



**BOARD OF SUPERVISORS
OF
MARICOPA COUNTY, ARIZONA**

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

**Formal Meeting Agenda
Supplemental**

**Wednesday, June 20, 2007
9:00 a.m.**

**Supervisors' Auditorium
205 West Jefferson
Phoenix, Arizona**

S U P P L E M E N T A L

New Items

Clerk of the Board

S-1. AGENDA MANAGEMENT SYSTEM

Pursuant to A.R.S. § 42-17106(b), authorize the Office of Management and Budget to transfer \$939,549 from Appropriated Fund Balance (480) General Fund (100) Reserved Contingency Items (4811) line item "Technology Reserve" to an existing line item in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) entitled "Clerk of the Board – Agenda System".

Also, pursuant to A.R.S. § 42-17106(b), authorize the Office of Management and Budget to transfer \$366,384 from Non-Departmental (470) General Fund (100) Reserved Contingency Items (4711) line item "Technology Reserve" to The Office of Enterprise Technology (410) General Fund (100).

Approval of this item includes the addition of two Full Time Employees to support the ongoing maintenance of this program. In addition, approval of this action provides the financial structure for the procurement, related infrastructure, implementation and on-going maintenance of this program providing enhanced functionality for the Board of Supervisors, all County users, and the public. These adjustments will result in a FY 2007-08 county wide net impact of zero. (C0607109800) (ADM725)

County Attorney

S-2. EXTEND RECEIPT OF GRANT FUNDS FROM OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE ABATEMENT

Approve Amendment Number 1 to extend the receipt of grant funds from the Oversight Council on Driving or Operating Under the Influence Abatement. Grant funds in the amount of \$93,712, are to be used exclusively for reimbursement of expenditures related to the prosecution, prevention, and abatement of driving or operating under the influence occurrences. This grant agreement originally commenced on July 1, 2006 and was to terminate on June 30, 2007. Approval of this amendment will extend the termination date to September 30, 2007, and will authorize up to \$35,000 of the original amount to be expended in FY 2007-08.

Also, approve expenditure appropriation adjustments to the County Attorney's Office (190) Grants Fund (219) associated with the aforementioned grant in an amount of \$35,000 for FY 2007-08, which will be authorized after the FY 2007-08 budget is adopted. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1907004301)

Elections

S-3. GRANT APPLICATION FOR ELECTION ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES PROGRAM

Authorize the Elections department to submit application for grant funding as described on the application for the State Subgrants for Health and Human Services (HHS), Election Assistance for Individuals with Disabilities (EAID) Program administered by the Secretary of State, and authorize the Chairman to approve receipt of any and all such funds awarded. The funding will support the department's Help America Vote Act of 2002. The grant will provide funding to purchase ramps, ADA stickers, signature guides, and Deaf Link supplies. The total amount of funds requested is \$50,000, and no matching dollars are required. The department's indirect cost rate of 23.91% is unrecoverable.

Also, authorize a revenue and expenditure appropriation increase in the amount of \$50,000 in FY 2006-07 to the Election Department Grant Fund (248). Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget request does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2107011000)

Superintendent of Schools

S-4. TRANSFER OF REVENUE AND EXPENDITURE AUTHORITY

Pursuant to A.R.S. §42-17106B approve a transfer of revenue and expenditure authority in the amount of \$37,000 between the General Government (470) General Government Grants Fund (249) and the Superintendent of Schools (370) School Communication Fund (782). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) General Government Grants Fund (249) by \$37,000 and increasing the FY 2006-07 Superintendent of Schools (370) School Communication Fund (782) by \$37,000. These adjustments will result in a county wide net financial impact of zero. The School Communication Fund (782) is used to charge the school districts for the connectivity associated with the Vision Software. School districts are charged their applicable cost on a reimbursement basis. The fund accounts for the management of centralized billings paid by the Superintendent of Schools for multiple school districts. This is the first year that the School Communication Fund has been included in the Maricopa County budget. The amount of the utility bills that would be paid on behalf of the school districts was underestimated by the department staff. The department has collected sufficient revenue to offset the requested increase in expenditures. (C3707018000) (ADM3800-003)

Juvenile Probation

S-5. ARIZONA FAMILY COUNSELING PROGRAM

Authorize, by Resolution, participation in the State of Arizona Family Counseling Program for FY 2007-08, administered by the Juvenile Court pursuant to A.R.S. §8-261 through §8-265 for the purpose of strengthening family relationships and prevention of juvenile delinquency.

Authorize \$91,270 of (budgeted) matching General Funds for FY 2007-08. (C2707021300) (ADM1400)

Office of Contract Counsel

S-6. TRANSFER OF EXPENDITURE AUTHORITY

Pursuant to A.R.S. §42-17106, approve the transfer of expenditure authority in an amount not-to-exceed \$2,750,000 from General Government (470) General Fund (100) Contingency (4711) "General Contingency" and an amount not-to-exceed \$1,589,754 from General Government (470) General Fund (100) Contingency (4711) "Justice Reserve" to the Office of Contract Counsel (560) General Fund (100) at the end of Fiscal Year 2006-07 to cover increased Capital case representation costs, increased legal costs for other Indigent Representation Activities, and costs associated with the Attorney Loan Repayment Program. The transfers will only be used if, following the transfer of any year-end General Fund savings from the Offices of the Public Defender (520), Legal Defender (540) and Legal Advocate (550) to the Office of Contract Counsel by the County Manager, the Office of Contract Counsel is unable to cover remaining General Fund expenditures within its current appropriation. (C5607002800) (ADM530-001)

Health Care Mandates

S-7. SETTLEMENT

Approve the proposed settlement between Maricopa County and AHCCCS regarding encounter and timely filing sanctions imposed on the Maricopa Health Plan and Maricopa Long Term Care Plan and authorize the Chairman to sign the settlement upon review and approval by assigned legal counsel. This matter was discussed with the Board in Executive Session on June 18, 2007. (C3907011800) (ADM409)

Management & Budget

S-8. AMENDMENT TO IGA FOR JUVENILE DETENTION CENTER EDUCATION PROGRAM

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) #28245 between Arizona Supreme Court through the Administrative Office of the Courts (AOC), the Maricopa County Board of Supervisors, the Maricopa County Regional School District No. 509 Receivership Board, and the Maricopa County Superior Court. This amendment allows the Administrative Office of the Courts to distribute funds to Maricopa County Regional School District No. 509 to be used for the Maricopa County Juvenile Detention Center Education Program. The allocation of funds for Maricopa County total \$315,933.98 for the FY 2006-07. An amendment to this intergovernmental agreement has been reached allowing the Administrative Office of the Courts to distribute these funds to Maricopa County Regional School District No. 509 to be used for the Maricopa County juvenile detention center education program, pursuant to A.R.S. §15-913(C). This amendment is effective upon Board approval. This matter was discussed in Executive Session on June 20, 2007. (C0606067200) (C4907059200)

S-9. AMEND PREVIOUS BOARD ACTION

Amend the previous board action (C4907048800) taken on May 2, 2007 that approved an FY 2006-07 fund transfer of \$214,015,000 from the Appropriated Fund Balance (480) General Fund (100) to the Appropriated Fund Balance (480) General Fund County Improvement Fund (445). **by adding the following language:**

Pursuant to ARS 42-17106(B), decrease the FY 2006-07 Health Care Mandates (390) General Fund (100) expenditure appropriation by \$23,227,011. (C4907048801)

Public Health

S-10. MINI-GRANT AGREEMENT FOR SAFE ROUTES TO SCHOOL

Approve the Mini-Grant Agreement from the State and Territorial Injury Prevention Directors Association (STIPDA) to Maricopa County, through its Department of Public Health, for the Safe Routes to School Mini-Grant. The term of the agreement is from June 1, 2007 until May 31, 2008 in an amount not to exceed \$12,500.

The Department of Public Health's indirect rate for FY07 is 18.1%. The grant allows for full indirect cost recovery; therefore, indirect costs are estimated at \$1,916 and are fully recoverable. Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$1,042 for FY2007 and \$11,458 for FY2008. The appropriations adjustment is necessary because these funds were not included in the FY 2007 and FY2008 budgets. 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. (C8607067003)

S-11. IGA FOR WELL WOMAN HEALTHCHECK PROGRAM

Approve the Intergovernmental Agreement (IGA)(HG761266) with the Arizona Department of Health Services (ADHS) and Maricopa County, through its Department of Public Health, to provide Well Woman Healthcheck Program services to uninsured or underinsured women for breast and cervical cancer screening and diagnostic services. The term is July 1, 2007 to June 30, 2008. The IGA does not specify a total dollar amount but provides for services in two line items for sub recipients to be authorized by Purchase Order. Based on prior year estimates, total costs are estimated at an amount not to exceed \$580,000.

The Department of Public Health's indirect rate for FY08 is 18.0%. The IGA allows for indirect costs at a rate of 10% of Personnel Services and Employee Related Expenses only. Full indirect costs are estimated at \$30,817, of which \$18,229 is recoverable and \$12,588 is unrecoverable. Sub recipient costs in the amount of \$377,983 are not subject to indirect charges.

Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$580,000. The appropriations adjustment is necessary because these funds were not included in the FY 2008 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. (C8608001300)

Human Services

S-12. AMENDMENTS TO CONTRACTS FOR WORKFORCE INVESTMENT ACT YOUTH SERVICES

Approve the amendments to the following contracts for services to provide Workforce Investment Act (WIA) youth services and activities to northern area special population in-school and southeastern area in-school and out-of-school youth. These amendments are effective on July 1, 2007, and the contract will terminate on June 30, 2008. These contracts do not contain any county general funds.

- a. Amendment No. 3 to contract with Goodwill Industries of Central Arizona, Inc. in the amount of \$901,247 (from \$651,942 to \$1,553,189). (C2207072103)
- b. Amendment No. 3 to contract with Arizona Call-A-Teen in the amount of \$929,317 (from \$700,600 to \$1,629,917.) (C2207073103)

Maricopa Events Center

S-13. DONATION FROM MR. MAX W. WILSON

Approval for the acceptance of a cash donation of \$40,000 from Mr. Max W. Wilson to Maricopa County for capital improvements at the Maricopa County Events Center. Also, requesting approval to amend the 2006-2007 budget increasing revenues in the amount of \$40,000. (C6207003M00) (ADM3450)

Materials Management

S-14. Solicitation Serials

Approve the following solicitation serial item. The action on the following item is subject to Civil Division's review and approval of the respective contract and subsequent execution of contract. (ADM3005)

Award

- 06123-RFP Agenda Management Software System and Associated Services (\$1,000,000 estimate/five years)** Contract for the purchase of an agenda management software solution including software application licensing, implementation, training and applicable support and maintenance for the Clerk of the Board of Supervisor's Office.
- Sire Technologies

Risk Management

S-15. OFFER OF JUDGMENT

Approve an Offer of Judgment in the amount of \$850,000 in the case of Ruth Holliday and Ernest Robichaud v. Arpaio, et al., Maricopa County Superior Court No. CV2006-017678 (Claim No.: AL5051031173 and AL5051031193). This matter was discussed with the Board in Executive Session on June 18, 2007. (C7507032100) (ADM409)

S-16. AUTHORIZE PAYMENT TO VENDOR FOR REPAIR OF WATER TANKER

Approve payment to vendor in the amount of \$129,007.35 concerning Maricopa County Risk Management Claim No. APD6432031065 and Claim No. APD6432031064. This matter was discussed with the Board in Executive Session on June 18, 2007. (C7507035100) (ADM409)

Air Quality

S-17. CONSENT AGREEMENT WITH PLAINTIFF ARIZONA ROCK PRODUCTS ASSOCIATION

Approve the proposed Consent Agreement between Maricopa County and Plaintiff(s) Arizona Rock Products Association (ARPA), concerning Maricopa County Superior Court No. CV 2005-015595 and authorize the Chairman to sign the Consent Agreement and all necessary documents upon review and approval as to form by assigned legal counsel. This matter was discussed with the Board in Executive Session on June 18, 2007. (C8507032M00) (ADM409)

Facilities Management

S-18. CHANGE ORDER TO CONSULTANT SERVICES CONTRACT

Approve the settlement of the claims of American Home Assurance Company against the County arising out of the construction of the Lower Buckeye Jail Central Services facility in the amount of \$1.85M and authorize the chairman to execute all documents necessary to effectuate the settlement. Contract number JE00-09 originally awarded to Joe E. Woods, was approved by the Board on October 4, 2000 as agenda item C-40-01-00-1-00. This matter was heard in executive session on June 18, 2007. (C7007058800)

Board of Supervisors

S-19. REAPPOINTMENTS

Approve the following reappointments to the **Community Development Advisory Committee**:

- James Warner, Supervisorial District 2
- Richard Painchaud Ph.D., Supervisorial District 3
- Horst Kraus, Supervisorial District 3
- Doris Heisler, Supervisorial District 4
- Edward Kientz, Supervisorial District 4
- Carlos Ontiveros, Supervisorial District 5

These members were appointed by their respective Supervisor to serve terms effective July 1, 2007 through June 30, 2008. (C0607107900) (ADM1501-001)

Office of the County Manager

S-20. TRANSFER OF FUNDS FOR SERIES OF COMMUNICATIONS

Pursuant to A.R.S. §42-17106(b), authorize the Office of Management and Budget to transfer \$43,000 from Appropriated Fund Balance (480) General Fund (100) Un-reserved Contingency Items (4811) to a new line item in Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) entitled "Communications".

Approval of this action provides one-time funding for a series of communications to test the effectiveness of a revamped web site communication strategy. These FY 2007-08 adjustments will result in a countywide net impact of zero. (C2007106800) (ADM1625)

SETTING OF HEARINGS

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

Planning and Development

S-21. CASES

Schedule Planning and Development public hearings on zoning cases and other matters for the July 25, 2007 meeting. (List is on file in the Clerk of the Board's office) (F23240)

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Revisions

Revised Item 4.

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 John J. Finan for a Special Event Liquor License: (SELL788) (F23221)

Business Name: Knights of Columbus St. Clare of Assisi Council 12851
Location: 16445 W. Tres Hombres Court, Surprise, AZ 85374
Date/Time: February 2, 2008; 6:00 p.m. – 11:00 p.m.

- b. Application filed by Norberta Tapia de Rocha for a Person-to-Person Transfer and a Transfer-of-Location of a Series 7 Liquor License from Kuki's Bar: (LL6229)

Business Name: El Vergel
Location: 18646 B.W. Yuma Road, Goodyear, AZ 85338
Former Location: 610 W. Martin, Gila Bend, AZ 85337

Planning and Development Recommends Denial
Environmental Health Services Recommends Denial

- c. Application filed by Norman Andrus for a Person-to-Person Transfer and a Transfer-of-Location of a Series 7 Liquor License from Tiffant's Cafe: (LL6230)

Business Name: Card Room 101
Location: 10908 E. Apache Trail, Apache Junction, AZ 85220
Former Location: 1520 W. Bell Road, Phoenix, AZ 85023

The Sheriff's Office is requesting this item be continued to the July 25, 2007 meeting.

Revised Item 11.

PROPERTY RE-CLASSIFICATION APPEAL CASES

- o Pursuant to A.R.S. §42-12052, approve the property owner's appeal to re-classify properties, which has satisfied the requirements of occupancy status, and re-classify properties to class three properties (owner occupied). Waive assessed penalties and liens. Direct the County Assessor to re-classify properties to class three (owner occupied), pursuant to A.R.S. §42-12003. (List is on file in the Clerk of the Board's Office.) (ADM310-001)