drive at Irvine Road for Northbound traffic** – A One Way Stop. (Supervisorial District 3) (C6407249000) (F23193)

**75. ROAD FILE VACATE AND ABANDON**

Adopt Resolution AB-182 to abandon a portion of Baseline Road in the vicinity of Baseline Road and 133rd Avenue, per A.R.S. §28-7214, by extinguishing the easement which was conveyed to Maricopa County by means of an Easement for Highway Purposes on April 13, 1965 and recorded by the Maricopa County Recorder as Docket 5506, Page 426. (Supervisorial District 5) (C6407228000)

**BOARD OF SUPERVISORS**

**Clerk of the Board**

**76. APPOINTMENTS**

Approve the appointments, reappointments and resignations of the following individuals:

- a. **Citizens' Transportation Oversight Committee** – Reappoint Terry Rainey, representing Supervisorial District 1, whose term is effective from June 18, 2007 through June 17, 2010. (C0607084900) (ADM2047-001)
- b. **Citizens' Transportation Oversight Committee** – Appoint Peggy Jones, representing Supervisorial District 5, whose term is effective from the date of Board approval through May 31, 2010. (C0607093900) (ADM2047-001)

- c. **Citizens' Audit Advisory Committee** – Reappoint Richard Lozar, nominated by Supervisorial District 5, whose term is effective from the date of Board approval through May 14, 2009. (C0607090900) (ADM2602-001)
- d. **Transportation Advisory Board**– Resignation of Murray Johnson, representing Supervisorial District 5. (C0607091900) (ADM2038-001)
- e. **Planning and Zoning Commission** – Appoint Murray Johnson, representing Supervisorial District 5, whose term is effective from the date of Board approval through May 31, 2011. (C0607094900) (ADM3415-001)
- f. **Board of Adjustment and Drainage Review Board** – Appoint Abe Harris, representing Supervisorial District 5, whose term is effective from the date of Board approval through March 19, 2010. (C0607092900) (ADM3408-001)
- g. **Ryan White Planning Council** – Appoint Laverne Parker Diggs, representing the General Public, whose term is effective from July 1, 2007, through June 30, 2010. (C2007097000) (ADM2153-001)
- h. **Ryan White Planning Council** – Appoint Anaseli Torres as Alternate for Maclovía Zepeda, representing Service Providers, whose term is effective from the date of Board approval through February 28, 2010. (C2007097000) (ADM2153-001)
- i. **Maricopa Workforce Connections Board** – Appoint and reappoint the following individuals, whose terms are effective from July 1, 2007 through June 30, 2009. (C2207133900) (ADM2512-001)

Name	Type	Representation
Tina Huff, Pro's Ranch Markets	Appointment	Industry
Brady Young, TGen	Appointment	Industry
Thomas Koelbl, Banner Health System	Appointment	Industry
Karen Poole, Maricopa Community College District	Appointment	One-Stop Partners
Chevera Trillo, Maximus	Appointment	One-Stop Partners
Neil Alexander, Littler Mendelson	Reappointment	Industry
Jane Fletcher, Camelback Inn	Reappointment	Industry
John Garza, Pinnacle West Capital Corporation	Reappointment	Industry
Jim Ponte, Harris Printers	Reappointment	Industry
Richmond Vincent, Compass Bank	Reappointment	Industry
Rebecca Flanagan, U.S. Department of Housing and Urban Development	Reappointment	One-Stop Partners
Tony Maldonado, Paradise Valley STAR Tech Professional Center	Reappointment	Education
Annette Stein, Maricopa County Human Services Department	Reappointment	One-Stop Partners
Mike Wall, Training for Phoenix Pipe Fitting Trades Apprenticeship	Reappointment	Labor
Nancy Welch, Morrison Institute for Public Policy	Reappointment	Education
Joel Millman, Department of Economic Security Division of Aging and Adult Services	Reappointment	One-Stop Partners
Marie Sullivan, Arizona Women's Education and Employment	Reappointment	Community Based Organization

- j. **Maricopa Workforce Connections Board** – Resignation of the following individuals representing Industry. (C2207133900) (ADM2512-001)
- Susan Andrews
  - Janine Tilli
  - Charles Brewer
  - Bill Harrington
  - Barbara Stahl
  - John Corella
- k. **Maricopa Workforce Connections Board** – Appoint Margaret Trujillo, replacing Susan Schmidt, representing One-Stop Partners, who will fill the unexpired portion of the term effective the date of the Board approval through June 30, 2007. (C2207133900) (ADM2512-001)
- l. **Travel Reduction Program (TRP) Regional Task Force** – Appoint Randy Roberts, nominated by Supervisorial District 4, whose term is effective from the date of Board approval through January 31, 2009. This appointment shall fill an existing vacancy on the Task Force. (C8507028900) (ADM2358-001)
- m. **Travel Reduction Program Regional Task Force** – Amend the action taken on November 15, 2006, in which Lori Singleton was reappointed to the Travel Reduction Program Regional Task Force. Approve the nomination of Ms. Singleton as Chairman of the Travel Reduction Program Regional Task Force. Pursuant to A.R.S. §49-582, the task force shall nominate a chairman for the Task Force who is then officially appointed by the Board. All other terms remain unchanged. (C8507012901) (ADM2358-001)

**77. 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)

## **SETTING OF HEARINGS**

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

### **Transportation**

#### **78. ROAD FILE DECLARATION**

Set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, July 25, 2007.

- a. **Road File No. A322-R.** In the vicinity of Turner Road, from the East-West Mid Section Line of Sections 2 and 3, Township 1 South, Range 4 West, to Hazen Road and Hazen Road from 52 feet West of the East line of the Southeast quarter of Section 10, Township 1 South, Range 4 West, to 60 feet East of the West line of the Southwest quarter of Section 11, Township 1 South, Range 4 West. (Supervisory District 4) (C6407229000)
- b. **Road File No. 5362.** In the vicinity of Camelback Road and Dysart Road. (Supervisory District 4) (C6407234000)

### **Animal Care and Control Services**

#### **79. SET PUBLIC HEARING – FEE SCHEDULE**

Set a public hearing for 9:00 a.m., Wednesday, July 25, 2007, to consider implementation of a new fee schedule and adjustment to existing fees, and accept the proposed fees for Maricopa County Animal Care & Control (MCACC). Pet fee increases include a differential rabies vaccination, altered dog license, and license penalty fees. MCACC also requests a differential rabies vaccination fee: cost recovery fee for shelter application and a reduced fee for special vaccination clinics as an incentive to vaccinate and license pets. Upon Board approval these fees will become effective August 1, 2007. (C7908004800) (ADM2305)

## **CONSENT AGENDA**

### **Clerk of the Board**

80. **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)
81. **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.
82. **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)

83. **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)
84. **Minutes** – Approve the minutes of the Board of Supervisors meetings held March 19, 2007 and April 4, 2007.
85. **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)
86. **Secured Tax Roll Corrections** – Pursuant to A.R.S. §42-17152 approve requests from the Assessor for corrections of the Secured Tax Rolls. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705)
87. **Settlement of Tax Cases** – Approve the settlement of tax cases dated June 6, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704)
88. **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)
89. **Tax Abatements** – Pursuant to A.R.S. §41-18353, approve requests for tax abatements from the Treasurer's Office. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708)
90. **Write-Offs** – Accept the write-offs of the Sheriff's Uncollectible Accounts as set forth in the list on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule in the amount of \$12,639.30. This item was discussed in Executive Session held May 14, 2007. (ADM407)

## **IMPROVEMENT DISTRICT AGENDA**

### **ID-1. CALLABLE FEATURE OF BONDS**

Adopt an action to conform to the callable feature of the bonds in the 7th Street North Improvement Districts. This action is necessary due to prepayment of assessments. (Supervisory District 3) (C6407235000) (ADM4302)

## **FLOOD CONTROL DISTRICT AGENDA**

**FCD-1.** Approve minutes of meeting held April 4, 2007.

**FCD-2.** 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-3. OLIVE AVENUE CROSSING AT BEARDSLEY CANAL PROJECT**

Approve Amendment # 1 to Intergovernmental Agreement (IGA) FCD 2004A005A, Olive Avenue Crossing at Beardsley Canal (Project #470), between the Maricopa County Department of Transportation (MCDOT) and the Flood Control District of Maricopa County. This amendment is to revise the ownership and maintenance responsibilities for the Olive Avenue Crossing. MCDOT is requesting approval of this IGA under agenda item C6405130201. (Supervisory District 4) (C6905059201)

### **FCD-4. GRANT FUNDS FROM FEDERAL EMERGENCY MANAGEMENT AGENCY**

Approve receipt of grant funds from the Federal Emergency Management Agency (FEMA) in FY 2006-07 in the amount of \$76,602. Additionally, increase the FY 2006-07 revenue and expenditure appropriations by \$76,602 each in the Flood Control Grants Fund (989), Flood Control District (690). This grant was approved on May 3, 2006, under C6906076100. The grant commenced on approval from the Board and terminated December 30, 2006. The CTP Mapping Activity Statement will provide for reimbursement from FEMA up to \$100,000, which will cover the Flood Control District of Maricopa County's expenses required for the participation in updating the DFIRMs Flood Insurance Rate Map. (C6907061100)

## **LIBRARY DISTRICT AGENDA**

**LD-1.** Approve the minutes of meeting held April 4, 2007.

**LD-2. AGREEMENT WITH LIBRARY DISTRICT AND GRAND CANYON UNIVERSITY**

Approve an Agreement between the Library District and Grand Canyon University that will allow the District to provide access to the District's computerized catalog system and specialized software to the University. This agreement shall run from the latest date of any of the executed signatures and terminate on December 31, 2007. (C6507036100)

**LD-3. REAPPOINTMENT**

**Library District Citizens' Advisory Committee** – Reappoint Judy Bailey, representing Supervisorial District 2, whose term is effective from July 1, 2007 through June 30, 2009. (C0607087900) (ADM2805-001)

**LD-4. CAPA APPROVAL**

Approve the appointment of Andrew Chanse as Certified Agency Procurement Aide. Mr. Chanse has successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for the Library District in accordance with the approved Certified Agency Procurement Aide Policy and Procedures. (ADM2810)

## **STADIUM DISTRICT AGENDA**

**SD-1.** Approve minutes of meeting held April 4, 2007.

**SD-2. REAPPOINTMENT**

**Arizona Diamondbacks Foundation Board of Directors** – Reappoint Hope Ozer, representing Supervisorial District 2, and Isaac Serna, representing Supervisorial District 5, whose terms are effective from July 1, 2007 through June 30, 2009. (C0607088900) (ADM5506-001)

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

91. 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)
92. 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. Patricia Richey** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2006-00269, Patricia Richey. (Supervisory District 3) (ADM3417-049).

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

## **PLANNING AND ZONING AGENDA**

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

1. Z 94-69, Removal of a Special Use Permit (SUP) for Sales Office, Design Studio and Model Complex in the R1-6 RUPD zoning district, located at the northeast corner of Riggs Road & Robson Boulevard (in the Sun Lakes area) (District 1)
2. Z2006-053, Special use Permit (SUP) for an interim industrial use (fuel cardlock facility) in the Rural-43 zoning district, located north of Germann Road and east of Arizona Avenue (in the Chandler area) (District 1)
3. S2005-047, Final Plat in the R1-35 zoning district, located west of the northwest corner of Signal Butte Road & Cloud Road (in the Queen Creek area) (District 1)
4. S2005-070, Final Plat in the C-S PD zoning district, located on the northeast corner of Camelback Road & Dysart Road (in the west Glendale/Litchfield Park area) (District 4)
5. S2006-066, Final Plat in the R1-35 RUPD zoning district, located at the southwest corner of Maryland Avenue & 127th Avenue (in the west Glendale/Litchfield Park area) (District 4)

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

6. Z2006-086, Rezone from R1-10 PD and C-O PD to R-5 PD, located north of Camelback Road and east of Dysart Road (in the west Glendale/Litchfield Park area) (District 4) **(Case requires a ¾ super-majority vote for approval)**

**CONSENT AGENDA DETAIL:**

1. **Z 94-69** District 1

Applicant: B & R Engineering, Inc. for Sun Lakes Limited Partnership  
Location: Northeast corner of Riggs Road & Robson Boulevard (in the Sun Lakes area)  
Request: Removal of a Special Use Permit (SUP) for Sales Office, Design Studio, and Model Complex in the R1-6 RUPD zoning district (approximately 2.41 acres) – Sun Lakes Model Village

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend approval of Z 94-69 to remove the SUP. Commissioner Makula seconded the motion, which passed with a unanimous vote of 6-0.

2. **Z2006-053** District 1

Applicant: Phoenix Fuel Company for Maricopa County Department of Transportation (MCDOT)  
Location: North of Germann Road and east of Arizona Avenue (in the Chandler area)  
Request: Special Use Permit (SUP) for an interim industrial use (fuel cardlock facility) in the Rural-43 zoning district (approximately 3.7 acres) – Phoenix Fuel Company

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend approval of Z2006-053, subject to stipulations “a” through “n”. Commissioner Barney seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall comply with the site plan entitled “Special Use Permit, Phoenix Fuel”, consisting of one (1) full-size sheet, dated revised, April 4, 2007 and stamped received April 5, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Project Narrative, Phoenix Fuel Company”, consisting of 32 pages, dated (revised) March 22, 2007, and stamped received April 5, 2007, except as modified by the following stipulations.
- c. 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.
- d. Dedication of additional right(s)-of-way to bring the total half-width dedication to 65’ for Germann Road shall occur within six (6) months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- e. 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.
- f. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- g. The applicant shall apply for and receive approval of as-built building permits for all of their improvements to the site including the placement of the above ground tanks, the fueling islands, the paving, grading and walls, within 90 days of Board of Supervisors approval. The site plan for the as-built permits will include a “Legend” that states the

Maricopa County Department of Transportation (MCDOT) buildings are "EXISTING BY MCDOT" with corresponding and appropriate labeling.

- h. 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 and shall present a copy of their signed Rural-Metro Fire Protection Services contract substantiating coverage of the site.
  - i. This Special Use Permit shall expire on November 30, 2019 or upon termination of the lease, whichever comes first. Phoenix Fuel shall remove all of their site improvements within 90 days of such termination or expiration.
  - j. Phoenix Fuel shall submit a written report outlining the status of the development. The status reports are due on September 30, 2009 and September 30, 2014. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
  - k. Major changes to the Special Use Permit (site plan and narrative report) or the stipulations as approved, 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 Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
  - l. 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 for revocation in accordance with the Maricopa County Zoning Ordinance.
  - m. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
  - n. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
3. **S2005-047** District 1
- Applicant: Hunter Engineering, LLC for Cloud Creek Ranch Development, LLC  
Location: West of the northwest corner of Signal Butte Road and Cloud Road (in the Queen Creek area)  
Request: Final Plat in the R1-35 zoning district for Cloud Creek Ranch II (approximately 29.5 gross acres)
4. **S2005-070** District 4
- Applicant: Norman Engineering Group Inc.  
Location: Northeast corner of Camelback Road and Dysart Road (in the west Glendale/Litchfield Park area)  
Request: Final Plat in the C-S PD zoning district for Camelback at Crossing (approximately 20.95 gross acres)

5.     **S2006-066**     District 4
- Applicant:     Cathy Caudle with Sage Engineering Corp.  
Location:     Southwest corner of Maryland Avenue and 127th Avenue (in the west Glendale/Litchfield Park area)  
Request:     Final Plat in the R1-35 RUPD zoning district for Bethany Estates North (approximately 43.67 gross acres)

**REGULAR AGENDA DETAIL:**

6.     **Z2006-086**     District 4 **(Case requires a ¾ super-majority vote for approval)**
- Applicant:     Beus Gilbert, PLLC for Dycam Associates  
Location:     North of Camelback Road and east of Dysart Road (in the west Glendale/Litchfield Park area)  
Request:     Rezone from R1-10 PD and C-O PD to R-5 PD (approximately 11.1 acres) – Vinyards Tuscan Village

**COMMISSION ACTION:** Commissioner Makula moved to recommend approval of Z2006-086, subject to stipulations “a” through “v”. Commissioner Barney seconded the motion, which passed with a unanimous vote of 7-0.

- a.     Development of the site shall be in substantial conformance with the zoning exhibit entitled, “Site Plan for The Vineyards - Tuscan Village at Litchfield”, consisting of three (3) full size sheets, stamped received April 3, 2007, except as modified by the following stipulations.
- b.     Development of the site shall be in substantial conformance with the narrative report entitled, “Vineyards Tuscan Village at Litchfield Zone Change and Preliminary Condominium Plat Submittal Z2006086 and S2006046”, consisting of eight (8) pages, dated February 26, 2007, and stamped received April 3, 2007, except as modified by the following stipulations.
- c.     Landscaping of the site shall be is in substantial conformance with the landscape plan entitled, “The Vineyards: Tuscan Village at Litchfield Preliminary Condominium Plat”, consisting of two (2) full size sheets, stamped received April 3, 2007, except as modified by the following stipulations.
- d.     Building elevations shall be in general conformance with the elevations entitled, “Ord & Rodgers Homes Mesa Ridge Condos”, consisting of eight (8) 8-1/2” by 11” reductions, stamped received March 8, 2007.
- e.     Within 30 days of approval of this case by the Board of Supervisors, the applicant shall submit a revised site plan and preliminary landscape plan that shows the following corrections:
  - 1)     Emergency vehicular access onto Colter Street.
  - 2)     The City of Glendale strip annexation across the southern end of the site.
  - 3)     Buildings and units re-numbered in accordance with Maricopa County Addressing Regulations.
- f.     No construction permits or final plats shall be approved on or for the subject property until an Inter-Governmental Agreement between the City of Glendale and Maricopa County is

executed such to allow site development, final platting activity and the necessary construction permits to be processed through the County.

- g. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
- 1) Ultimate improvements to perimeter roads with curb, gutter and sidewalk.
  - 2) Any landscaping in county right-of-way shall meet the provisions of Chapter 9 of the Roadway Design Manual.
- h. All interior streets within the proposed development are to be constructed to minimum County standards.
- i. 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.
- j. The applicant shall remit a quality of life assessment of \$596 per dwelling unit to be made available to the Maricopa County Library District. Prior to zoning clearance for any residential building to be located on the subject property, the applicant shall provide written evidence from the Library District indicating compliance with this stipulation.
- k. The master developer shall notify future homeowners that they are located within the state-defined "territory in the vicinity of a military airport" with the following language:

"You are buying a home or property in the 'vicinity of a military airport' as described by State of Arizona statute ARS §28-8481. Your residence should include sound attenuation measures as directed by State law. 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 an 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 recorded on all Final Plats, be permanently posted on not less than a 3 foot by 5 foot sign in front of all home sales offices, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, and be included in all covenants, conditions, and restrictions (CC&Rs) as well as the Public Report and conveyance documents.

- l. All habitable buildings constructed within this subdivision shall be constructed to attain a noise reduction level as per ARS § 28-8482(B).
- m. All trees shall be double-staked when installed.
- n. 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.
- o. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- p. 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.
- q. Prior to Final Plat approval, the 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.
- r. 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.
- s. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- t. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
- u. All overhead electrical and telephone utilities located along Camelback Road adjacent to the site shall be placed under ground.
- v. The applicant shall provide for the full funding of a traffic signal at the intersection of 129th Avenue and Camelback Road.