

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 20, 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

PRESENTATIONS

1. Presentation of the winners of the 2007 Safety Rodeo competition. (C7507033900) (ADM2000-001)
2. Presentation of graduating class of the ROADBUILDER program. (C7507034900) (ADM2000-001)
3. a. Present the following employees awards from the Rewarding Ideas Program: (C2007096900) (ADM3333-002)

Employee	Department
Cheryl Marzella	Clerk of Superior Court
Ceasar DeMoss and Troy-jon Horta	Facilities Management
Orvis Wiens	Facilities Management
Tammy Patrick	Elections
Lesley Winquist	Superior Court

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- b. Recognition of Tony Lopez, Diversity Director, for his years of service to Maricopa County. (ADM1630)

STATUTORY HEARINGS

Clerk of the Board

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

- 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.

Transportation

5. 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. (5359)** – In the vicinity of Camelback Road and Dysart Road. (Supervisory District 4). (C6407218000)
- b. **Road File No. (5360)** – In the vicinity of Camelback Road and Dysart Road. (Supervisory District 4). (C6407219000)
- c. **Road File No. (5361)** – In the vicinity of Indian School Road and Jackrabbit Trail. (Supervisory District 4). (C6407220000)

6. AIR QUALITY NEW RULE 242

Convene the scheduled public hearing, as required by A.R.S. §49-479(b), to solicit comments on the proposed new Rule 242, Emission Offsets Generated By the Voluntary Paving of Unpaved Roads and also on the proposed Resolution which establishes a system for evaluating this type of Economic Incentive Program (EIP). Following the public hearing, the Board is requested to adopt both proposed new Rule 242 into the Maricopa County Air Pollution Control Rules and Regulations and the Resolution and to submit them into the (Arizona) State Implementation Plan (SIP). Pursuant to A.R.S. §49-471.07(f), the effective date shall be the date of adoption by the Board. (C8507027700) (ADM2354)

7. REVISED FEE SCHEDULE FOR PARKS & RECREATION

Convene the scheduled public hearing, to consider the adoption of the revised fee schedule for Parks & Recreation Department as on file with the Clerk of the Board to be effective August 13, 2007. On May 8, 2007, the Parks & Recreation Commission voted to approve the recommendation of the new fee schedule to the Board. Maricopa County Parks and Recreation Department has not implemented a significant fee adjustment since April 1, 2002. The rising operational costs of park staffing and maintenance have made it evident that a fee adjustment is appropriate. (C3007033M00) (ADM3210)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Assessor

8. NAME CHANGE FOR OWNERSHIP OF OFFICE BUILDING

Approve an amendment to agenda item C1205003100, dated July 6, 2005, which approved Lease No. L7378 with Avondale Corporate Center I, LLC, Lessor, for 6,173 square feet of office space at 125 S. Avondale Boulevard, Avondale, AZ. Effective May 17, 2007, the building for the subject lease was sold to 125 S. Avondale, LLC. All terms and conditions of the current lease remain the same and in full force, with only the ownership of the building changing. (C1205003102)

9. AMENDMENT TO COSTAR GROUP SOLE SOURCE CONTRACT

Approve Amendment No. 1 to the three year CoStar Group sole source contract (C1207001000) approved by the Board on August 16, 2006, in order to increase the total contract amount. The estimated cost for the remaining two years of this contract is estimated to increase \$25,000 due to increase number of user licenses and increase in license costs. (C1207001001)

Clerk of the Board

10. FIREWORKS PERMIT APPLICATION

- a. Pursuant to A.R.S. §36-1603, approve the application filed by Fireworks Productions of AZ for an original Fireworks Display Application: (ADM665-67)

Organization: Phoenix Country Club
Location: 2901 N. 7th Street, Phoenix, 85014
Date/Time: July 4, 2007; 8:30 p.m.

- b. Pursuant to A.R.S. §36-1603, approve the application filed by Fireworks Productions of AZ for an original Fireworks Display Application: (ADM665-68)

Organization: Manzanita Speedway
Location: 3417 W. Broadway, Phoenix, 85041
Date/Time: July 3, 2007; 7:00 p.m.

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. (ADM310-001)
- o Pursuant to A.R.S. §42-12052, deny the property owner's appeal to re-classify properties, which has not satisfied the requirements of occupancy status, and maintain property classification at class four property (non-owner occupied). The class four property classification (non-owner occupied), remains in effect. (List is on file in the Clerk of the Board's Office.) (ADM310-002)

Board of Supervisors – Internal Audit

12. EXECUTIVE COMPENSATION PACKAGE

Approve an Executive Compensation Package (ECP) for Stella Fusaro, an unclassified Audit Supervisor in Internal Audit, to deposit 40 hours of PTO effective May 5, 2007. (C2307004M00) (ADM3308-002)

County Attorney

13. AMENDMENT TO GRANT AGREEMENT WITH ARIZONA AUTOMOBILE THEFT AUTHORITY FOR VERTICAL PROSECUTION PROGRAM

Approve Amendment No. 1 to the Grant Agreement from the Arizona Automobile Theft Authority for the 2006-2007 Vertical Prosecution Program. Grant funds in the amount of \$230,450, are to be used exclusively for reimbursement of expenditures related to the prosecution of Arizona Vehicle Theft Task Force auto theft cases. 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 \$64,000 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 \$64,000.00 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. (C1906047301)

14. GRANT AGREEMENT WITH ARIZONA AUTOMOBILE THEFT AUTHORITY FOR VERTICAL PROSECUTION PROGRAM

Approve a Grant Agreement from the Arizona Automobile Theft Authority in the amount of \$231,900.00 for the 2007-2008 Vertical Prosecution Program. These grant funds are intended to be used exclusively for reimbursement of expenditures related to the prosecution of Arizona Vehicle Theft Task Force auto theft cases. This grant agreement will commence on July 1, 2007 and will terminate on June 30, 2008. The grant funds may not be expended for any indirect costs that may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$32,002.20. Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants Fund (219) associated with the aforementioned grant in an amount of \$1,450.00 for FY 2007-2008, 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. (C1908001300)

15. EXEMPTION FROM COUNTY MARKINGS

Approve the issuance of non-governmental license plates and exemption from markings pursuant to A.R.S. §38-538.03 and A.R.S. §28.2511, one 2007 Ford Crown Victoria for the purpose of conducting felony investigations. Exemptions granted remain in effect for a period of one year. A detailed cross-referenced list of the vehicle identification number is kept with the Clerk of the Board. (C1907044800) (ADM3101V)

Elections

16. JUSTICE OF THE PEACE PRECINCT LINES

Approve the following changes related to Justice of the Peace & Election Voting Precincts:

- o Approve new Justice of the Peace precinct boundaries as shown on the accompanying Maps and legal descriptions, incorporated herein by reference, as required by state law (A.R.S. §22-101) with an effective date of 12:01 A.M. January 1, 2009, except that, for the purpose of the 2008 elections, the boundaries and lines adopted hereby, shall be effective from and after 12:01 A.M. January 1, 2008, and in any event on the date of preclearance by the U. S. Department of Justice, as the boundaries from which candidates are nominated and officers are elected in the 2008 elections and each election hereafter until amended or changed by the Board of Supervisors.
- o Approve the establishment of new voting precincts and the redistricting of the current boundaries and limits of voting precincts as shown on the accompanying Map and legal descriptions, incorporated herein by reference, all as required by state law (A.R.S. § 16-411) with an effective date of 12:01 A.M. January 1, 2008, and in any event upon the date of preclearance by the U. S. Department of Justice, as the boundaries from which candidates are nominated and officers are elected in the 2008 elections and each election hereafter until amended or changed by the Board of Supervisors.
- o Direct the appropriate pre-clearance submission be prepared and forwarded to the United States Department of Justice in compliance with Section 5 of the Voting Rights Act and
- o Direct that these lines shall not affect or restrict any case management or appropriate caseload or resource transition plan as deemed necessary by the Justice of the Peace Courts, the Maricopa County Superior Court and/or the Maricopa County Justice Court Administration.

The cost associated with adding these two new Justice Court precincts is estimated to be \$380,841 for FY 2008-09 (includes one-time start-up costs) and \$341,241 for FY 2009-10. OMB will adjust the FY 2008-09 and FY 2009-10 budget targets accordingly. Space for the new Justice Court precinct in the southeast valley has not yet been determined. Options will be presented to the Board of Supervisors at a later date, and may include the need for an additional expenditure appropriation since the expansion Justice Court at the Southeast Complex will not be completed until August 2009. (C2107009700) (ADM1201) (ADM1706)

Sheriff

17. ONE-TIME ADDITION TO FLEET

Approve a one-time addition to fleet of one Mobile Command Center which costs approximately \$541,376. The Sheriff's Office was awarded funding from the Arizona Department of Emergency Management that was approved by the Board on January 4, 2006 (C5006516300). This vehicle and its components are expected to cost approximately \$5,000 per year to operate and maintain. The operating and maintenance costs will be funded by the General Fund (100). It will be retired at the end of its useful life with no funding from the general fund for its replacement. (C5006516302) (ADM3104)

18. DONATION FROM SUN CITY GRAND PET CLUB

Approve the acceptance of a donation for \$500 to the Sheriff's Office from Sun City Grand Pet Club for use by the Maricopa County Sheriff's Office Animal Safe Hospice (MASH) Unit. (C5007078M00) (ADM3900-006)

19. APPROPRIATION INCREASE OF REVENUE AND EXPENDITURE AND TRANSFER AUTHORIZATION

Approve appropriation increases in revenue and expenditure to the Sheriff's Grant Fund (251) of \$130,000 in FY 2006-07 and \$1,870,000 in FY 2007-08. The 15% match for personnel for the month of June 2007, will be covered in the Sheriff's existing General Fund (100). This request is in association with agenda number C5007559200 and the agreement accepting funding from the State of Arizona for the IIMPACT (Illegal Immigration Prevention and Apprehension Co-op Team). 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.

Also, approve an FY 2007-08 appropriation transfer authorization for an amount not-to-exceed \$281,000 in General Government Fund (100) Contingency 4711 to a new line in General Government Fund (100) programs, 4712, named, "Sheriff's GIITM Match." This is the maximum possible amount required to cover 15% of the salaries for the 15 positions established according to the agreement (12 deputies; 2 sergeants; and 1 lieutenant) in FY 2007-08. The 15% match for personnel for the month of June 2007, will be covered in the Sheriff's FY 2006-07 General Fund. (C5007559201) (ADM3900-003)

JUDICIAL BRANCH

Adult Probation

20. VEHICLE EXEMPTION FROM MARKINGS

Pursuant to A.R.S. §38-538.03, approve the issuance of non-governmental license plates and the exemption from markings, including Maricopa County seals, for a replacement vehicle 2007 Chevrolet Impala, which will be used by Adult Probation officers on a full time basis to provide investigation and apprehension services for the Court so that absconded probationers are returned to the Court. The confidentiality of the make, model and other descriptive identification of this vehicle is critical to the success of surveillance since it is not easily noticed by the offender, family and friends. It is also safer for probation officers and the community when the officer and the vehicle are not easy to identify. A confidential notice of this vehicle will be on file in the Clerk of the Board's Office. (C1107006M00) (ADM3101V)

21. TERMINATION OF LEASE FOR THE ADULT PROBATION FACILITY

Approve termination of Lease No. L7065 with 3200 Hayden Plaza, LLC for the Adult Probation facility located at 3200 N. Hayden Road, Scottsdale, Arizona. The lease provides for an early termination option with no penalty, by giving a 90-day written advance notice. This termination, if approved, will exercise the option as of January 31, 2008. This approval will also authorize notice of termination to the Landlord under the lease. (C1107007401) (C11050064YY)

Trial Courts

22. APPOINTMENTS

Approve the following appointments:

- a. Pursuant to A.R.S. §12-141 and A.R.S. §22-121, approve the appointment of Court Commissioner Keelan S. Bodow as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace for the period from July 1, 2007 through June 30, 2008 to serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. (C3807033700) (ADM1001)
- b. Pursuant to A.R.S. §22-121, approve the appointments of William Collis, Monroe Dingott, Yancey A. Garner, Henry G. Jr. Gooday, Denise M. Holliday, Andrew M. Hull, Ronald I. Karp, Kirby J. Keltner, David M. Osterfeld, Carl E. Russell, David V. Seyer, Terry Bays Smith and Lawrence Turoff as Pro Tempore Justices of the Peace for the period July 1, 2007 through December 31, 2007 to serve in various programs in Justice Courts to reduce trial delay. (C3807037800) (ADM1001)
- c. Pursuant to A.R.S. §12-141, approve the appointment of retired Superior Court Judge Ronald S. Reinstein as Superior Court Judge 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. (C3807039700) (ADM1001)

23. ADDITION TO FLEET FOR TRIAL COURTS TECHNOLOGY SERVICES

Approve the addition to the Maricopa County fleet the purchase of one Gas-Powered Equipment Utility Cart for Trial Courts Technology Services in support of the maintenance and movement of computer equipment throughout the downtown Trial Courts complex. The cost of the cart will not exceed \$8,000 and is currently budgeted in the Trial Courts JCEF Special Revenue Fund. The yearly operating costs are budgeted in the Trial Courts General Fund operating budget. (C3807036800) (ADM3104)

24. ONE TIME LUMP SUM PAYMENTS

Approve a request for payment of two one time lump sum payments as authorized by Judicial Policy P-305B "Judicial Human Resources Compensation Policy and Procedure", Section XI.E. Performance/Merit increases. The lump sum payments are for the following employees: Arlene Lamp, one time lump sum of \$500, and Cheri Clark, one time lump sum of \$750. These two employees' talent and abilities far exceed our expectations, and these adjustments are intended to acknowledge their tremendous contributions in areas outside their primary areas of responsibility. The increases would be effective upon Board approval. (C3807038800) (ADM3308)

COUNTY MANAGER

Office of the County Manager

25. IGA WITH NAVAJO COUNTY FOR SUPPORT OF THE ARIZONA METH PROJECT

Approve an intergovernmental agreement (IGA) with Navajo County, transferring \$10,000 to Maricopa County to support the ARIZONA METH PROJECT. Upon approval of this intergovernmental agreement, this action will require an appropriation adjustment to Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) line item titled "Meth Project," increasing the FY 2007-08 revenue and expenditure budgets by \$10,000. IGA revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditure of these revenues 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. (C2007101400)

26. TRIBAL GAMING GRANTS – FORT MCDOWELL YAVAPAI NATION FOR CRITTENTON YOUTH ACADEMY

Pursuant to A.R.S. §42-17105, authorize the County Manager's Office, via a Partnership Resolution between Maricopa County and the Crittenton Youth Academy (CYA), to apply for Fort McDowell Yavapai Nation Gaming Funds in the amount of \$55,000 and approve the acceptance of grant funds. If funds are received, authorize the County Manager's Office to pass funds through to the CYA. If funds are awarded, also approve an appropriation adjustment to General Government Fund (249), increasing the FY 2007-08 revenue and expenditure budgets by \$55,000, and the creation of an appropriate new line item in General Government (470) General Government Grant Fund (249) Pass Through Grants (4712). Maricopa County will act as the pass-through agency for CYA and will pass through \$55,000 in FY 2008. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, 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. (C2007099000)

27. TRIBAL GAMING GRANTS – AK-CHIN INDIAN COMMUNITY FOR JUNIOR ACHIEVEMENT OF ARIZONA

Pursuant to A.R.S. §42-17105, authorize the County Manager's Office, via a Partnership Resolution between Maricopa County and the Junior Achievement of Arizona (JA), to apply for Ak-Chin Indian Community Gaming Funds in the amount of \$150,000; authorize the Chairman of the Maricopa County Board of Supervisors to sign the grant application; approve the grant funds and approve the resolution. If funds are received, authorize the County Manager's Office to pass funds through to the JA. If funds are awarded, also approve an appropriation adjustment to General Government Fund (249), increasing the FY 2007-08 revenue and expenditure budgets by \$150,000, and the creation of an appropriate new line item in General Government (470) General Government Grant Fund (249) Pass Through Grants (4712). Maricopa County will act as the pass-through agency for JA and will pass through \$150,000 in FY 2007-08. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, 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. (C2007100000)

28. TRIBAL GAMING GRANTS – AK-CHIN INDIAN COMMUNITY FOR THE SOUTH PHOENIX HEALTHY START PROGRAM

Pursuant to A.R.S. §42-17105, authorize the County Manager's Office, via a Partnership Resolution between Maricopa County and the Public Health's South Phoenix Healthy Start Program to apply for Ak-Chin Indian Community gaming funds in the amount of \$20,350 in grant funds through the 12% gaming revenue program in FY 2007-08. If funds are awarded, this action will require an appropriation adjustment General Government Fund (249), increasing the FY 2007-08 revenue and expenditure budgets by \$20,350 and the creation of an appropriate new line item in General Government (470) General Government Grant Fund (249). Maricopa County will put this grant funding toward the Department of Public Health's South Phoenix Healthy Start program. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, 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. (C2007102000)

29. TRIBAL GAMING GRANTS – AK-CHIN INDIAN COMMUNITY FOR PUBLIC HEALTH'S PANDA PROGRAM

Pursuant to A.R.S. §42-17105, authorize the County Manager's Office, via a Partnership Resolution between Maricopa County and the Public Health's Panda Program to apply for Ak-Chin Indian Community Gaming Funds in the amount of \$40,000 in grant funds through the 12% gaming revenue program in FY 2007-08. If funds are awarded, this action will require an appropriation adjustment General Government Fund (249), increasing the FY 2007-08 revenue and expenditure budgets by \$40,000 and the creation of an appropriate new line item in General Government (470) General Government Grant Fund (249). Maricopa County will put this grant funding toward the Department of Public Health's PANDA program. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, 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. (C2007104300)

30. TRIBAL GAMING GRANTS – AK-CHIN INDIAN COMMUNITY FOR PUBLIC HEALTH'S SOCIAL MARKETING PROGRAM

Pursuant to A.R.S. §42-17105, authorize the County Manager's Office, via a Partnership Resolution between Maricopa County and the Public Health's Social Marketing Program, to apply for Ak-Chin Indian Community Gaming Funds in the amount of \$225,000 in grant funds through the 12% gaming revenue program in FY 2007-08. If funds are awarded, this action will require an appropriation adjustment General Government Fund (249), increasing the FY 2007-08 revenue and expenditure budgets by \$225,000 and the creation of an appropriate new line item in General Government (470) General Government Grant Fund (249). Maricopa County will put this grant funding toward the Department of Public Health's Social Marketing program. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, 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. (C2007105300)

31. TRIBAL GAMING GRANTS – AK-CHIN INDIAN COMMUNITY FOR PARKS AND RECREATION INTERPRETIVE DISPLAY PROGRAM

Pursuant to A.R.S. §42-17105, authorize the County Manager's Office, via a Partnership Resolution between Maricopa County and the Parks And Recreation Interpretive Display Program to apply for Ak-Chin Indian Community Gaming Funds in the amount of \$300,000 in grant funds through the 12% gaming revenue program in FY 2007-08. If funds are awarded, this action will require an appropriation adjustment General Government Fund (249), increasing the FY 2007-08 revenue and expenditure budgets by \$300,000 and the creation of an appropriate new line item in General Government (470) General Government Grant Fund (249). Maricopa County will put this grant funding toward the Parks and Recreation Interpretive Display program. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, 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. (C2007103300)

DEPUTY COUNTY MANAGER

Employee Health Initiatives

32. AMENDMENTS TO THE MARICOPA COUNTY HEALTH CARE PLAN

Approve amendments to the Maricopa County Health Care Plan to permit participants in the Plan who have elected to participate in a high deductible health plan to also participate in a Health Savings Account (HSA) and to permit participants to contribute to their HSA through the Plan by a salary reduction basis (C3507024M00) (ADM3350)

Human Resources

33. AMEND PREVIOUS BOARD ACTION – PATHLORE LEARNING MANAGEMENT SYSTEM CONTRACT

Amend agenda item C31060011 by increasing the total cost for the Pathlore Learning Management System (LMS) contract by \$17,619. Since 1991, Maricopa County has been using a training database system known as Pathlore. On August 24, 2005, the Board approved a contract with Pathlore Learning Management System (LMS) for \$175,729 for three years, and on December 21, 2005, the Board approved an additional \$7,480 for tax that was inadvertently left off of the first approval. Unfortunately the total cost for the three years amounted to \$200,828. To date, \$183,209 has been expended and this additional contract increase of \$17,619 will allow Staff Development to continue to utilize this product through September 14, 2008. This agenda item is being submitted based on a request by Materials Management. (C3106001101)

34. ALLOCATION AND TRANSFER FUNDS FOR TUITION REIMBURSEMENT EXPENSES

Pursuant to A.R.S. §42-17106(b), authorize the allocation and transfer of General Government (470) General Fund (100) Unreserved Contingency Funds (4711) in an amount not-to-exceed \$230,000 for FY 2006-07 to the General Government-Tuition Reimbursement Program (4726) to increase the funding available to reimburse employees for job related tuition expenses through the remainder of FY 2006-07 and maintain uninterrupted implementation of the Tuition Reimbursement Program (C3107005C00) (ADM128)

35. EXEMPTIONS TO THE MARICOPA COUNTY TRAVEL POLICY

Approve exemptions to the Maricopa County Travel Policy (A2313), Section IX, Payment of Interview Expenses for out-of-state job candidates. Exemption approval is requested for reimbursement of expenses by five County departments to seven different candidates who traveled to Phoenix, Arizona. List is on file in the Clerk of the Board's office (C3107006600) (ADM658)

- Animal Care & Control (1)
- Public Health (1)
- Environmental Services (2)
- County Administration Office (2)
- Correctional Health Services (1)

Management and Budget

36. 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 and June 6, 2007. (C4907038603) (ADM3300-006)

37. TRANSFER OF EXPENDITURE AUTHORITY RELATED TO INTERNAL SERVICE CHARGES

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority not to exceed \$700,000 from FY 2006-07 General Government (470) General Fund (100) Unreserved Contingency (4711) to an existing line item in General Government (470) General Fund (100) Central Service Costs (4714) entitled "Base-Level Internal Service Charges." These are funds to support the increased costs for all General Fund vehicle preventative maintenance and repair for FY 2006-07. The county wide net impact of these adjustments is zero. (C4907058800)

Office of Enterprise Technology - Telecommunications

38. REVENUE AND EXPENDITURE ADJUSTMENTS

Pursuant to A.R.S. §42-17106(B), authorize the approval of an increase in budgeted revenue (Fund 681, Department 410) and budgeted expenditures (Fund 681, Department 410) for FY 2006-07 in an amount not-to-exceed \$3,163,965 due to increased expenditures driven by customer work orders and carrier provided services through the Telecommunications Department. The revenue from charges will offset the increased expenses. This will require an offsetting revenue and expenditure adjustment to Eliminations (Department 980 Fund 900) not to exceed \$3,163,965 that will have a net zero impact to the budget. (C4107014800)

Public Health

39. NOTICE OF INCREASE TO GRANT AWARD FOR HOMELESS INDIVIDUALS PROGRAM

Approve the notice of increase to the grant award (H80CS00044) from the U.S. Department of Health and Human Services' Health Resources and Services Administration (HRSA) to Maricopa County Department of Public Health's Healthcare for Homeless Individuals Program. This grant award increases the maximum dollar amount by \$50,000. Total funding for the grant award will increase to \$2,338,527. The grant budget period is from November 1, 2006 through October 31, 2007. This provides additional funding for services to homeless individuals provided by the Healthcare for the Homeless Clinic.

The Department of Public Health's indirect rate for FY 2006-07 is 18.1%. This grant allows for full indirect in the amount of \$7,663, all of which is 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 \$50,000. The appropriations adjustment is necessary because these funds were not included in the FY 2006-07 budget or 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. (C8602073214)

40. AMENDMENT TO CONTRACT FOR SERVICES WITH BANNER HEALTH SYSTEM

Approve Amendment No. 3 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 Disease Reporting Line Service. The contract term is from July 1, 2007 to June 30, 2008 for a dollar amount not-to-exceed \$35,000. (C8604079103)

41. TERMINATE MOU WITH PUEBLO FAMILY PHYSICIANS

Approve the termination of the Memorandum of Understanding (MOU) C8606066000 between Pueblo Family Physicians and Maricopa County through its Department of Public Health's HIV/HCV Infection Control and Surveillance Program. Maricopa County Department of Public Health (MCDPH) is within its rights under the terms of the MOU to terminate the MOU in writing at any time before the date of expiration. Upon Board approval, MCDPH will provide Pueblo Family Physicians written notice specifying MCDPH's desire to terminate this MOU in whole. (C8606066001)

42. AMENDMENT TO IGA FOR HIV/HCV SERVICES PROGRAM

Approve Amendment No. 1 to the Intergovernmental Agreement (HG652198) between Arizona Department of Health Services (ADHS) and Maricopa County Department of Public Health's (MCDPH) HIV/HCV Services Program. The dollar amount for this grant period is \$754,683. The amendment is effective January 1, 2007 to December 31, 2007. MCDPH's indirect rate is 18.1% for FY 2006-07. The grant indirect costs are reimbursable at a rate of 10%. Full indirect costs are estimated at \$124,180, of which \$68,608 is allowable, and \$55,572 is unallowable.

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 \$377,342 for FY 2007-08. The appropriation 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. (C8606075201)

43. DONATION OF PHARMACEUTICAL PRODUCTS

Accept the donation of pharmaceutical products, at no cost to Maricopa County, from Pfizer, Inc.'s Sharing the Care Program for use in Maricopa County Department of Public Health's (MCDPH) Healthcare for the Homeless Program (HCH) in the amount of \$45,000. These pharmaceutical products have been provided to MCDPH's pharmacy for distribution to HCH throughout FY 2006-07. This donation is awarded in-kind, the value of which will be booked as a revenue and expenditure in the Finance System. MCDPH's indirect rate for FY2006-07 is 18.1%. This in-kind grant does not allow for indirect cost recovery; therefore, the indirect expenses estimated at \$6,896 are unrecoverable. Also, 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 of \$45,000. 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 §42-17105. (C8607063M00)

44. DONATION OF LAB SUPPLIES

Accept the donation of lab supplies, at no cost to Maricopa County, from Arizona Department of Health Services (ADHS) for use in the Maricopa County Department of Public Health's (MCDPH) for sexually transmitted disease (STD) services in the amount of \$95,000. These lab supplies have been provided to MCDPH for distribution to the STD program throughout FY 2006-07. These lab supplies are awarded in-kind, 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 donation does not allow for indirect cost recovery; therefore, the indirect expenses estimated at \$14,560 are unrecoverable. Also, 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 of \$95,000. 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 §42-17105. (C8607064M00)

45. DONATION OF HUMAN IMMUNE DEFICIENCY (HIV) PREVENTATIVE SUPPLIES

Accept the donation of Human immune deficiency (HIV) preventative supplies, at no cost to Maricopa County, from Arizona Department of Health Services for use in the Maricopa County Department of Public Health (MCDPH) for its HIV/HCV Infection Control and Surveillance Program in the amount of \$13,672. These preventative supplies have been provided to MCDPH for distribution to the HIV/HCV Infection Control and Surveillance Program throughout FY 2006-07. These preventative supplies are awarded in-kind, 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 donation does not allow for indirect cost recovery; therefore, the indirect expenses estimated at \$2,095 are unrecoverable. Also, 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 of \$13,672. 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 §42-17105. (C8607065M00)

46. TERMINATE CONTRACT WITH PHOENIX HEALTH PLAN

Approve the termination of revenue contract C86960961 between Phoenix Health Plan and the Maricopa County through the Department of Public Health (MCDPH), Immunization Services. According to Section 1.2 of the contract, this contract will continue automatically until terminated. Per the agreement, Section 4.0, MCDPH has given Phoenix Health Plan written notice to terminate this contract. (C8607066101) (C86960961YY)

47. EXPENDITURE APPROPRIATION ADJUSTMENT AND REVENUE APPROPRIATION ADJUSTMENT

Pursuant to A.R.S. §42-17106B, approve a fund transfer from Public Health (860) Grant Fund (532) to Public Health (860) Public Health Fee Fund (265) in an amount not-to-exceed \$1,700,000. This action will require an expenditure appropriation adjustment increasing the FY 2006-07 Public Health (860) Grant Fund (532) budget by \$1,700,000 and a revenue appropriation adjustment increasing the FY 2006-07 Public Health (860) Public Health Fee Fund (265) budget by \$1,700,000, with offsetting adjustments to Eliminations (Department 980, Fund 900). This transfer will result in a County-wide net impact of zero. Approval of this action will allow the Department of Public Health to transfer unexpended grant funds from previous grant years to the Public Health Fee Fund (265) to be expended towards general public health matters. The Department of Public Health has received written permission from all applicable grantors of the above-mentioned funds to expend them in FY 2006-07. The Department of Public Health will seek Board approval in the expenditure of these funds from the Public Health Fee Fund (265). (C8607068M00) (ADM2150-003)

48. EXPENDITURE APPROPRIATION ADJUSTMENT AND REVENUE APPROPRIATION ADJUSTMENT

Pursuant to A.R.S. §42-17106B, approve a fund transfer from Public Health (860) Grant Fund (532) Reporting Category (H100) to Public Health (860) Public Health Fee Fund (265) in an amount not-to-exceed \$792,140. This action will require an expenditure appropriation adjustment increasing the FY 2006-07 Public Health (860) Grant Fund (532) Reporting Category (H100) budget by \$792,140 and a revenue appropriation adjustment increasing the FY 2006-07 Public Health (860) Public Health Fee Fund (265) budget by \$792,140 , with offsetting adjustments to Eliminations (Department 980, Fund 900). This transfer will result in a County-wide net impact of zero. Approval of this action will allow the Department of Public Health to transfer a surplus balance accumulated in the indirect cost pool (Reporting Category H100) and move these monies into the Public Health Fee Fund (265) to be used towards general public health matters. The Department of Public Health will seek Board approval in expending these funds once they are transferred in the manner requested above. (C8607069M00) (ADM2150-003)

49. IGA FOR TOBACCO BRIEF INTERVENTION SERVICES

Approve the Intergovernmental Agreement (IGA) between the Maricopa County Special Healthcare District d.b.a. Maricopa Integrated Health System and the Maricopa County Department of Public Health's Tobacco Use Prevention Program to provide tobacco brief intervention services. The term of the agreement is from April 1, 2007 through June 30, 2007 for a contract dollar amount not-to-exceed \$29,600. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. (C8607471200)

ASSISTANT COUNTY MANAGER - COMMUNITY SERVICES

Human Services

50. AMENDMENTS TO CONTRACTS FOR RAPID RESPONSE SERVICES

Approve the following amendments to exercise option year two (of three one-year options to renew) for rapid response services to be provided in FY 2007-08. These amendments are effective from July 1, 2007 through June 30, 2008. These contracts do not contain any county general funds:

- a. Amendment No. 2 to the contract with Right Management Consultants, Inc. The contract amendment is for \$100,000 (total contract value increases from \$625,000 to \$725,000). (C2205146102)
- b. Amendment No. 2 to the contract with Andrew Stevens and Associates. The contract amendment is for \$25,000 (total contract value increases from \$75,000 to \$100,000). (C2205148102)
- c. Amendment No. 2 to the contract with Murro Partners, LLC. The contract amendment is for \$15,000 (total contract value increases from \$65,000 to \$80,000). (C2205149102)

- d. Amendment No. 2 to the contract with Interface Technical Training. The contract amendment is for \$10,000 (total contract value increases from \$35,000 to \$45,000). (C2205150102)
- e. Amendment No. 2 to the contract with Leathers, Milligan & Associates, Inc. The contract amendment is for \$50,000 (total contract value increases from \$75,000 to \$100,000). (C2205151102)

51. AMENDMENT TO CONTRACT FOR SERVICES WITH COMTRANS, INC.

Approve Amendment No. 3 to the Contract for Services between the Maricopa County Human Services Department Special Transportation Program and COMTRANS, Inc. to exercise option year two of three one-year options to renew the contract. The contract period for this amendment is July 1, 2007, to June 30, 2008. This contract does not contain any county general funds. (C2206141103)

52. AMENDMENT WITH CITY OF PHOENIX TO ESTABLISH WORKFORCE INVESTMENT ACT PARTNERSHIP

Approve Amendment No. 1 to the cost-sharing intergovernmental agreement between Maricopa County Human Services Department and City of Phoenix Community Economic Development Department to establish a Workforce Investment Act (WIA) Partnership. The period of performance is from July 1, 2007 to June 30, 2008. The total cost will not exceed \$75,000. This contract does not contain any county general funds. (C2207065201)

53. REVISIONS TO THE HEAD START POLICY COUNCIL BYLAWS

Approve revisions to the Head Start Policy Council Bylaws as approved by the Head Start Policy Council on April 27, 2007. Both the Board of Supervisors and the Head Start Policy Council must approve these bylaws. The revision to the bylaws exempts the Board of Supervisors' representative to the Policy Council from the Policy Council meeting attendance requirements (Section 5.4 of the Bylaws). (C2207136M00) (ADM2502-001)

54. IGA WITH THE TOWN OF GUADALUPE FOR OPERATION OF THE COMMUNITY ACTION PROGRAM

Approve an intergovernmental agreement (IGA) with the Town of Guadalupe, for the operation of the Community Action Program to provide community services and case management & emergency services for low-income residents in the Town of Guadalupe and surrounding identified geographic area. This IGA will provide the Town of Guadalupe funding in a not-to-exceed amount of \$97,209 for the period of July 1, 2007, to June 30, 2008. This Intergovernmental Agreement may be renewed for two additional one-year terms based on successful financial and program performance. Funding for this IGA is being provided by the Arizona Department of Economic Security (\$71,139) and Maricopa County (\$26,070). This agreement is contingent upon final approval of the County's FY 2008 budget, and the receipt of a fully executed IGA 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 term of this agreement. This agreement requires that the Guadalupe Community Action Program develop and implement programs and services that address the following federal goals for Community Action Programs: (C2208071200)

- o Securing and Maintaining Employment;
- o Securing Adequate Education;
- o Better Income Management;
- o Securing Adequate Housing;
- o Providing Emergency Services;
- o Improving Nutrition;
- o Creating Linkages Among Anti-Poverty Programs; and,
- o Achieving Self-Sufficiency.

55. IGA WITH CHANDLER UNIFIED SCHOOL DISTRICT

Approve an intergovernmental agreement (IGA) between Chandler 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 ARS §15-761, who are enrolled in the Head Start Program. In addition, Chandler Unified School District will provide classroom and playground facilities in two Head Start classrooms at Knox and Erie Elementary Schools. This agreement is effective July 1, 2007 through June 30, 2010. (C2208086200)

56. LEASE WITH THE CITY OF SCOTTSDALE

Approve and execute Lease No. L7244 with the City of Scottsdale. This term of this Lease Agreement is for three years, from July 1, 2007 to June 30, 2010, at the annual rental rate of \$3,360, plus rental tax, which represents the County's share of operating expenses. This full service lease contains a sixty-day termination clause without penalties. (C2208094000)

57. SUBSTITUTE TEACHER AND TEACHER'S AIDE SERVICES

Approve the following contracts with the Maricopa County Human Services Department for the provision of Substitute Teacher and Teacher's Aide services in support of the Early Head Start and Head Start Programs in Maricopa County. The total contract value will not exceed \$150,000. The contract term is from July 1, 2007 to June 30, 2008. These contracts do not include any county general funds:

- a. Teachers on Call, Inc. (C2208095100)
- b. Substitute Teachers Unlimited (C2208096100)

Parks and Recreation

58. DONATION FROM PULTE HOMES AND THE COMMUNITIES OF DEL WEBB

Accept a donation of \$500,000 from Pulte Homes and the Communities of Del Webb (formerly known as Del Webb Home Construction) for funding and development of Buckeye Hills Shooting Range Complex. On December 19, 2001, the Board approved entering into a funding and development agreement (C3002033500) with Del Webb for the development of the Buckeye Hills Shooting Range Complex. Agenda item C3002033502 was approved March 12, 2004, in which the Pulte Homes and the Communities of Del Webb agreed to donate \$500,000 towards the development of the Buckeye Hills Shooting Range Complex. Pulte Homes and the Communities of Del Webb would now like to present the donation to the Maricopa County Board of Supervisors. Pulte Homes and the Communities of Del Webb will donate the money in quarterly payments for Fiscal Year 2008 to Maricopa County via the Parks & Recreation Department (300). The donation will be deposited into the Intergovernmental Capital Projects Fund (422). Recreation Area infrastructure and both shooting ranges. (C3002033503)

59. RESCIND PREVIOUS BOARD ACTION – CONSTRUCTION MANAGER AT RISK CONTRACT

Rescind a duplicate action taken on March 31, 2007, under C3007020500, to approve and execute a Construction Manager at Risk (CMAR) contract between Maricopa County through the Parks & Recreation Department (MCPRD) and DL Norton, Inc. for the MCPRD Restroom Improvements Phase 3 (Function REST). The funds to pay for the contracted amount will be from the General Fund County Improvement Fund (445) as adopted in the FY 2006-07 County Budget on June 19, 2006. This item was subsequently approved by the Board on May 2, 2007 with documents filed under C3007031000. (C3007020501)

60. ACCEPT HERITAGE FUND GRANT AWARD

Accept from the Arizona Game and Fish Department (AGFD) the awarded Heritage Fund grant. The award is for \$1,462 and will be used to construct a camouflaged viewing blind enclosure for observing and digitally recording the variety and numbers of wildlife species present in the park and around the newly created Pemberton Pond at McDowell Mountain Regional Park and approve an appropriation adjustment increasing the FY 2007-08 Parks and Recreation Department (300), Fund (230) revenue and expenditure budgets by \$1,462. 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. Also authorize the Parks and Recreation Department (Department 300) to sign necessary reporting and reimbursement paperwork to administer the grant. (C3007034300)

CHIEF FINANCIAL OFFICER

Animal Care & Control Services

61. ANIMAL CONTROL FIELD SERVICES

Approve the following intergovernmental agreements (IGAs) effective from July 1, 2007 through June 30, 2010:

- a. City of Tempe and Maricopa County through Maricopa County Animal Care & Control for Animal Control Field Services as determined in the agreement in the amount of \$164,173. (C7907126200)
- b. Town of Cave Creek and Maricopa County through Maricopa County Animal Care & Control for Animal Control Field Services as determined in the agreement in the amount of \$5,250. (C7908005200)

62. KENNEL PERMITS RENEWALS

Pursuant to A.R.S. §11-1009, approve the following kennel permit renewals for the term of June 20, 2007 through June 19, 2008. The cost of the kennel permits is \$328:

- a. Susan Anderson, d.b.a. Clearwater Kennels, located at 7601 N. 185th Avenue, Waddell, AZ. Permit renewal #338. (Supervisory District 4) (C7907124C00) (ADM2304)
- b. Judy O'Connell, d.b.a. O'Connell Kennels, 11005 E. Vallejos Street, Chandler, AZ. Permit renewal #396. (Supervisory District 1) (C7907125C00) (ADM2304)

63. DONATIONS

Approve the acceptance of a donation from Friends of Animal Care & Control (FACCS) to Maricopa County Animal Care & Control in the amount of \$207,741 to be used for the Spay/Neuter and Disease Prevention Programs. Donation revenue funds are deposited into Fund (573) as they are received.

Approve an expenditure budget adjustment to the Animal Care & Control (790) Animal Control Grant Fund (573) by \$207,741, and approve a revenue budget adjustment to the Animal Care & Control (790) Animal Control Grant Fund (573) by \$207,741. These 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. Approval of this action will necessitate a budget appropriation adjustment increasing the revenue budget of the Animal Care & Control (790) Animal Control Grant Fund (573) by \$207,741, and increasing the expenditure budget of Animal Care & Control (790) Animal Control Grant Fund (573) by \$207,741. (C7907122700) (ADM2300-006)

Finance

64. 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.

65. AMENDMENT TO IGA WITH THE BUCKEYE VALLEY RURAL FIRE DISTRICT

Approve Amendment No. 1 to the intergovernmental agreement with the Buckeye Valley Rural Fire District which provided for the District to purchase a former park site from Maricopa County. The Amendment will reduce the purchase price from \$100,000, to \$24,000, plus reimbursement of CDBG funds in the amount of \$9,972. The reduction in price is deemed necessary because Maricopa County is unable to remove federal Land & Water conservation fund encumbrance from the project area of the property which was a condition of the original sale agreement. The encumbrance restricts the legal uses of the property. This amendment also changes the escrow closing date to June 30, 2007. (C1805028201)

66. INCREASE OF REVENUE AND EXPENDITURE APPROPRIATION

Pursuant to ARS 42-17106(B):

- Increase the FY 2006-07 County Improvement Debt Fund (320) revenue appropriation by \$33,813,842 and expenditure appropriation by \$35,533,842. Debt service is considered non-local revenue for the purpose of the constitutional expenditure limitation, and therefore expenditure appropriation in the County Improvement Debt Fund is not subject to the limitation.
- Increase the FY 2006-07 Financing Series 2007 Fund (440) revenue appropriation by \$65,189,400 and expenditure appropriation by \$1,222,246. Bond proceeds are considered non-local revenue for the purpose of the constitutional expenditure limitation, and therefore expenditure appropriation in the Financing Series 2007 Fund is not subject to the limitation.

These adjustments provide for the refinancing of the Lease Revenue Bond Series 2001 (F22891) with the issuance of the new Refunding Bonds, Series 2007B (F23230) and the issuance of the new Lease Revenue Bonds, Series 2007A (F23229) to finance various capital projects. Both the refinancing (refunding) of the Lease Revenue Bonds, Series 2001 and the issuance of the new Lease Revenue Bonds Series 2007A and Refunding Bonds Series 2007B (F23229) issuance were completed in May 2007. Refinancing of the Lease Revenue Bonds, Series 2001 with new Refunding Bonds, Series 2007B (F23230) will generate an estimated net savings to the County of \$1,615,403. The issuance of the Lease Revenue Bond Series 2007 A and the Refunding Bonds, Series 2007B were authorized in C1807027800 and C1807030800, respectively. (C1807041A00) (F22891) (F23229) F23230)

67. IGA WITH FLOOD CONTROL DISTRICT FOR CONTINUED USE OF SHERIFF'S SHOOTING RANGE THROUGH DECEMBER 31, 2007

Approve an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa (FCD) that provides for the continued use of the Sheriff's current shooting range located on FCD owned land behind McMicken Dam. The IGA provides a retroactive 41-month lease term commencing on August 1, 2004 through December 31, 2007, and provides for the County to pay for the cost of environmental remediation after County vacates the premises. County will pay rent of \$2,000 per month from August 1, 2004 to the present and continue payment through December 31, 2007 or until the property is vacated. County retains responsibility for environmental remediation and cleanup of the site beyond the expiration date of the lease term.

Pursuant to A.R.S. §42-17106(B), transfer FY 2006-07 expenditure appropriation of \$70,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to a new line in Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) entitled, "Sheriff Shooting Range Lease".

Also transfer FY 2007-08 expenditure appropriation of \$14,000 from Appropriated Fund Balance (480) General Fund (100) General Contingency (4811) to a new line in Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) entitled, "Sheriff Shooting Range Lease". The Flood Control District is requesting approval of this IGA from the Board of Directors under agenda item (C6907067200) (C1807042200)

68. LICENSE AGREEMENT FOR PARKING SPACES

Approve and execute a license agreement with JDO, LLC for vehicle parking spaces in the Forensic Science Parking Garage. The license term will commence on or about August 1, 2007, and will terminate on July 30, 2008, unless terminated earlier as provided for in the license. The license provides limited parking in blocks of 100 spaces each up to a maximum of three hundred parking spaces. JDO, LLC may use the parking spaces solely for its staff and tenants during the hours of 6:00am and 6:00pm. JDO, LLC will pay a fee of \$65 per space per month to the County. A prepayment of \$65,000 will be made by JDO, LLC to provide a credit balance for the first 100 parking spaces. Either party may terminate the license by providing 30 day written notice. (C1807043C00)

Materials Management

69. 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

- 07001-LOI** **Property Credit Card Tax Processing Services (Non-County Funded Service Contract estimate/three years with three one-year renewal options)** Non-County funded contract to provide processing of credit card payments (Amex, MC, Visa, Discovery and debit cards) and ACH and E-Check transactions for on-line and IVR payment of property taxes. There are no public funds expended for this service. The tax payer pays a convenience fee to use this optional service. The County nets 100% of the tax revenue.
- Official Payment Corporation

- 07033-Q Employee Medical Benefits Plan Stop Loss Insurance (\$2,500,000 estimate/one year with three one-year renewal options)** Stop Loss insurance for the County's self insured employee medical benefit plan. In accordance with contract 05146-RFP, the County's insurance consultant (Buck Consulting) surveyed the market and obtained quotes on behalf of the County for this insurance.
- o Symetra Life Insurance Company
- 07034-S Chiller Maintenance, Repair and Overhaul (\$10,000,000 estimate/three year with three one-year renewal options)** Price agreement for the maintenance, repair, overhaul and inspection of chillers.
- o Trane

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 September 30, 2010

- 04081-C Institutional Clothing, Undergarments and Textiles (\$2,600,000 estimate/three years)** Price agreement to purchase institutional clothing, undergarments and textile items for MCSO and the Juvenile Court.
- o Acme Supply Company Ltd
 - o Carefree Uniforms
 - o Leslee Scott, Inc.
 - o Murray & Company
 - o Tabb Textile Company, Inc.
 - o Universal Hotel Supply

Until June 30, 2008

- 06104-S Document Redaction (\$1,061,068 estimate/one year)** Contract extension to comply with pending legislation which would require redaction of additional records dating back to 1935.
- o AmCad

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

- 05019-C Asphalt, Emulsified & Oil & Petroleum Resin (\$1,400,000 increase)** Increase price agreement value from \$3,600,000 to \$5,000,000. This \$1,400,000 increase is being requested by MCDOT to provide monies for the current chip seal project and future project needs. The Board approved the initial price agreement on May 18, 2005 in the amount of \$3,600,000. This price agreement has an expiration of May 31, 2008.
- o Paramount Petroleum

Risk Management

70. TRANSFER OF EXPENDITURE AUTHORITY

Pursuant to A.R.S. Section 42-17106(b), approve the transfer of expenditure authority in the amount of \$3,117,180 from FY 2006-07 General Government (470) General Government Grants Fund (249) Compensation Reserve (4711) to Risk Management (750) Risk Management Fund (675). This action requires an expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) General Government Grant Fund (249) Compensation Reserve (4711) expenditure budget by \$3,117,180 and increasing the FY 2006-07 Risk Management (750) Risk Management Fund (675) expenditure budget by \$3,117,180. The FY 2006-07 expenditures have seen increased legal and claim related expenses. For budgeting purposes, these expenses are actuarially estimated a year in advance to meet the budget cycle timelines. During this fiscal year, some claims have seen increased activity, requiring legal defense costs. The expected increase in costs through the end of this fiscal year is estimated to be \$3,117,180 over the budgeted expenditures. These adjustments will result in a county wide net financial impact of zero. (C7507031800) (ADM3700-003)

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Air Quality Department

71. ADMINISTRATIVE CORRECTION – ADJUST FISCAL YEAR REVENUE & EXPENDITURE APPROPRIATIONS

Approve an administrative correction to agenda item C8506004301 approved by the Board on August 16, 2006, to adjust the fiscal year revenue and expenditure appropriations for the US EPA Grant PM-96955001-1 for the continued implementation and enhancement of the PM 2.5 monitoring network with a total grant award of \$70,884.

Approve an increase in the FY 2006-07 revenue and expenditure appropriations for the Air Quality (850) Grant Fund (503) in the amount of \$24,349. The total grant award is \$70,884 and was originally appropriated with \$47,600 in FY 2005-06 and \$23,284 in FY 2006-07. Due to the way the funds were utilized, only \$23,251 was expended in FY 2005-06. The remaining grant award will be expended in FY 2006-07 in the amount of \$47,633, which is an increase of \$24,349 in FY 2006-07. This is a reimbursable grant. Indirect costs are allowable and recoverable at 13.63%. The estimated indirect cost is \$5,504 and is fully recoverable. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. 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. (C8506004302)

72. ADMINISTRATIVE CORRECTION – ADJUST FISCAL YEAR REVENUE & EXPENDITURE APPROPRIATIONS

Approve an administrative correction to agenda item C8506007300 approved by the Board on May 17, 2006 to adjust the fiscal year revenue and expenditure appropriations for the US EPA Grant A-00905206-0 for the Air Pollution Control Program with a total grant award of \$894,181. The total grant award for FY 2005-06 and FY 2006-07 was \$894,181 and was originally appropriated with \$670,636 in FY 2005-06 and \$223,545 in FY 2006-07. Due to the way the funds were utilized, only \$627,674 was expended in FY 2005-06 leaving a balance of \$42,962 for FY 2005-06.

Approve an increase in the FY 2006-07 revenue and expenditure appropriations for the Air Quality (853) Grant Fund (503) in the amount of \$42,962.

This is a reimbursable grant. Indirect costs are allowable and recoverable at 13.63%. The indirect cost is estimated to be \$107,258 and is fully recoverable. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. 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.

Also approve as the official file for US EPA Grant A-00905206-0 as C8506007302. (C8507004000) (C8506007302)

73. FUND TRANSFER TO RECONCILE EXPENDITURE TRANSACTIONS

Approve a fund transfer not-to-exceed \$100,000 from the Air Quality Fee Fund to the Air Quality Grant Fund to reconcile expenditure transactions from FY 2004-05 and FY 2005-06 that were non-grant related. These adjustments will result in a countywide net financial impact of zero and will allow the Air Quality Department to zero out the fund balance for non-grant related expenditures in the Grant Fund. This will require offsetting revenue and expenditure adjustments to Eliminations (Department 980 Fund 900) not to exceed \$100,000 that will have a net zero impact to the 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. (C8507030800) (ADM2375)

74. RETURN OF FUNDS TO MAG AND AZ DEPARTMENT OF ENVIRONMENTAL QUALITY

Approve a payment of funds to two grantors, Maricopa Association of Governments (MAG) for \$91,233 and the Arizona Department of Environmental Quality (ADEQ) for \$58,736 from calendar year 2004. These overcharges need to be returned to these entities.

Approve a fund transfer not-to-exceed \$149,969 from the Air Quality Fee Fund (Department 850 Fund 504) to the Air Quality Grant Fund (Department 850 Fund 503) to return the overcharges to the grantors. This will require offsetting revenue and expenditure adjustments to Eliminations (Department 980 Fund 900) not-to-exceed \$149,969 that will have a net zero impact to the budget. Also, approve an increase in the FY 2006-07 revenue and expenditure appropriations for the Air Quality (853) Grant Fund (503) in the amount of \$149,969.

Approve a fund transfer not-to-exceed \$200,000 from the Environmental Services Grant Fund (Department 880 Fund 503) to the Air Quality Grant Fund (Department 850 Fund 503) to redistribute grant funds that remaining Environmental Services and belong to Air Quality. This will require offsetting revenue and expenditure adjustments to Eliminations (Department 980 Fund 900) not-to-exceed \$200,000 that will have a net zero impact to the 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 of pursuant to A.R.S. §42-17105. This item was discussed in Executive Session on June 18, 2007. (C8507031800) (ADM409)

Emergency Management

75. ACCEPT EMERGENCY MANAGEMENT PERFORMANCE GRANT TO SUPPORT EMERGENCY PLANNING EFFORTS

Approve and accept from the Arizona Division of Emergency Management the Emergency Management Performance Grant (EMPG) for FY 2006-07 in the amount of \$282,374.00. The grant period is October 1, 2006 to September 30, 2008. The EMPG was included in the FY07 base budget in the amount of \$274,961.00. Emergency Management (MCDEM) received an increase to the Emergency Management Performance Grant (EMPG). Approve an appropriation adjustment in the amount of \$7,413.00 for both revenues and expenditures to the Emergency Management Department (150) Emergency Management Fund (215) budget for FY 2006-07. MCDEM's indirect cost rate for this grant is 17.01%. Indirect costs of \$41,049.33 are allowable and recoverable. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. 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. (C1507013300)

Environmental Services

76. AMENDMENT TO LEASE FOR OFFICE SPACE

Approve and execute Amendment No. 4 to Lease No. L7210 with 3101 East Shea Boulevard, LLC, Lessor, for 3,800 sq. ft. of office space located at 3101 East Shea Boulevard, Phoenix, AZ. This amendment will extend the term of this full service lease from September 1, 2007 through August 31, 2012. This lease contains a 90-day termination clause. (C8897046404)

Annual rental cost, including 2.4% rental tax, as follows:

- Year 1 at \$18.20 s/f or \$69,156.00
- Year 2 at \$18.74 s/f or \$71,230.68
- Year 3 at \$19.31 s/f or \$73,367.60
- Year 4 at \$19.87 s/f or \$75,568.63
- Year 5 at \$20.48 s/f or \$77,835.69

Facilities Management

77. CONTINUATION OF MODULAR FURNITURE ASSETS INVENTORY MANAGEMENT SYSTEM POLICY

Authorize the continuation of the Modular Furniture Asset Inventory Management System Policy originally established by Board approval on July 26, 2006, as a one year pilot program as a method to efficiently manage and report on modular furniture assets on a countywide basis in order to consolidate, reuse and redeploy existing furniture inventory; eliminate unnecessary purchases of new modular furniture; and save space by eliminating storage of modular parts by individual departments.(C7007002601) (ADM 631)

78. DESIGN PHASE SERVICES CONTRACT WITH D. L. WITHERS CONSTRUCTION CO

Approve and award the design phase services contract to D. L. Withers Construction Co., L.C. of Phoenix, Arizona, Contract No. FMD-07-028, in the amount of \$500,693 for the design of the Southwest Regional Justice Center located in Avondale at 105th Avenue and Van Buren Street (Project No. 0324-07-403). (C7007051500)

79. CONTRACT WITH SWAN ARCHITECTS, INC. OF PHOENIX

Approve and authorize the execution of Contract No. FMD-07-025, with Swan Architects, Inc. of Phoenix, Arizona in the amount of \$294,190. This contract is to provide Maricopa County Central Court Remodel (Project No. 3305-07-407) architectural and related services. (C7007052500)

80. CONSTRUCTION MANAGER AT RISK CONTRACT WITH LAYTON INTERIOR SPECIALISTS OF ARIZONA

Approve and authorize the execution of Construction Manager at Risk (CMR) Contract No. FMD-07-043 for GMP #2 with Layton Interior Specialists of Arizona in the amount of \$1,282,613, to provide construction phase services for the remodel of the Scottsdale Justice Court facility for the Adult Probation Department Scottsdale office (Project No. 4608-07-302) located at 8230 East Butherus Drive, Scottsdale, Arizona. (C7007053500)

81. CONTRACT WITH GOULD EVANS FOR COURT TOWER PROJECT

Approve and authorize the execution of Contract No. FMD-07-013, with Gould Evans, in an amount not-to-exceed \$760,000. This contract is to provide services for the completion of the programming effort and beginning of the design concept for the Maricopa County Court Tower Project No. 3325-07-380. (C7007054500)

82. SETTLEMENT

Approve the settlement of claims of W.E. O'Neil against the County, and all claims of the County against Cannon-Dworsky, the project Architect, arising out of the construction of the Durango Juvenile Detention Center, contract number JE01-05, originally approved by the Board on May 16, 2001, as agenda item C4001026100, and authorize the Chairman to execute all documents necessary to effectuate the settlement. This matter was heard in Executive Session on June 4, 2007. (C7007056100) (ADM409)

83. AMENDMENTS TO THE FY 2006-07 FIVE-YEAR CAPITAL IMPROVEMENT PLAN

Pursuant to A.R.S. §42-17106(B), authorize the following amendments to the Year 1, FY 2006-07 Five-Year Capital Improvement Plan, Appropriated Fund Balance (480), Detention Capital Projects Fund (455):

Increase the Juvenile Durango (JJDR) project expenditures by \$6,125,000 from \$8,372,078 to \$14,497,078.

Decrease the 4th Avenue Jail (FFAJ) project expenditures by \$600,000 from \$1,000,000 to \$400,000.

Decrease the Lower Buckeye Jail (LLBJ) project expenditures by \$400,000 from \$1,000,000 to \$600,000.

Transfer expenditure authority from the General Government (470) Grants Fund (249) Expenditure Authority Reserve (4711) "Potential Fee Increases" line item in the amount of \$5,125,000 to the Appropriated Fund Balance (480) Detention Capital Projects Fund (455). This adjustment decreases the expenditure budget of the General Government (470) Grants Fund (249) by \$5,125,000 and increases the expenditure budget of the Appropriated Fund Balance (480) Detention Capital Projects Fund (455) by \$5,125,000 to partially support the project increase in the Juvenile Durango project (JJDR). (C7007057800) (ADM800-003)

Transportation

84. 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)

85. AMENDMENT TO IGA FOR BELL ROAD INCIDENT MANAGEMENT PROGRAM.

Approve Amendment No. 2 to the intergovernmental agreement between Maricopa County Department of Transportation and the City of Surprise for the Bell Road Incident Management Program. The purpose of this amendment is to extend the agreement for one additional year, beginning July 1, 2007 and ending on June 30, 2008. All other terms of the original agreement approved on September 8, 2004 (C6405057) and the first amendment, which was approved on June 7, 2006 (C6406258000) will remain in full force and effect. (Supervisorial District 4) (C6406258001)

86. AMENDMENT TO AGREEMENT FOR PAVEMENT DESIGN RESEARCH

Approve Amendment No. 1 to the agreement between Maricopa County and Arizona State University to Provide Pavement Design Research towards the Implementation of the Mechanistic-Empirical Pavement Design Guide. The County will participate in funding the research up to \$50,000 per County fiscal year from Operating Funds, and the agreement can be renewed for the next year as needed, up to three years. This is the First Amendment to renew the existing agreement for FY 2007-08. The payment schedule is established that MCDOT will pay 50% (\$25,000) at the beginning, 25% (\$12,500) when 75% of the year's work is completed, and 25% (\$12,500) at the end of the year. Approval of this agenda item is contingent upon the Board adopting the FY 2007-08 budget. (Supervisorial Districts 1,2,3,4, & 5) (C6407161201)

87. 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 FY2006-2007 (Year 1), capital budget for the following projects:

Project Number	Name	Capital Budget
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 Avenue – 91st Avenue	\$1,075,000
T219	Mingus Box Culvert	\$275,000

And, adjusting the following projects by **increasing** the FY2006-2007 (Year 1) capital budget for the following projects:

Project Number	Name	Capital Budget
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 & Needle Rock	\$95,000
T047	PM 10: (PH 4) in North Valley	\$30,000
T062	Ellsworth Rd: 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 Ave: 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 Rd 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 Blvd at Meeker	\$75,000
T236	Signal Modernization SC1	\$180,000
T243	Galivan Peak Pkwy: Cloud – Joy Ranch	\$160,000

T248	Deer Valley Rd: 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. This item was continued from the June 6, 2007 meeting. (C6407227800) (ADM2000-003)

88. REIMBURSEMENT TO ROOSEVELT IRRIGATION DISTRICT FOR ENGINEERING AND DESIGN SERVICES

Approve reimbursement to Roosevelt Irrigation District (RID) for engineering and design services provided by RID for the relocation of their facilities in conflict with Maricopa County Department of Transportation’s (MCDOT) project T083, MC85 – Cotton Lane to Estrella Parkway. Prior rights documentation by RID has been received and verified. The cost may not exceed the estimated amount of \$154,800 by more than 10%.

Per A.R.S. §42-17106 (B), also approve an amendment to the current FY2007-2011 five-year TIP for Fund 234 – Transportation Capital Projects Fund by **decreasing** the FY2006-2007 (Year 1), capital budget for the following project:

Project T002, Project Reserve Account capital budget by \$30,800.

And, by **increasing** the FY2006-2007 (Year 1) capital budget for:

Project T083, MC85, Cotton Lane to Estrella Parkway capital budget by \$30,800.

The requested adjustment is necessary to realign project budgets to more closely match year-end projected expenditure amount, and results in a impact of zero. (Supervisorial District 4) (C6407236100) (ADM2000-006)

89. APPLICATION FOR ASSIGNMENT IN A RIGHT OF WAY EASEMENT

Approve an application for the assignment of the County’s interests in a right of way easement granted by the U.S. Department of the Interior through its Bureau of Land Management. Our interest in this easement will be assigned to the City of Peoria, a municipal corporation. The right of way is located within Sections 23 & 26, of T6N, R1W G&SRB&M, Maricopa County, Arizona which is located near the Lake Pleasant Regional Park. This area has been annexed by the City of Peoria. The application and filing fee is to be handled by the City of Peoria to process this assignment of property rights. (Supervisorial District 4) (C6407241000) (ADM5002)

90. INTERSTATE 8 AND INTERSTATE 10 HIDDEN VALLEY ROADWAY FRAMEWORK STUDY

Approve the agreement between Maricopa County and the Maricopa County Association of Governments (MAG) for the Interstate 8 and Interstate 10 Hidden Valley Roadway Framework Study. The County’s financial contribution is \$200,000, which will be paid in two installments. The County, upon receipt of an invoice, shall make its first payment of \$155,000 by June 30, 2007, and the remaining \$45,000 being paid by July 30, 2007, (FY 2007-08) upon receipt of the second invoice. Approval of the FY 2007-08 expenditures is contingent upon the Board adopting the FY 2007-08 budget. (Supervisorial Districts 4 & 5) (C6407250200)

91. CHANGE IN NEW RIVER TRANSFER STATION ACREAGE USAGE

Approve submission of an application to the U.S. Department of the Interior/Bureau of Land Management for approval of a change in use of 8 acres of the 60 acre site currently known as the New River Transfer Station.

Approve Resolution #MCDOT 07-251 which will memorialize the change in use of an 8 acre portion of the 60 acre New River Transfer Station being utilized by Maricopa County Solid Waste Department to the Maricopa County Department of Transportation's Northeast Maintenance Facility. Approval of the expenditures for FY 2007-08 is contingent upon the Board adopting the FY 2007-08 budget. (Supervisorial District 4) (C6407251100) (ADM2075)

92. AMENDMENT TO THE CURRENT FY2007-2011 FIVE-YEAR TIP

Pursuant to A.R.S. §42-17106 (B), approve an amendment to the current FY 2007-2011 five-year TIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 21, 2006, by **decreasing** the FY2006-2007 (Year 1) capital budget for the following project:

Project T002, Project Reserves Account capital budget by \$775,000.

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

Project	Project Name	Capital Budget
T001	TIP Development	\$50,000
T068	Ellsworth Rd: Germann Rd-Baseline Road (District 1)	\$100,000
T186	Indian School Road: Litchfield - Dysart (District 4)	\$100,000
T199	Dobson Road Bridge at Salt River (Districts 1 & 2)	\$150,000
T205	99th Avenue at Palmeras (District 4)	\$50,000
T213	Cotton Lane at McDowell Road (District 4)	\$50,000
T215	Peoria Rd at Litchfield Road (District 4)	\$50,000
T218	SR 303 at Waddell Road (District 4)	\$100,000
T225	Hawes at Hunt Hwy (District 1)	\$50,000
T231	Alabama at 111th Avenue (District 4)	\$50,000
T251	Riggs: Ellsworth to Meridian (District 1)	\$25,000

Four projects requiring budget increases are presently under construction. Five projects have a project balance of less than \$10,000 with six more weeks of charges pending. 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. (Supervisorial Districts 1, 2, 3, 4 & 5) (C6407258800) (ADM2000-003)

93. REIMBURSEMENT TO SOUTHWEST GAS CORPORATION FOR ENGINEERING SERVICES AND CONSTRUCTION

Approve reimbursement to Southwest Gas Corporation (SWG) in the amount of \$8,435.54 for engineering services and construction by SWG for the relocation and installation of its facilities in conflict with Maricopa County Department of Transportation's project T028, Tuthill Road: Queen Creek Road to Pecos Road. Prior rights documentation by SWG has been received and verified. The cost may not exceed the estimated amount of \$8,435.54 by more than 10%. (Supervisorial District 5) (C6407259100) (ADM2000-006)

94. REIMBURSEMENT TO APS FOR INSTALLATION STREETLIGHTS

Approve reimbursement to Arizona Public Services (APS) in the amount of \$2,717 for the installation of three streetlights necessary for new signal installations by the Department of Transportation project T231, Alabama at 111th Avenue. The cost may not exceed the current estimate of \$2,717 by more than 10%. (Supervisory District 4) (C6407260M00) (ADM2000-006)

95. NEW TRAFFIC CONTROLS

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

- a. **95th Avenue from 100 Feet North of Pinnacle Peak Road to 100 Feet South of Calle Lejos** – All traffic to stop before entering or crossing a THROUGH STREET. This rescinds the One-Way Yield on Electra Lane at 95th Avenue for east bound traffic and the Two-Way Yield on Avenida Del Sol at 95th Avenue for east and west bound traffic dated September 18th 1996. (Supervisory District 4) (C6407252000) (F23223)
- b. **97th Avenue from 100 Feet North of Pinnacle Road to 100 Feet South of Calle Lejos** – All Traffic to stop before entering or crossing a THROUGH STREET. (Supervisory District 4) (C6407252000) (F23223)
- c. **222nd Street from Pecos Road to Williams Field Road** – A 35 MPH Speed Limit Zone. (Supervisory District 1) (C6407253000) (F23223)
- d. **Williams Field Road from 222nd Street to Mountain Road** – A 45 MPH Speed Limit Zone. (Supervisory District 1) (C6407253000) (F23223)
- e. **Williams Field Road from Mountain Rd to Meridian Road** – A 35 MPH Speed Limit Zone. (Supervisory District 1) (C6407253000) (F23223)
- f. **111th Avenue from Thunderbird Boulevard to Cameo Drive** – A 30 MPH Speed Limit Zone. (Supervisory District 4) (C6407254000) (F23223)
- g. **111th Avenue from 100 Feet north of Thunderbird Boulevard to 100 Feet south of Cameo Drive** – All Traffic to stop before entering or crossing a THROUGH STREET. (Supervisory District 4) (C6407255000) (F23223)
- h. **176th Avenue at Pima Street for Northbound traffic** – A one way stop. (Supervisory District 4) (C6407256000) (F23223)
- i. **53rd Avenue from 100 Feet North of Olney Avenue to 100 Feet South of Dobbins Road** – All Traffic to stop before entering or crossing a THROUGH STREET. (Supervisory District 5) (C6407257000) (F23223)
- j. **53rd Avenue southbound at Olney Avenue** – One Way Stop. (Supervisory District 5) (C6407257000) (F23223)

BOARD OF SUPERVISORS

Clerk of the Board

96. APPOINTMENTS/RESIGNATIONS

- a. **Self-Insured Trust Fund, Board of Trustees** – Reappoint David C. Tierney, representing Supervisorial District 4, whose term is effective from July 1, 2007 through June 30, 2010. (C0607096900) (ADM3713-001)
- b. **Housing Authority of Maricopa County** –Accept the resignation of Donald Dailey and appoint Mickey Lund, representing Supervisorial District 4, who will fill the unexpired portion of the term effective the date of Board approval through June 30, 2009. (C0607104900) (ADM2405-001)
- c. **State Board of Equalization** – Accept the resignation of Mark Kalpakoff and appoint Donald L. Romley, representing Supervisorial District 3, whose term is effective from the date of Board approval through December 31, 2008. (C0607106900) (ADM4908-001)

97. INDUSTRIAL DEVELOPMENT AUTHORITY

This item is being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued: (C0607105700) (ADM4792)

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa for the issuance of its Multifamily Housing Revenue Bonds (Timberlake Apartments Project), Series 2007 to be issued in one or more series in an aggregate principal amount not to exceed \$18,000,000; and related proceedings for approving the transfer of the Timberlake Apartments and approving an Assumption Agreement.

98. 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~

TRIAL COURTS

99. COURT-RELATED FEES AND FINES

Pursuant to A.R.S. §11-251.08, set a public hearing for 9:00 a.m., Wednesday, July 25, 2007, to consider the adoption of fees and fines for the Superior Court Law Library in Maricopa County, effective upon Board approval. (C3807035700) (ADM1005)

Public Health

100. FEE SCHEDULE FOR PUBLIC HEALTH ADULT IMMUNIZATIONS FOR FOREIGN TRAVEL

Set a public hearing for 9:00 a.m., Wednesday, July 25, 2007, to consider the adoption of a fee schedule for Maricopa County Public Health Adult Immunizations, effective upon Board approval. The fee increase will affect the fee changes for Adult Immunizations for Foreign Travel. The proposed fees are consistent with the adult immunization/foreign travel fee study.

This proposed fee increase is in accordance with the Board's Budgeting for Results Policy Guidelines, which requires that user fees be set at a level to allow full cost reimbursement. (C8608005M00) (ADM2151)

CONSENT AGENDA

Clerk of the Board

- 101. 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)
- 102. 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.
- 103. 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)
- 104. Donations** – Accept the donation reports received from county departments for May 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810)

105. **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)
106. **Government Property Lease Tax** – Pursuant to A.R.S. §42-11102, acknowledge receipt of the notification from the Arizona State Retirement System to the Assessor of the intention to have its one property in Maricopa County, located at 3300 N. Central Avenue, Phoenix, (APN No. 118-37-021N) taxed under the Government Property Lease Tax (GPLET) framework. ASRS occupies 23.46% of the building, which is exempt from taxation. (ADM303)
107. **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)
108. **Secured Tax Roll Corrections** – 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)
109. **Settlement of Tax Cases** – Approve the settlement of tax cases dated June 20, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704)
110. **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)
111. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §41-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708)

FLOOD CONTROL DISTRICT

- FCD-1.** Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

FCD-2. CHANGE ORDER FOR WHITE TANK FLOOD RETARDING STRUCTURE REMEDIATION

Approve Change Order No. 9 to the contract with Ames Construction, Inc., Contract FCD 2004C017, in the amount of \$217,842.26 – White Tank Flood Retarding Structure (FRS) No. 3 Remediation Phase 1 (Project #470). Change Order No. 9 is required to address the unforeseen cost overruns associated with the two test trenches authorized in Change Order No. 6 and costs incurred for limited contractor standby and District directed site demobilization prior to the start of Change Order No. 7.

Reauthorize the change order authority for Contract FCD 2004C017 for the District Chief Engineer and General Manager (CE & GM) to \$250,000.00 maximum and for the County Engineer to \$1,000,000.00 maximum, with a revised contract base of \$12,561,181.87, including Change Order No. 9. Additional change orders may be required to complete the project due to unknown project site conditions, likelihood of materials cost increases, and changes of governmental partners' requirements. (C6905064502) (ADM1918)

FCD-3. AMENDMENT TO IGA WITH CHANDLER FOR QUEEN CREEK ROAD BASIN PROJECT

Approve Amendment No. 1 to the intergovernmental agreement (IGA) FCD2004A014A, Queen Creek Road Basin Project, with the City of Chandler for the cost-sharing, design, utility relocation, construction, construction management, and operation and maintenance of the Queen Creek Road Basin Project. The Project is located at the southeast corner of Queen Creek Road and McQueen Road Project. The Project is estimated to cost \$2,200,000. Amendment No. 1 redefines the project time frame and the District's total project cost share. (C6905084201)

FCD-4. IGA WITH CITY OF PHOENIX FOR 24TH AVENUE & CAMELBACK ROAD WATERSHED STORM DRAINAGE PROJECT

Approve intergovernmental agreement (IGA) FCD 2006A003 with the City of Phoenix for the design, rights-of-way acquisition, utility relocations, construction, construction management, and operation and maintenance of the 24th Avenue and Camelback Road Watershed Storm Drainage Project (#625); to include funding in the current and future Five Year Capital Improvement Programs. (C6907057200)

FCD-5. CONTRACT FOR THE BETHANY HOME OUTFALL CHANNEL

Award Contract FCD 2006C007 to Olsson Associates, for the Bethany Home Outfall Channel from 67th Avenue to Indian School Road, #620 (Project). The Consultant will provide professional engineering services to prepare final design plans, special provisions, and engineer's estimates for the Project. The basic contract is for a lump sum of \$283,155, plus a not-to-exceed fee of \$122,049 for optional items, which include additional project coordination and public meetings, additional survey, additional geotechnical investigations, potholing utilities, designing utility relocations associated with pedestrian undercrossings, additional structural design, design of a relocated sewer line, and analyzing the benefits of various construction methods, will only be implemented if needed. The total contract amount, including the optional items will not exceed \$405,204. The contract performance is 378 calendar days effective the date of the Notice to Proceed. Cost share is 50% District, 25% City of Glendale, and 25% City of Phoenix. (C6907063500)

FCD-6. IGA WITH CITY OF MESA FOR SIPHON DRAW DRAINAGE IMPROVEMENTS

Approve intergovernmental agreement (IGA) FCD 2006A005, with the City of Mesa for Siphon Draw Drainage Improvements (#442), which include pre-design, design, rights-of-way acquisition, and utility relocations. This IGA identifies the responsibilities for the District and the City of Mesa. The cost share between the partners will be split 50/50. The estimated cost for the pre-design, design, rights-of-way acquisition, and utility relocations is \$2,500,000. The District's estimated cost share amount will be \$1,250,000. The design of the contract will begin in FY 2007-08. (C6907064200)

FCD-7. ADJUSTMENTS TO THE CIP EXPENDITURE BUDGET

Approve adjustments to the current FY 2006-07 Capital Improvements Program (CIP) expenditure budget of the Flood Control District of Maricopa County, Department (690), Fund (990). The requested adjustments are primarily the result of changes in the Land Acquisition and Construction schedules of several of the District's major capital projects. The adjustments are necessary to support these schedule changes and to maximize utilization of the District's budgeted funds. The requested adjustments are as follows: (C6907065800) (ADM1900-003)

Project Number	Name	Amount
117	South Phoenix Drainage Improvement	\$20,000
120	PVSP (Paradise Valley, Scottsdale, Phoenix)	\$668,000
121	EMF (East Maricopa Floodway)	\$21,000
126	Salt / Gila	\$2,000
202	McMicken Dam	\$1,000
300	Spook Hill	\$7,000
350	Cave Buttes Dam	\$(5,000)
420	Spook Hill Watershed	\$14,000
442	East Mesa	\$96,000
450	Glendale - Peoria	\$61,000
470	White Tanks	\$(1,000)
480	Queen Creek	\$(4,000)
580	ACDC	\$13,000
620	Maryvale	\$73,000
625	Metro	\$143,000
FCPR Project Reserve		\$(1,109,000)

FCD-8. DONATION AND TRANSFER FROM FOWLER BASIN ARTIFACTS TO THE PUEBLO GRANDE MUSEUM

Adopt Resolution FCD 2007R004, which authorizes the donation and transfer of the Fowler Basin Artifacts to the Pueblo Grande Museum, which is owned and operated by the City of Phoenix. During a preconstruction archeological survey, the City's consultant discovered and reclaimed artifacts in the Fowler Basin area, within the future DRCC basin area, which is currently owned by the District. The City is holding the artifacts and has requested that we allow transfer of these artifacts and associated reports to the Pueblo Grande Museum for educational, historical, and research purposes. The artifacts will be secured and preserved at the Pueblo Grande Museum in compliance with the provisions of Arizona Revised Statutes 41-844-A. (C6907066600) (ADM1900-002)

FCD-9. CONTINUED USE OF SHERIFF'S CURRENT SHOOTING RANGE THROUGH DECEMBER 31, 2007

Approve Intergovernmental Agreement (IGA) FCD 2007A002 between the Flood Control District of Maricopa County and Maricopa County that provides for the continued use of the Sheriff's current shooting range located on District owned land behind McMicken Dam. The IGA provides a 41-month lease term commencing on August 1, 2004 through December 31, 2007, and provides for the County to pay for the cost of environmental remediation after the County vacates the premises. The County will pay rent of \$2,000 per month from August 1, 2004, to the present and continue payment through December 31, 2007, or until the property is vacated. The County retains responsibility for environmental remediation and cleanup of its portion of the site beyond the expiration date of the lease term. Board action was also taken to approve this IGA under agenda item (C1807042200). (C6907067200)

FCD-10. REVENUE AND EXPENDITURE ADJUSTMENTS

Approve the Flood Control District of Maricopa County (District) FY 2006-07 revenue and expenditure adjustments as follows:

- o Decrease in the Flood Control District, Dept. (690), Operating Fund (991) revenue budget of \$4,106,000.
- o Decrease in the Flood Control District, Dept. (690), Operating Fund (991) expenditure budget of \$2,720,552.
- o Decrease in the Flood Control District, Dept. (690), Capital Projects Fund (990) revenue budget of \$2,720,552.
- o Increase in the Flood Control District, Dept. (690), Elimination Fund (900) revenue and expenditures budgets of \$2,720,552. (C6907068800) (ADM1900-003)

LIBRARY DISTRICT

LD-1. DONATIONS

Accept the donation reports received for May 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM2800-006)

LD-2. APPOINTMENT

Library District Citizens' Advisory Committee – Reappoint Roy Delgado, representing Supervisorial District 4, whose term is effective from July 1, 2007 through June 30, 2009. (C0607097900) (ADM2805-001)

STADIUM DISTRICT

SD-1. APPOINTMENT/REAPPOINTMENT

Arizona Diamondbacks Foundation Board of Directors-

- a. Reappoint Michael Yates, representing Supervisorial District 4, whose term is effective from July 1, 2007 through June 30, 2009. (C0607095900) (ADM5506-001)
- b. Appoint Roy G. Hendrickson, representing Supervisorial District 1, whose term is effective from July 1, 2007 through June 30, 2009. (C0607108900) (ADM5506-001)

SD-2. BUDGET ADJUSTMENTS FOR ARIZONA SPORTS AND TOURISM AUTHORITY

Due to the level of Car Rental Surcharge Revenue received by the Stadium District the transfer to the Arizona Sports and Tourism Authority will be larger than originally budgeted; therefore, good cause is found under A.R.S. §48-4232 (B) to take the following actions amending the FY 2006-07 budget.

Approve an increase in the transfers out budget in Fund (370) in the amount of \$927,500 and the transfers in budget in Fund (250) in the amount of \$927,500. This will result in an increase in the amount of \$927,500 to the expenditure budget for the Stadium District (680) Debt Series 02 Fund (370) and an increase in the amount of \$927,500 to the revenue budget for the Stadium District (680) Cactus League Operations Fund (250). The above transactions will be offset with corresponding adjustments to Stadium District (680) Eliminations Fund (900).

Approve an increase in the expenditure authority in the Stadium District (680) Cactus League Operations Fund (250) of \$927,500. The action will adjust the District budget to reflect the transfer of the remaining Cactus League monies after debt payments, reserves, and operations to the Arizona Sports and Tourism Authority under the intergovernmental agreement approved on August 27, 2003. (C6807011800) (ADM5500-003)

SD-3. FINAL PAYMENT OF DEBT RELATED TO CHASE FIELD

Authorize the final payment of \$2,428,888 toward the principal balance and the final payment of \$9,170.76 toward interest on the Stadium District Loan of \$15,000,000 between the Arizona Diamondbacks (Team) and the District. Funding for this expenditure is available in the Chase Field operating fund balance (253). This loan is being repaid within nine years rather than the original 28 years. After this payment, Chase Field will have no outstanding debt.

Approve the related increase to the Stadium District Expense Budget in Fund 253 in the amount of \$2,438,058.76. (C6807012100) (C6772) (ADM5500-003)

SD-4. LETTER AGREEMENT WITH AZPB FM LIMITED PARTNERSHIP AND SUNS LEGACY PARTNERS, LLC

Approve, and authorize William C. Scalzo, Executive Director Representative, to execute, a Letter Agreement among the Maricopa County Stadium District; AZPB FM Limited Partnership, the Facility Manager of Chase Field and Suns Legacy Partners, LLC (the "Suns").

The Letter Agreement provides for use of 300 parking spaces in the ballpark parking garage for Suns full-time and event staff employees for Phoenix Suns pre-season, regular season and post season home games during the Suns 2006-2007 and 2007-2008 seasons for a \$15,000 flat fee per season to be paid to the District. The District is obligated to pay up to \$2,000 per year in operational costs out of this fee.

The agreement also provides that for other events at U.S. Airways Arena, parking for event staff will be made available at the ballpark parking garage for \$1.00 per vehicle. Parking access granted pursuant to the letter agreement is not available on days when there is a conflicting event scheduled at the ballpark. (C6807013100)

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

112. 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)
113. 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.** Daniel Logue - This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2005-00575, Daniel L. Logue. (Supervisorial District 2) (ADM3417-050)

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

PLANNING AND ZONING AGENDA

CONSENT AGENDA: **(Detailed below)**

1. Z2007-028, Special Use Permit (SUP) for a single-wide Mobile Home as a residence in the Rural-43 zoning district, located south of Germann Road and west of Higley Road (in the Gilbert area) (District 1)

REGULAR AGENDA: **(Detailed below)**

2. TA2007-004, Amend Chapter 16 of the Maricopa County Zoning Ordinance to update and revise zoning, Board of Adjustment and miscellaneous fees including adoption of pre-application fees (All Districts)
3. TA2007-005, Section 402 of the Maricopa County Zoning Ordinance to eliminate zoning of rights-of-way within unincorporated Maricopa County (All Districts)
4. TA2007-009, Chapters 2 & 4 of the Maricopa County Subdivision Regulations to update and revise Preliminary and Final Plat fees, reference to Development Master Plan fees, as well as addition modification of stipulation and pre-application fees (All Districts)
5. TA2007-010, Maricopa County Development Master Plan Guidelines to reflect accurate fee structure for Development Master Plan and Development Master Plan Amendment applications (All Districts)
6. TA2007-011, Maricopa County Comprehensive Plan Amendment Guidelines to reflect accurate fee structure for Comprehensive Plan Amendment applications (All Districts)
7. 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)**

8. Z2006-134, Special Use Permit (SUP) for a wireless communication facility in the Rural-43 zoning district, Wireless Communication Facility Use District 1, located west of 56th Street and north of Skinner Drive (in the north Phoenix area) (District 3)

CONSENT AGENDA DETAIL:

1. **Z2007-028** District 1

Applicant: Emmett Clint Goss
Location: South of Germann Road and west of Higley Road (in the Gilbert area)
Request: Special Use Permit (SUP) for a single-wide Mobile Home as a residence in the Rural-43 zoning district (approximately 1.1 acres) – Goss – Residence

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of Z2007-028, subject to stipulations “a” through “i”. Commissioner Makula seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan consisting of one (1) full-size sheet, stamped Z2007028 and date stamped March 14, 2007, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report stamped Z2007028 and date stamped March 14, 2007, except as modified by the following stipulations.
- c. A Building Permit must be obtained for the placement of the single-wide mobile home within 120 days of Special Use Permit approval by the Board of Supervisors.
- d. Major changes to the Special Use Permit 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.
- e. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first.
- f. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Maricopa County Planning & 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.
- g. 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 the Maricopa County Zoning Ordinance.
- h. The applicant shall submit a written report outlining the status of the development at the end of five (5) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.

- i. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations

REGULAR AGENDA DETAIL:

- 2. **TA2007-004** All Districts

Applicant: Commission Initiative
Location: County-wide
Request: Text Amendment to the Maricopa County Zoning Ordinance (MCZO) regarding proposed application fee increases

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of TA2007-004. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 7-0.

- 3. **TA2007-005** All Districts

Applicant: Commission Initiative
Location: County-wide
Request: Text Amendment to the Maricopa County Zoning Ordinance (MCZO) regarding zoning in public rights-of-way

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of TA2007-005. Commissioner Aster seconded the motion, which passed with a unanimous vote of 7-0.

- 4. **TA2007-009** All Districts

Applicant: Commission Initiative
Location: County-wide
Request: Text Amendment to the Maricopa County Subdivision Regulations (MCSR) regarding proposed application fee increases

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of TA2007-009. Commissioner Smith seconded the motion, which passed with a unanimous vote of 7-0.

- 5. **TA2007-010** All Districts

Applicant: Commission Initiative
Location: County-wide
Request: Text Amendment to the Maricopa County Development Master Plan Guidelines to reflect accurate fee structure for development master plan and development master plan amendment applications.

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of TA2007-010. Commissioner Smith seconded the motion, which passed with a unanimous vote of 7-0.

6. **TA2007-011** All Districts

Applicant: Commission Initiative
Location: County-wide
Request: Text Amendment to the Maricopa County Comprehensive Plan Amendment Guidelines to reflect accurate fee structure for comprehensive plan amendments.

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of TA2007-011. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 7-0.

7. **Z2006-086** District 4 (**Case requires a ¾ super-majority vote for approval**)
(Continued from 06-06-07)

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 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.

8. **Z2006-134** District 3

Applicant: T-Mobile for Ted and Sharee Brookhart
Location: West of 56th Street and north of Skinner Drive (in the north Phoenix area)
Request: Special Use Permit (SUP) for Wireless Communication Facility in the Rural-43 zoning district (approximately 0.005 acres) – Brookhart Cactus

COMMISSION ACTION: Commissioner Aster moved to recommend approval of Z2006-134, subject to stipulations “a” through “i”. Commissioner Barney seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall be in substantial conformance with the site plan entitled “Brookhart Cactus Z2006134”, consisting of six (6) full-size sheets, dated revised March 26, 2007 and stamped received April 10, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Brookhart Cactus” consisting of four (4) pages, dated revised February 21, 2007, and stamped received April 10, 2007, except as modified by the following stipulations.
- c. The maximum height of the Wireless Communication Facility shall be limited to 35’ (h) including all antennas and attachments.
- d. The proposed 8’ CMU wall shall be constructed with decorative split faced block that is painted with a color that blends with the surrounding environment.
- e. The following stipulations from Drainage Review shall apply:
 - i. Provide retention for the 100 year 2 hour storm on the leased parcel.
 - ii. Provide calculations for the retention and show on the grading and drainage plans at the time of submittal for the building permit.
- f. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- g. This Special Use Permit shall expire twenty (20) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements related to the wireless communication facility shall be removed within 60 days of such termination or expiration.
- h. The applicant shall submit a written report outlining the status of the development at the end of fifteen (15) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- i. Major changes to the Special Use Permit 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.

- j. 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 the Maricopa County Zoning Ordinance.
- k. 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.
- l. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.