

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., September 25, 2006, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2, Fulton Brock, Vice Chairman, District 1; Andrew Kunasek, District 3; Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Bruce White and Victoria Mangiapane, Deputy County Attorneys. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

INVOCATION

Supervisor Mary Rose Wilcox, District 5, delivered the invocation.

PLEDGE OF ALLEGIANCE

Juanita Garza, Clerk of the Board's Office, led the assemblage in the Pledge of Allegiance.

RECOGNITION OF DR. ROBERT ENGLAND

Chairman Stapley recognized Dr. Robert England, Acting Director of Maricopa County's Public Health Department, on his recent receipt of two community awards, the Business Journal's Physician Health Care Hero award and the Annual Public Health Service Award. (ADM650)

Dr. England, or "Dr. Bob" as he is known to peers and friends alike, thanked Chairman Stapley and said, "I learned a long time ago that in Public Health nobody accomplishes anything by themselves. Anything that happens is always a team effort, and we, and you, are really fortunate that you've got a really good team here at Maricopa County."

RECOGNITION OF COUNTY BOARDS AND COMMISSION MEMBERS

Al Macias, Public Information Officer, called members of the following Boards and Commissions to come forward to meet with the Supervisors and receive a plaque of commemoration for their contribution of time and knowledge to Maricopa County and its citizens. The Chairman and all Supervisors greeted them and congratulated them for their willingness to serve their community in such important ways. (ADM662):

Community Development Advisory Committee

James Warner	Danny Arismendez
Horst Kraus	Gary Sullivan
Richard Painchaud Ph.D.	Renee Ayres-Benavidez
Doris Heisler	Dan Marjanek
Edward Kientz	Martie Orner
Chuck Turner	Sharon Sanders
Veronica Flores	Levi Beard
Michelle Kern	Robert Doster
Roy Delgado	Daniel Birchfield
Dick Sousa	James "Bud" Turner
Frank Cavalier	Bernadette Jimenez
J. Woodfin Thomas	Rodrigo Flores
Robert Musselwhite II	Joyce Hildebrandt
Adolfo Gamez	Toni Valenquela

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

Jose Espinoza
Al Carroll John
Betty Lynch
Carol Ann Beard

Dave Lane
Zerby
Bryan Hackbarth
Larry Oglesby

Housing Authority of Maricopa County

Rick Cole
Jeff McIntyre
Gary Corcoran
Donald Dailey
Rudy Buchanan

Gloria Munoz
Alphonso Patrick
Connie Treloar
Marsha Ruiz

Industrial Development Authority Board of Directors

Alan E. Maguire
J. Ernest Baird
Merwin Grant
Tifton Simmons, Jr.
Charlie P. Thompson
Lisa James

David W. Ronald
William Long
David Yniguez
Tom Manos
Janis Larson
Joyce Gott

PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, Chairman Stapley called for a public hearing on the following liquor license application. This hearing will determine the recommendation the Board of Supervisors will make to the State Liquor Board to grant or deny the license.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilson and seconded by Supervisor Kunasek, to recommend approval of the following liquor license application:

Application filed by Gurvinder K Chahal Mann for an Original Series 10 Liquor License:
(LL6200)

Business Name: Stadium Chevron
Location: 9031 W. Northern Avenue, Glendale, AZ 85305

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "nay."

ROAD DECLARED (ROAD FILE NO. 5353)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) that the following resolution be adopted: (C6407022000)

WHEREAS, pursuant to A.R.S. §28-6701, on the 16th day of August, 2006, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

All streets consistent with the rights-of-way, as depicted in Colter Commons, a subdivision as shown in Book 670 of Maps, Page 26, M.C.R.
General Vicinity: Dysart Road and Colter Street

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in The Arizona Business Gazette; and

WHEREAS, no objections to the establishment, opening and declaration of said highway have been filed; and

WHEREAS, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

NOW, THEREFORE, BE IT RESOLVED that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

BE IT FURTHER RESOLVED that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

BE IT FURTHER RESOLVED that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

BE IT FURTHER RESOLVED that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

DATED this 25th day of September 2006.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

PUBLIC HEARING – FIREWORKS PERMIT APPLICATION

Pursuant to A.R.S. 36-1603, Chairman Stapley called for a public hearing on this matter. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following applications for an original Fireworks Display, subject to receipt of a Temporary Use Permit. These were both filed by Fireworks Productions of Arizona:

Organization:	Nancy Schuff/Wendy Byrne (ADM665-60)
Location:	14214 N. 172 nd Avenue, Surprise, AZ 85388
Date/Time:	October 8, 2006, 7:00 p.m.

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

Organization: Schnepf Farms (ADM665-61)
Location: 22601 E Cloud Road, Queen Creek, AZ 85242
Date/Time: October 5-8, 12-15, 19-22, and 26-29, 2006.

AFFORDABLE HOUSING PROGRAMS MANAGEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 1 to the intergovernmental agreement C0603013200 between Maricopa County and the Maricopa County Housing Authority. This amendment further clarifies and delegates various powers and responsibilities to the Housing Authority so that the Housing Authority can continue to provide management and administration of affordable housing programs for low-to-moderate income families of Maricopa County. (C0603013201)

CONSULTANT SERVICES FOR AGENDA SYSTEM

Pursuant to A.R.S. § 42-17106(b), motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the Office of Management and Budget to transfer \$150,000 from Appropriated Fund Balance (480) General Fund (100) Reserved Items (4811) line item "Technology Reserve" to a newly created line item in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) entitled "Clerk of the Board – Agenda System". This adjustment will result in a countywide net impact of zero. Approval of this action allows funding for a consultant that will assist the Clerk of the Board's office in definition of current and desired business process flow. The contract will also produce all technical specifications, including production of the Request for Proposals, for a proposed replacement or upgrade to the Agenda Central system. (C0607022800) (ADM700-003)

~ Supervisor Wilson declared a conflict and left the meeting for the following item ~

SETTLEMENT OF AIDA RENTA

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-0-1) to approve **the making of a counter offer and, if accepted**, (The bolded phrase was read into the item by the Clerk prior to the vote.) the settlement would be approved on behalf of Maricopa County in Aida Renta, et al. v. Maricopa County, CV 1996-01634. This matter was discussed in Executive Session on September 18, 2006 and September 22, 2006. (C1907012M00) (ADM409)

~ Supervisor Wilson returned to the meeting ~

TEMPORARY PARKING LICENSE AGREEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a temporary parking License Agreement with Railroad Properties LLC, for temporary parking requirements resulting from the upcoming primary and general elections. The license term will commence upon execution of the license and expire on November 15, 2006. The license will provide parking at an existing parking lot located at the northeast corner of 3rd Avenue and Buchanan Street, across the street from the Maricopa County Tabulation and Elections Center (MCTEC) facility. The proposed cost of the license is a lump sum amount of \$500 for the full license term. (C2107007800) (ADM802)

CORRECTION STRIKING REFERENCE TO THE WORD "CELLULAR"

FORMAL SESSION
September 25, 2006

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve an administrative correction striking reference to the word, "cellular," in the action approved on August 16, 2006 (C5007006800) to read as follows: "Per A.R.S. §42-17106 B, approve a transfer of \$10,512 from General Government (470) General Fund (100) Reserved Contingency (4711) Technology Reserve to a new line in General Government (470) General Fund (100) Other Programs (4712) entitled, "Defendant Calls for Bail Project. Approval of this request will provide a temporary fix concerning collect calls for bail requests that could impact average length of stay. Approval of this action corrects a miscommunication that cellular phones would be purchased, when it was portable phones and portable recording equipment. The term, cellular, was incorrectly inferred from the term, "portable." Cellular phones do not work in the jail facilities. (C5007006801) (ADM3900-003)

PERMANENT ADDITIONS TO FLEET - 10 VEHICLES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve 10 permanent additions to the Sheriff's Office fleet resulting from approved FY 2006-07 Results Initiative Requests. These vehicles include: six new detective vehicles with radios to support the investigations of child abuse cases [\$172,702 from the General Fund (100)]; three fully equipped Ford Econoline Vans with radios to support the Seriously Mentally Ill Intervention Activity [\$207,450 from the General Fund (100)]; and one 25-passenger van to support the Sheriff's Office Mandated Law Enforcement and Detention Office Training [\$63,000 from the Detention Fund (255)]. Continuing operational costs are budgeted in the corresponding activities. (C5007017M00) (ADM3900-001) (ADM-3104)

DONATION AND TRANSFER OF TITLE TO COTTONWOOD POLICE

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the donation and transfer of title for vehicle #46201, an armored vehicle that was donated to the Sheriff's Office in 1993, to the Cottonwood Police Department. The vehicle has been out of commission and in a state of disrepair for more than a year. VIN #1GDJ7D1F5CV590564. (C5007018M00) (ADM119)

ACCEPTANCE OF UNREGISTERED TITLE II UNITED STATES CODE SHORT-BARREL SHOTGUN

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the acceptance of an unregistered Title II United States Code Short-barrel shotgun to the Sheriff's Office valued at \$175 to be used for the Academy's reference collection. (C5007019M00) (ADM3900-002)

PAYMENT OF A ONE-TIME LUMP SUM

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a request for payment of a one-time lump sum increase as authorized by Judicial Policy P-305B "Judicial Human Resources Compensation Policy & Procedure". The increase would be effective upon Board approval. The Juvenile Probation Department is requesting approval to grant a one time lump sum increase of \$5,000 per Judicial Policy P-305B "Judicial Human Resources Compensation Policy & Procedure" to Carol L. Boone. This increase is a hiring bonus agreed to by the Judicial Branch Management and the employee. (C2707003M00) (ADM3308-001)

FORMAL SESSION
September 25, 2006

JUVENILE ACCOUNTABILITY BLOCK GRANT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and execute the extension of the intergovernmental agreement (IGA) between Maricopa County Juvenile Probation and the City of Phoenix for the Juvenile Accountability Block Grant (JABG) 2004, Year 7. The original project period of this award was from December 1, 2004 to September 30, 2006. This amendment will extend the end date of the award to December 31, 2006. (C2705005300)

Also approve and execute the IGA between Maricopa County Juvenile Probation and the City of Phoenix for the Juvenile Accountability Block Grant (JABG) 2005, Year 8 program, award period of October 1, 2005 to September 30, 2007 (C2706003300). (C2707004300)

ADDITION TO FLEET-TWO ECONOMY SEDANS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the addition to the Maricopa County fleet of two economy sedans at a purchase price not-to-exceed \$36,000 from the Trial Courts General Fund budget. The vehicles will be used by Security to provide supervision for Adult Probation Department operations throughout the county. The yearly operating costs are budgeted in the Trial Courts General Fund operating budget. (C3807004800) (ADM3104)

EXTENSION OF IGA WITH ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the extension of the intergovernmental agreement (IGA) between Arizona Health Care Cost Containment System (AHCCCS) and Maricopa County on behalf of Correctional Health Services numbered YH05-0024-01. The term of the IGA extension is June 1, 2006 through September 30, 2007 and either party may renew the IGA for up to two one-year terms. Extension of the IGA provides Maricopa County an estimated (based on current utilization rates) net annual benefit of \$1,100,000, in the form of payment by AHCCCS on behalf of the county of acute care hospital costs for certain AHCCCS eligible inmates who are treated in a "non-locked down" hospital ward. First extension approved under C26060012 on October 5, 2005. (C2605009201) (C2606001200)

ESTABLISH A PLAN YEAR FOR MARIFLEX PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to continue the Mariflex Program, which provides health care and dependent care flexible spending accounts to employees, by establishing a plan year from Jan. 1, 2007 through June 30, 2007. Effective January 1, 2006, enrollment in all employee benefits, with the exception of the Mariflex flexible spending accounts, was for an 18-month period, January 1, 2006 through June 30, 2007, to transition from a calendar plan year to a fiscal plan year. Mariflex flexible spending account enrollment could only be done for a 12-month period. Because of this, a 6-month plan year for Mariflex must be established in order to bridge the period of January 1, 2007 through June 30, 2007. Effective July 1, 2007, all benefits will be on a fiscal plan year. (C3507004000) (ADM3718)

PERSONNEL AGENDAS

The Clerk explained an addendum in the personnel agenda's backup was to rescind Board action taken on the Personnel Agenda of September 6 for pay increases mistakenly included for three employees who

FORMAL SESSION
September 25, 2006

had already terminated employment. Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas, and also approve the amendment on today's personnel agenda as explained by the Clerk. Exhibits A and B and the amendment will be found at the end of this set of Minutes.

Supervisor Wilcox referenced the new format on recent personnel agendas and said she found the change to be very confusing. She added that she had received calls from County employees who complained that names were difficult to find since the department headers were removed and names were jumbled together with no identifiers. Stating that she knew of no reason to make this change, she asked that the report revert to the former formatting. Chairman Stapley asked David Smith to follow-up on these complaints.

MEDICAL SERVICES TO HOMELESS YOUTH

Item: Approve Amendment No. 3 to sole source contract C86055671 between the Health Care for the Homeless (HCH) program and Phoenix Children's Hospital (PCH) for PCH to provide medical services to homeless youth via a mobile medical clinic. The amendment adds the following to the original work statement:

- o HCH will hire a Claims Examiner- Processor who will bill the Arizona Health Care Cost Containment System (AHCCCS) for services rendered by PCH under this contract. All monies billed for PCH will be given to them in full, with no costs taken out.
- o PCH will pay for half of the salary of the HCH Claims Examiner-Processor in order to bill AHCCCS for services rendered under this contract. Amendment No. 2 C8605567102 approved by the Board of Supervisors on June 7, 2006, outlines the decrease in funding of \$26,237.25 to the contract for PCH to pay for this position.

All other terms and conditions of the original agreement shall remain in full force and effect. (C8605567103)

Supervisor Wilson asked for clarification of the dollar amount and Max Porter, Public Health Department, explained that the contract helps on costs for Phoenix Children's Hospital (PCH) to send their mobil healthcare unit into the County to service homeless youths. The amount, \$26,237.25 in grant monies, would pay for one of the personnel in that mobil unit. He said that this does not increase the County's funding but used in this way allows for a wider treatment for youths in a more efficient way because the County is the only entity approved by all six AHCCCS plans.

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment No. 3 in the above contract.

BILL AHCCCS FOR PHOENIX CHILDREN'S HOSPITAL SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Maricopa County Department of Public Health, Health Care for the Homeless (HCH) program, to bill for and accept \$100,000 per year from the Arizona Health Care Cost Containment System (AHCCCS) for services rendered by Phoenix Children's Hospital (PCH). PCH contractual provides medical services via a mobile clinic to homeless youth in Maricopa County on behalf of the HCH program. PCH has agreed to pay for the partial salary of the HCH Claims Examiner-Processor, for which the

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

Claims Examiner-Processor will bill AHCCCS. All monies billed for PCH for services rendered by PCH will be given to them in full, with no costs taken out.

Also approves revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned contract in an amount of \$100,000 retroactive to August 1, 2006, and going through October 31, 2007. The appropriations 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. 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. (C8605567104)

GENERAL LABORATORY TESTING SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to retroactively approve an intergovernmental agreement (IGA) between Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County Department of Public Health for the provision of general laboratory testing services which are not available at Public Health for clients. The term of the IGA is July 1, 2005 through June 30, 2010, and shall be renewed automatically for five additional terms of one year each upon mutual agreement, unless terminated. The IGA is a fee-for-service agreement for up to \$100,000 per year. The fee schedule for the services provided under this contract will be 85% of the current published AHCCCS Fee Schedule in effect on the date services are provided. (C8607010200)

FEE SCHEDULE FOR PUBLIC HEALTH VITAL REGISTRATION

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize and approve the following fee schedule for Public Health Vital Registration pursuant to A.R.S. §36-341 (A) (as amended by Laws 2006, Chapter 331). The proposed fees are consistent with the fee schedule in effect statewide prior to enactment of the new law, and are as follows:

Vital Registration	Fee
Adoption	\$23
Birth Resulting in Stillbirth Certified Copy	\$10
Birth Certificate Amendment	\$23
Birth Certificate Certified Copy	\$10
Birth Certificate Correction	\$23
Certificate Search for first ten years	\$ 4
Certificate Search each subsequent year	\$ 3
Death Certificate Amendment	\$23
Death Certificate Certified Copy	\$10
Death Certificate Correction	\$23
Delayed Birth Certificate	\$23
Father's Registry	\$23
Fetal Death Certificate Certified Copy	\$10
Foreign Born Certificate	\$23
Foundling Certificate Certified Copy	\$10
Government BC Certified Copy	\$ 0

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

Government DC Certified Copy	\$ 0
Legitimation/Paternity	\$23
Noncertified Copy of Certificate (to verify data for statistical, medical, research, or administrative purposes)	\$ 3
Nongovernment Putative Father Search	\$ 7

The Department shall determine the fee and method of payment on a one-by-one basis for searches for scientific, medical, statistical, or research purposes based upon the cost of computer time, employee time, postage, and material used. The department shall not charge a fee to physicians, hospitals, medical examiners, or funeral directors who submit information at any time to correct errors or otherwise add to the completion of a certificate. The fees listed include an additional surcharge of one dollar for each certified copy of a birth certificate or death certificate, as required in A.R.S. §36-342. (C8607011M00) (ADM2151)

GRAND CANYON UNIVERSITY FOR STUDENTS LEARNING EXPERIENCES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an affiliation agreement with Grand Canyon University to allow students from the College of Nursing to participate in learning experiences at the Maricopa County Department of Public Health. The agreement is non-financial, and the term is from September 1, 2006 through June 30, 2011. (C8607015000)

FOOD CATERING SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following amendments and intergovernmental agreements (IGAs) for the provision of food catering to participants in Maricopa County Head Start Zero-Five Program:

- a. **Maricopa Community College District on behalf of Scottsdale Community College.** Amendment No. 1 increases the contract value by \$16,098 from \$12,075 to \$28,173, and represents a fixed price agreement per each meal and snack served. The IGA requires Scottsdale Community College to provide a minimum of 1/3 to 2/3 of the daily-recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program and the U. S. Department of Health and Human Services provide funding for the IGA. The term of the IGA remains unchanged from October 1, 2005, through September 30, 2008. This agreement does not include any County General Funds. (C2206082201)
- b. **Tempe Elementary School District #3.** Amendment No. 1 of the IGA represents a fixed price agreement per each meal and snack not-to-exceed \$341,284 for the period July 1, 2005 to September 30, 2007. This is an increase of \$207,494 to pay for meals served for the period July 1, 2006 to September 30, 2007. The original contract amount of \$133,790 was for the period of July 1, 2005 to June 30, 2006. The IGA requires Tempe Elementary School District #3 to provide a minimum 1/3 to 2/3 of the daily-recommended dietary allowances per day. Funding is provided by the Arizona Department of Education Child/Adult Care Food Program and the U.S. Department of Health and Human Services. The term of the IGA is July 1, 2005, through September 30, 2007. This agreement does not include any County General Funds. (C2206085201)

FORMAL SESSION
September 25, 2006

- c. **Chandler Unified School District.** The IGA represents a fixed price agreement per each meal and snack served for an amount not to exceed \$163,500. The IGA requires Chandler Unified School District to provide a minimum 1/3 to 2/3 of the daily-recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program and the U.S. Department of Health and Human Services provide funding for the IGA. The term of the IGA is October 1, 2006, through September 30, 2007. This agreement does not include any County General Funds. (C2207091200)
- d. **Kyrene Elementary School District.** The IGA represents a fixed price agreement for \$13,005. The IGA requires Kyrene Elementary School District to provide a minimum of 1/3 to 2/3 of the daily-recommended dietary allowance per day. The Arizona Department of Education Child/Adult Care Food Program, and the U. S. Department of Health and Human Services provide funding for the IGA. The term of the IGA is October 1, 2006, through September 30, 2007. This agreement does not include any County General Funds. (C2207092200)
- e. **Mesa Unified School District.** The IGA represents a fixed price agreement per each meal and snack served for an amount not to exceed \$293,955. The IGA requires Mesa Unified School District to provide a minimum of 1/3 to 2/3 of the daily-recommended dietary allowance per day. The Arizona Department of Education Child/Adult Care Food Program, and the U. S. Department of Health and Human Services provide funding for the IGA. The term of the IGA is October 1, 2006, through September 30, 2007. This agreement does not include any County General Funds. (C2207093200)
- f. **Scottsdale Unified School District.** The IGA represents a fixed price agreement for \$33,760. The IGA requires Scottsdale Unified School District to provide a minimum 1/3 to 2/3 of the daily-recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program, and the U. S. Department of Health and Human Services provide funding for the IGA. The term of the IGA is October 1, 2006, through September 30, 2007. This agreement does not include any County General Funds. (C2207094200)

KENNEL PERMIT RENEWALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following kennel permit renewals for the term of September 6, 2006 through September 5, 2007. The cost of each kennel permit is \$328:

- o Marci Sale, d.b.a. Larkspur Lab Kennels, 1141 E. Sage Brush Street, Gilbert, AZ 85296, Permit #400. (Supervisory District 2)
- o Susie & Jorge Olivera, d.b.a. Olivera Kennels, 17020 E. Campbell Road, Gilbert, AZ 85234, Permit #399. (Supervisory District 2)
- o Stephen Fowler, d.b.a. Fowler Kennels, 227 E. Mano Drive, New River, AZ 85087, Permit #417. (Supervisory District 3)
- o Shirley Olsker, d.b.a. Olsker Kennels, 1040 W. Sunland Avenue, Phoenix, AZ 85041, Permit #008. (Supervisory District 5) (C7907011C00) (ADM2304)

DONATIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the following donations to Maricopa County Animal Care & Control. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore, expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

- a. Donation from the Estate of Margaret Self of Mesa, AZ to Maricopa County Animal Care & Control in the amount of \$20,419.10. Donation revenue funds are deposited into Fund (573) as they are received. (C7907009700)
- b. Donation in the amount of \$40,000 from FACC (Friends of Animal Care & Control) and deposit it into Animal Care and Control (790) Animal Control Grant Fund (573) to be used towards Cat Adoption Center renovation.

Also approve an expenditure budget adjustment to the Animal Care and Control (790) Animal Control Grant Fund (573) by \$240,000, and approve a revenue budget adjustment to the Animal Care and Control (790) Animal Control Grant Fund (573) by \$40,000 to renovate the Cat Adoption Center. Of the \$240,000 renovation expenditure budget, \$200,000 will be allocated from Animal Control Grant Fund (573) balance, and \$40,000 will be donated by FACC (Friends of Animal Care & Control). Approval of this action will necessitate a budget appropriation adjustment increasing the revenue budget of the Animal Care and Control (790) Animal Control Grant Fund (573) by \$40,000, and increasing the expenditure budget of Animal Care and Control (790) Animal Control Grant Fund (573) by \$240,000. (C7907010700) (ADM2300)

MAKE A DIFFERENCE CITIZEN ACTION AMERICORPS PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an agreement between Make A Difference, Phoenix, AZ, a nonprofit 501(C)3, and Maricopa County to partner with the Make A Difference Citizen Action AmeriCorps Program in receiving an AmeriCorps employee under the terms of the agreement for a period of no more than one year from the date signed by both parties at a cost of \$7,500. Half of the expenditure is budgeted for September 2006 in FY 2006-07 and the second half is budgeted for March 2007 in FY 2006-07. (C7907012100)

FUND TRANSFERS; WARRANTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to 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.

SOLICITATION SERIALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve all but 06067-ROQ of the following solicitation serial items. Item 06067-ROQ was questioned by

FORMAL SESSION
September 25, 2006

Supervisor Wilson and an explanation of the use these consultants would be to the County was given by David Smith. Supervisor Wilcox endorsed their use and expressed her eagerness to work with the consultants on several issues she was currently dealing with. Item 06067-ROQ will be voted on separately. 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:

- 06067-ROQ Tribal Affairs Consultant** (\$120,000 estimate/one year with three one-year renewal options) Contract to provide assistance to Maricopa County in strategic recommendations as to how to best develop and enhance Maricopa County's working relationships with tribal communities and foster improved communications.
- o Generation Seven Strategic Partners LLC

The above item was questioned by Supervisor Wilson, he asked that it be removed from the agenda until he received some information regarding it. David Smith responded that this action is consistent with the County's Strategic Plan of developing a stronger relationship with tribal communities in a variety of areas as well as bearing on the Prop 202 12% funding. He reported that this team emerged from three submitting proposals as being extremely qualified and knowledgeable. Chairman Stapley added that this team has a broad task of approaching the Indian communities for a share of the 12% gambling monies they are mandated by state statute to reinvest through a city or a county. He questioned if a "wrong message" could be sent to this team by delaying the Board's approval.

Supervisor Wilcox labeled this issue as "quite important to the County." She said the Gila Indian Reservation is in her district and there are district issues she felt the team could help her with. She asked that it be acted on today so she could begin to schedule meetings.

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and carried (4-1) by a majority vote to approve 06067-ROQ, with Supervisors Brock, Stapley, Wilcox and Kunasek voting "aye" and Supervisor Wilson voting "nay" on this single serial. Supervisor Wilson asked to receive a briefing on the matter as soon as possible.

- 06091-C Police Equipment & Supplies: Guns, Stun/Taser & Accessories** (\$4,000,000 estimate/three years with three one-year renewal options) Pricing agreement to purchase stun guns and accessories for MCSO.
- o Davidson's

Contract Renewals/Extensions:

Renewal/extension of the following contract: (This is 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 November 30, 2007

- 04133-RFP Management Consulting Services for CHS** (\$1,250,000 estimate/one-year) Contract renewal to provide management consulting and/or management services to the Correctional Health Services Department.
- o Phase 2 Consulting

An increase in the price agreement amount for the following contract(s). This request is due to an increased usage by County departments.

- 04033-S Law Enforcement Physical Examinations – MCSO** (\$50,000 increase) Increase price agreement value from \$330,000 to \$380,000. This \$50,000 increase is requested by MCSO to provide law enforcement physical examinations. This agreement was initially approved by the Board of Supervisors on April 21, 2004 and has an expiration date of April 30, 2007.
- o Concentra Medical Centers
- 03260-RFP Maximo/Dolphin Program Upgrade** (\$200,000 increase) Increase contract value from \$660,000 to \$860,000. This \$200,000 increase is requested by the Facilities Management Department to complete the development phase of the Constructions Manager Module, to continue Maximo support and provide training for additional staff members. This contract was initially approved by the Board of Supervisors on May 19, 2004, in the amount of \$400,000, increased by the Board to \$600,000 on May 18, 2005, and increased again by Materials Management to \$660,000 on July 21, 2005. This contract has an expiration date of May 31, 2007.
- o Total Resource Management Inc

TRANSFER EXPENDITURE AUTHORITY

Pursuant to A.R.S. §42-17106(b), motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the transfer of expenditure authority between Planning & Development Department (440) Planning & Development Fees Fund (226) and various Regional Development Services Constellation Departments and Funds. This action will require an expenditure appropriation adjustment increasing the FY 2006-07 Planning & Development (440) Planning & Development Fees Fund (226) by \$95,028. The action will also require decreasing the following FY 2006-07 budgets by the indicated amounts:

Project	Amounts
Emergency Management (150) General Fund (100)	\$850
Department of Transportation (640) Transportation Operations (232)	\$36,738
Solid Waste (680) Waste Tire (290)	\$519
Solid Waste (680) Solid Waste Management Fund (580)	\$543
Flood Control (690) Flood Control Operations Fund (991)	\$19,756
Facilities Management (700) General Fund (100)	\$11,769
Facilities Management (700) Detention Operations Fund (225)	\$2,294
Equipment Services (740) Equipment Services Fund (654)	\$3,408
Air Quality (850) General Fund (100)	\$534
Air Quality (850) Air Quality Fees Fund (504)	\$7,481
Environmental Services (880) General Fund (100)	\$11,136

Pursuant to A.R.S. § 42-17106(b), also approves the transfer of expenditure authority between Planning & Development Department (440) Planning & Development Fees Fund (226) and the following two funds: General Government (470) General Fund (100) General Contingency (4711) and General Government (470) General Government Grant Fund (249) General Government Grants (4711).

FORMAL SESSION
September 25, 2006

This action will require an expenditure appropriation adjustment decreasing the FY 2006-07 Planning & Development (440) Planning & Development Fees Fund (226) by \$95,028 and increasing the FY 2006-07 General Government (470) General Fund (100) General Contingency (4711) by \$24,289 and General Government (470) General Government Grant Fund (249) General Government Grants (4711) by \$70,739.

During FY 2006-07 budget development, Planning and Development and OMB agreed to approve the final budget for newly created Regional Development Services (RDS) positions (Public Information Officer, Chief Information Officer, and Administrative Director) at the high end of their respective market ranges. These salaries were then allocated appropriately throughout the RDS constellation. After all the positions have been filled and salaries and benefits determined, there is a \$95,028 in savings that can be deducted from the Planning & Development budget and the various other constellation agency budgets and reappropriated to Fund (249). Approval of this action allows for this reappropriation. These adjustments will result in a countywide net impact of zero. (C4407004000) (ADM3400-003)

EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to 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)

- A322.007 (RES) Project No.: TT171B - MC 85 Extension (State Route 85 to Turner Road) – Warranty Deed - Parcel No.: 401-07-009D - Ernest R. Parker and Mary N. Parker - for the sum of \$14,564.00.
- A322.007 (RES) Project No.: TT171B - MC 85 Extension (State Route 85 to Turner Road) – Temporary Construction Easement and Agreement for Highway Purposes - Parcel No.: 401-07-009D - Ernest R. Parker and Mary N. Parker - for the sum of \$1,077.00.
- A322.007 (RES) Project No.: TT171B - MC 85 Extension (State Route 85 to Turner Road) – Purchase Agreement and Escrow Instructions - Parcel No.: 401-07-009D - Ernest R. Parker and Mary N. Parker.
- A342.002 (DLK) Project No.: TT225 - Hawes Road and Hunt Highway - Agreement for Right of Entry - Parcel No.: 304-91-594A - Jacob A. Duffany and Jennifer K. Duffany - for the sum of \$500.00.
- A343.001 (RES) Project No.: TT210 - MC85 at El Mirage Road - Warranty Deed - Parcel No.: 500-40-003 - Donald H. Woo, Jr. and Ginger Y. Woo Family Limited Partnership, Number One, An Arizona Limited Partnership - for the sum of \$3,900.00.
- A343.001 (RES) Project No.: TT210 - MC85 at El Mirage Road - Purchase Agreement and Escrow Instructions - Parcel No.: 500-40-003 - Donald H. Woo, Jr. and Ginger Y. Woo Family Limited Partnership, Number One, An Arizona Limited Partnership.
- DD-10634 (GL) Project No.: TT011 - Right of Way Dedication - Warranty Deed - Parcel No.: 304-56-010E - Canyon Ridge Bible Church, Inc., an Arizona non-profit Corporation - for the sum of \$10.00.

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

- DD-10634 (GL) Project No.: TT011 - Right of Way Dedication - Purchase Agreement and Escrow Instructions - Parcel No.: 304-56-010E - Canyon Ridge Bible Church, Inc., an Arizona non-profit Corporation.
- X-1105A (LJS) Project No.: Zoning Case #Z2005-067 - El Mirage Road (Beardsley Road to Loop 303) - Special Warranty Deed - Parcel No.: 503-53-034E - Trilby 28, L.L.C., an Arizona limited liability company - for the sum of \$10.00.
- X-1105A-2 (LJS) Project No.: Zoning Case #Z2005-067 - El Mirage Road (Beardsley Road to Loop 303) - Drainage Easement - Parcel No.: 503-53-034E - Trilby 28, L.L.C., an Arizona limited liability company - for the sum of \$10.00.
- X-1105A & X-1105A-2 (LJS) Project No.: Zoning Case #Z2005-067 - El Mirage Road (Beardsley Road to Loop 303) - Purchase Agreement and Escrow Instructions - Parcel No.: 503-53-034E - Trilby 28, L.L.C., an Arizona limited liability company.
- X-1105B (LJS) Project No.: Zoning Case #Z2005-067 - El Mirage Road (Beardsley Road to Loop 303) - Special Warranty Deed - Parcel No.: 503-53-034E - DP58, L.L.C., an Arizona limited liability company - for the sum of \$10.00.
- X-1105B-2 (LJS) Project No.: Zoning Case #Z2005-067 - El Mirage Road (Beardsley Road to Loop 303) - Drainage Easement - Parcel No.: 503-53-034E - DP58, L.L.C., an Arizona limited liability company - for the sum of \$10.00.
- X-1105B & X-1105B-2 (LJS) Project No.: Zoning Case #Z2005-067 - El Mirage Road (Beardsley Road to Loop 303) - Purchase Agreement and Escrow Instructions - Parcel No.: 503-53-034E - DP58, L.L.C., an Arizona limited liability company.

AZTECH SMART CORRIDORS INSTRUMENTATION DESIGN PROJECT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Change Order No. 2 to Contract No. 2000-47 with BRW, Inc. for Work Order No. 68989, AZTech Smart Corridors Instrumentation Design Project, which will extend the contract performance period through August 30, 2006; the contract amount will not be increased. Contract No. 2000-47 was approved on May 3, 2000 (C64001915). This contract expired on September 30, 2003; however, the consultant was not reimbursed for the retention withheld in the amount of \$36,631.63. (C6400191501)

CHANGE ORDERS TO CONTRACTS WITH PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following Change Orders with Parsons Brinckerhoff Quade & Douglas, Inc. which will extend the contract performance period through August 31, 2006; the contract amount will not be increased:

- a. Change Order No. 3 to Contract No. 2003-37 for Work Order No. 69042, MC85, El Mirage Road to 115th Avenue, Design Concept Report. (Supervisory District 5) (C6403133501)

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

- b. Change Order No. 3 to Contract No. 2003-38 for Work Order No. 69045, Pinnacle Peak Road, Lake Pleasant Road to 83rd Avenue, Design Concept Report. (Supervisory District 4) (C6403134501)
- c. Change Order No. 1 to Contract No. 2003-40 for Work Order No. 69025, MC85, 91st Avenue to 75th Avenue, Design Concept Report. (Supervisory District 5) (C6403145501)

ROAD ABANDONMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the abandonment of county right-of-way within: Township 4 North, Range 1 West, Sections 17 and 20 in accordance with Abandonment No. AB-158. (Supervisory District 4) (C6407016000)

PERMANENT DRAINAGE EASEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and execute a Permanent Drainage Easement by Maricopa County Board of Supervisors to the Flood Control District of Maricopa County for pipe crossings and a box culvert located within existing road right-of-way for Elliot Road and Ellsworth Road in accordance with Intergovernmental Agreements C69010012 and C64010352 executed on July 26, 2000. (C6407019000) (ADM2007-001)

INSTALLATION AND MAINTENANCE OF ILLUMINATED STREET SIGNS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the intergovernmental agreement between Maricopa County and the City of Avondale for the installation and maintenance of illuminated street signs, fire preemption equipment and wireless communication equipment on county owned traffic signals. There is no cost to the county. (Supervisory District 4) (C6407054200)

EXCHANGE OF OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the intergovernmental agreement (IGA) between Maricopa County and the City of Avondale for the exchange of operation and maintenance of traffic signals. It is beneficial to both the county and the city to exchange the operation and maintenance responsibilities for three traffic signals.

- o The county assumes ownership and operational and maintenance responsibilities for the traffic signal located at the intersection of MC 85 and 11th Avenue; and
- o The city assumes ownership and operational and maintenance responsibility for the traffic signal located at 99th Avenue and Costco Entrance (once the IGA has been approved by the BOS) and the traffic signal located at 99th Avenue and McDowell Road, upon completion and acceptance of the project by the county. The county will transfer the warranty period to the city for this newly constructed signal. (Supervisory District 4) (C6407055200)

IMPROVEMENTS TO MC 85 FROM 107TH AVENUE TO 91ST AVENUE

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the intergovernmental agreement between Maricopa County and the City of Avondale for Improvements to MC 85 from 107th Avenue to 91st Avenue. The county is the lead agency for this project, with the city waiving any and all permit fees required to design and construct the portion of the project that resides within their jurisdictional boundaries and allowing us to purchase additional right-of-way necessary for the project. (Supervisorial District 4) (C6407056200)

ADDITION OF PROJECT TO THE CIP

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the addition of the following project and corresponding expenditure budget to the Department of Transportation's FY 2006-07 TIP (CIP) budget (Year 1), Department (640), Fund (234):

Project Number	Name	Budget
T076	McQueen Road: Queen Creek Road to Pecos Road	\$1,462,098

Also approves an amendment to the current FY 2007-11 five-year CIP for Fund (234) – Transportation Capital Projects Fund, adopted by the Board on June 19, 2006 by decreasing the FY 2006-07 (Year 1) capital budget for the following projects: (C6407057200)

Project Number	Name	Capital Budget
T006	Unallocated Force Account	\$475
T176	Low Volume Roads Program	\$1,461,623

BIDS AND AWARDS FOR HAWES ROAD AT HUNT HIGHWAY

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the solicitation of bids for Hawes Road at Hunt Highway, MCDOT Project No. T225 and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10%.

This also approves an amendment to the current FY 2007-11 five-year CIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 19, 2006, by decreasing the FY 2006-07 (Year 1) capital budget for the following project:

Project Number	Name	Decrease Capital Budget By
T028	PM10 Program	\$200,000
T046	PM10 (PH 4) in SE Valley	\$200,000
T083	MC 85: Estrella – Litchfield	\$100,000
T135	MC 85: Jackrabbit – Perryville	\$200,000
T209	MC 85 at 119th Ave	\$75,000

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

Project Number	Name	Increase Capital Budget By
T225	Hawes Road at Hunt Highway	\$775,000

FORMAL SESSION
September 25, 2006

The decrease will offset the increase requested above for a county wide impact of zero. (C6407059500) (ADM2000-003)

YOUNGTOWN STREET IMPROVEMENT PROJECT

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the intergovernmental agreement between Maricopa County and the Town of Youngtown for the Youngtown Street Improvement Project (Small Cities Transportation Assistance Program - SCTAP). The county has adopted the Small Cities Transportation Assistance Program to fund selected transportation projects submitted to the Maricopa County Community Development Department and approved by the Community Development Advisory Committee (CDAC) for Community Development Block Grants (CDBG). The county will fund the selected projects using Arizona Highway User Revenue Funds. The Town of Youngtown has been selected to receive \$192,200 for needed improvements to the following streets: Ohio Ave., Missouri Avenue, Montana Avenue, Kansas Avenue, Langford Avenue, Langford Court, 114th Drive and 115th Avenue (C6407060200)

AMENDMENT TO THE CURRENT FIVE-YEAR CIP

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an amendment to the current FY 2006-07 five-year CIP for Fund (234) – Transportation Capital Projects Fund, adopted by the Board on June 21, 2006, by decreasing the FY 2006-07 capital budget for the following projects:

Project Number	Name	Capital Budget
T173	Sun City Mill and Overlay: Phase 2	\$3,500,000
T176	Low Volume Roads Program	\$1,300,000
T207	Meeker at Trail Ridge/Aleppo	\$290,000
T214	SR303 off Ramp at Grand Avenue	\$65,000

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

Project Number	Name	Capital Budget
T025	Bell Road: SR 303 – L 101 ITS Improvement	\$360,000
T032	PM10: (PH3) NE Area	\$75,000
T048	PM10: (PH 4) in SW Valley	\$25,000
T062	Ellsworth Rd: University – McLellan	\$800,000
T068	Ellsworth Rd: Germann Rd – Baseline Rd	\$3,250,000
T120	Bell Rd at R.H. Johnson Blvd	\$120,000
T155	Northern Ave at 107th Avenue	\$225,000
T190	Dysart Rd Bridge at Colter Channel	\$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. (C6407063800) (ADM2000-003)

BIDS AND AWARD FOR ASPHALT-RUBBER OVERLAY PROJECT

FORMAL SESSION
September 25, 2006

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the solicitation of bids for the Maricopa County Department of Transportation's Asphalt-Rubber Overlay Project (ADT > 4000), FY 2006-07, Work Order Number 30050023. Award of a contract to the lowest responsive responsible bidder, providing the lowest responsive responsible bidder does not exceed the engineer's estimate by more than 10%. (C6407064000)

RYAN WHITE PLANNING COUNCIL APPOINTMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve nominees to Phoenix EMA Ryan White Planning Council consistent with Article III of the bylaws of the Phoenix EMA Ryan White Planning Council, and with the pre-screening process approved by the Board for Planning Council Membership, the County Manager forwards the following nominees for reappointment and appointment to the Planning Council membership. As previously directed by the Board, no pre-screening will occur for any individuals recommended for reappointment. The Membership Committee has represented that these individuals represent membership categories consistent with the bylaws and with federally mandated membership requirements.

This reappoints the following individual as a member of the Phoenix EMA Ryan White Planning Council for a three year term:

Name	Representation Category	Term
Marc Allen	General Public Member	October 1, 2006 to September 30, 2009

Also appoints the following three individuals as members of the Phoenix EMA Ryan White Planning Council for a three year term: (C2007010000) (ADM2153-001)

Name	Representation Category	Term
Jacque Miller	Service Provider Member	October 1, 2006 to September 30, 2009
Ron Hill	General Public Member	October 1, 2006 to September 30, 2009
William Portwood	General Public Member	October 1, 2006 to September 30, 2009

PUBLIC HEARING SET – ROAD FILE DECLARATIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, October 18, 2006 at 205 W. Jefferson, Phoenix.

- i. **Road File No. A356.** In the vicinity of Harcuvar Street from Second Avenue to Eagle Eye Avenue, Harqua Hala Street from Second Avenue to Eagle Eye Avenue, Valley Road from Second Avenue to Eagle Eye Avenue, Second Avenue from Valley Road to Harcuvar Street, First Avenue from Valley Road to Harcuvar Street, Eagle Eye Avenue from Valley Road to Harcuvar Street. (C6407058000)
- ii. **Road File No. A372.** In the vicinity of Old Mine Road from the Northwest boundary line of said Tonto Hills subdivision to the intersection of Deer Trail Road. (C6407061000)

FORMAL SESSION
September 25, 2006

- iii. **Road File No. A366.** In the vicinity of Bush Street from Laura Street to Myers Street, Laura Street from Bush Street to Walnut Street, Myers Street from Bush Street to Walnut Street. (C6407062000)

PUBLIC HEARING SET - PLANNING AND ZONING CASES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for October 18, 2006, at 9:00 a.m. in the Board of Supervisors Auditorium, 205 West Jefferson, as follows:

Z2005-115; Z2005-124; Z2006-040; Z2006-071; Z2006-072; Z2006-073; Z2005-137; TA2005-007; DMP2004-001; TA2006-006

PUBLIC HEARING SET – MARICOPA COUNTY AIR POLLUTION CONTROL REGULATIONS RULE 510.

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to set a public hearing, as required by A.R.S. §49-479(b), for November 1, 2006, at 9:00 a.m. to solicit comments on proposed revisions to Maricopa County Air Pollution Control Rules and Regulations Rule 510 (Air Quality Standards) and on submitting the rule as a revision to the (Arizona) State Implementation Plan (SIP). Following the public hearing, the Board is requested to adopt the proposed revisions to Maricopa County Air Pollution Control Regulations Rule 510, and to submit the rule as a revision to the (Arizona) State Implementation Plan. (C8507006700) (ADM2354)

INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA SENIOR LIVING REVENUE BONDS (GNMA COLLATERALIZED MORTGAGE LOAN – ROSA LINDA APARTMENTS PROJECT), SERIES 2006 AND (GNMA COLLATERALIZED MORTGAGE LOAN – GUADALUPE HUERTA APARTMENTS PROJECT), SERIES 2006.

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM4792)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA SENIOR LIVING REVENUE BONDS (GNMA COLLATERALIZED MORTGAGE LOAN – ROSA LINDA APARTMENTS PROJECT), SERIES 2006 IN AN AMOUNT NOT-TO-EXCEED \$3,500,000, AND THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA SENIOR LIVING REVENUE BONDS (GNMA COLLATERALIZED MORTGAGE LOAN – GUADALUPE HUERTA APARTMENTS PROJECT), SERIES 2006 IN AN AMOUNT NOT-TO-EXCEED \$1,500,000

ASRS CLAIMS

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

No request for payment of claims was submitted by the Arizona State Retirement System for this meeting. (ADM3309-001)

CANVASS OF ELECTIONS

No request for a canvass of elections was received for this meeting.

CLASSIFICATION CHANGES

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to 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. (ADM723)

PARCEL NUMBER	YEAR	OWNER	CLASS FROM	CLASS TO
101-54-026	2005	Joe Mendoza	LC/4	LC/3
116-31-122	2005	Maria Valenzuela	LC/4	LC/3
118-23-037	2005	Troy Storm	LC/4	LC/3
119-04-049	2005	Virginia Jones	LC/4	LC/3
123-22-168	2005	Jay Lehn	LC/4	LC/3
123-27-715	2005	Linda Wilson	LC/4	LC/3
123-43-170a	2005	Janalee Sweeten	LC/4	LC/3
123-44-063	2005	James Poage	LC/4	LC/3
123-46-102	2005	John Allen	LC/4	LC/3
123-46-112	2005	Donald Cooper	LC/4	LC/3
123-47-009	2005	Stephen Bower	LC/4	LC/3
124-34-167	2005	Virginia Dude	LC/4	LC/3
132-03-041	2005	Susan Freeman	LC/4	LC/3
132-09-036	2005	Catherine Koterba	LC/4	LC/3
132-63-238	2005	David Merrill	LC/4	LC/3
133-33-303	2005	Timothy Ewald	LC/4	LC/3
133-34-565	2005	Dung Chi Quan	LC/4	LC/3
133-34-719	2005	Georgette Cummard	LC/4	LC/3
133-39-517	2005	Kaaren Manny	LC/4	LC/3
133-41-236	2005	Pat Thielen	LC/4	LC4/3
133-41-274	2005	Yvonne W Wilson	LC/4	LC/3
133-42-051	2005	Michael Malin	LC/4	LC/3
133-53-033	2005	Robin Nelson	LC/4	LC/3
133-56-120	2005	Roberta Potts	LC/4	LC/3
134-41-180	2005	Kenneth Fry	LC/4	LC/3
134-41-206	2005	Ermida Da Corte	LC/4	LC/3
135-40-009b	2005	Angelina Valles Perez	LC/4	LC/3
141-43-636	2005	Anne Day	LC/4	LC/3
143-07-350	2005	Scott Dandrea	LC/4	LC/3
146-08-006	2005	Frank Rodriguez	LC/4	LC/3
161-15-031	2005	James Rockwell	LC/4	LC/3
163-21-054	2005	Clayton Janson	LC/4	LC3/4
173-32-335	2005	Janet Morris	LC/4	LC/3
176-17-560	2005	David Kettler	LC/4	LC/3

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

PARCEL NUMBER	YEAR	OWNER	CLASS FROM	CLASS TO
209-09-097	2005	Chris Michalec	LC/4	LC/3
230-09-227	2005	Richard Le Cappelain	LC/4	LC/3
231-08-695	2005	Barry Garland	LC/4	LC4/3
301-01-218	2005	David Brooks	LC/4	LC/3
301-01-617	2005	Linda L Lee	LC/4	LC/3
301-02-334	2005	Virginia Lohrberg	LC/4	LC/3
301-02-500	2005	David Geffen	LC/4	LC/3
301-02-513	2005	Kurt Mclean	LC/4	LC/3
301-05-230	2005	Douglas Meyer	LC/4	LC/3
301-05-312	2005	Debra Miller	LC/4	LC/3
301-07-055	2005	Johnny Austin	LC/4	LC/3
301-50-672	2005	Monica Utyro	LC/4	LC/3
301-61-364	2005	Allen Cullough	LC/4	LC/3
301-65-862	2005	Steven Ditter	LC/4	LC/3
301-81-194	2005	Daniel Boivin	LC/4	LC/3
301-91-058	2005	James Hardesty	LC/4	LC/3
301-91-064a	2005	Susan Robinson	LC/4	LC/3
301-92-973	2005	Dilanna Willstead	LC/4	LC/3
305-01-082	2005	Janet Morstain	LC/4	LC/3
308-01-276	2005	Marie Lamprecht	LC/4	LC/3
101-54-026	2004	Joe Mendoza	LC/4	LC/3
116-31-122	2004	Maria Valenzuela	LC/4	LC/3
118-23-037	2004	Troy Storm	LC/4	LC/3
119-04-049	2004	Virginia Jones	LC/4	LC/3
123-22-168	2004	Jay Lehn	LC/4	LC/3
123-27-715	2004	Linda Wilson	LC/4	LC/3
123-43-170a	2004	Janalee Sweeten	LC/4	LC/3
123-44-063	2004	James Poage	LC/4	LC/3
123-46-102	2004	John Allen	LC/4	LC/3
123-46-112	2004	Donald Cooper	LC/4	LC/3
123-47-009	2004	Stephen Bower	LC/4	LC/3
124-34-167	2004	Virginia Dude	LC/4	LC/3
132-03-041	2004	Susan Freeman	LC/4	LC/3
132-63-238	2004	David Merrill	LC/4	LC/3
133-33-303	2004	Timothy Ewald	LC/4	LC/3
133-34-565	2004	Dung Chi Quan	LC/4	LC/3
133-34-719	2004	Georgette Cummard	LC/4	LC/3
133-39-517	2004	Kaaren Manny	LC/4	LC/3
133-41-274	2004	Yvonne W Wilson	LC/4	LC/3
133-42-051	2004	Michael Malin	LC/4	LC/3
133-53-033	2004	Robin Nelson	LC/4	LC/3
134-41-206	2004	Ermida Da Corte	LC/4	LC/3
135-40-009b	2004	Angelina Valles Perez	LC/4	LC/3
141-43-636	2004	Anne Day	LC/4	LC/3
143-07-350	2004	Scott Dandrea	LC/4	LC4/3
146-08-006	2004	Frank Rodriguez	LC/4	LC/3
161-15-031	2004	James Rockwell	LC/4	LC/3

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

PARCEL NUMBER	YEAR	OWNER	CLASS FROM	CLASS TO
173-32-335	2004	Janet Morris	LC/4	LC/3
209-09-097	2004	Chris Michalec	LC/4	LC/3
230-09-227	2004	Richard Le Cappelain	LC/4	LC/3
301-01-218	2004	David Brooks	LC/4	LC/3
301-01-617	2004	Linda L Lee	LC/4	LC/3
301-02-334	2004	Virginia Lohrberg	LC/4	LC/3
301-02-500	2004	David Geffen	LC/4	LC/3
301-02-513	2004	Kurt Mclean	LC/4	LC/3
301-05-230	2004	Douglas Meyer	LC/4	LC/3
301-05-312	2004	Debra Miller	LC/4	LC/3
301-07-055	2004	Johnny Austin	LC/4	LC/3
301-50-672	2004	Monica Utyro	LC/4	LC/3
301-61-364	2004	Allen McCullough	LC/4	LC/3
301-65-862	2004	Steven Ditter	LC/4	LC/3
301-81-194	2004	Daniel Boivin	LC/4	LC/3
301-91-064a	2004	Susan Robinson	LC/4	LC/3
301-92-973	2004	Dilanna Willstead	LC/4	LC/3
305-01-082	2004	Janet Morstain	LC/4	LC/3
308-01-276	2004	Marie Lamprecht	LC/4	LC/3
101-54-026	2003	Joe Mendoza	LC/4	LC/3
116-31-122	2003	Maria Valenzuela	LC/4	LC/3
119-04-049	2003	Virginia Jones	LC/4	LC/3
141-43-636	2003	Anne Day	LC/4	LC/3
161-15-031	2003	James Rockwell	LC/4	LC/3
123-22-168	2003	Jay Lehn	LC/4	LC/3
123-27-715	2003	Linda Wilson	LC/4	LC/3
123-43-170a	2003	Janalee Sweeten	LC/4	LC/3
123-46-102	2003	John Allen	LC/4	LC/3
123-46-112	2003	Donald Cooper	LC/4	LC/3
123-44-063	2003	James Poage	LC/4	LC/3
123-47-009	2003	Stephen Bower	LC/4	LC/3
124-34-167	2003	Virginia Dude	LC/4	LC4/3
132-03-041	2003	Susan Freeman	LC/4	LC/3
132-63-238	2003	David Merrill	LC/4	LC/3
133-33-303	2003	Timothy Ewald	LC/4	LC/3
133-34-719	2003	Georgette Cumnard	LC/4	LC/3
133-34-565	2003	Dung Chi Quan	LC/4	LC/3
133-39-517	2003	Kaaren Manny	LC/4	LC/3
133-41-274	2003	Yvonne W Wilson	LC/4	LC/3
133-53-033	2003	Robin Nelson	LC/4	LC/3
134-41-206	2003	Ermida Da Corte	LC/4	LC/3
135-40-009b	2003	Angelina Valles Perez	LC/4	LC/3
146-08-006	2003	Frank Rodriguez	LC/4	LC/3
173-32-335	2003	Janet Morris	LC/4	LC/3
209-09-097	2003	Chris Michalec	LC/4	LC/3
230-09-227	2003	Richard Le Cappelain	LC/4	LC/3
301-01-218	2003	David Brooks	LC/4	LC/3

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

PARCEL NUMBER	YEAR	OWNER	CLASS FROM	CLASS TO
301-01-617	2003	Linda L Lee	LC/4	LC/3
301-02-334	2003	Virginia Lohrberg	LC/4	LC/3
301-02-500	2003	David Geffen	LC/4	LC/3
301-02-513	2003	Kurt McLean	LC/4	LC/3
301-05-230	2003	Douglas Meyer	LC/4	LC/3
301-05-312	2003	Debra Miller	LC/4	LC/3
301-07-055	2003	Johnny Austin	LC/4	LC/3
301-50-672	2003	Monica Utyro	LC/4	LC/3
301-61-364	2003	Allen Mc Cullough	LC/4	LC/3
301-65-862	2003	Steven Ditter	LC/4	LC/3
301-81-194	2003	Daniel Boivin	LC/4	LC/3
301-91-064a	2003	Susan Robinson	LC/4	LC/3
301-92-973	2003	Dilanna Willstead	LC/4	LC/3
305-01-082	2003	Janet Morstain	LC/4	LC/3
308-01-276	2003	Marie Lamprecht	LC/4	LC/3

COMPROMISES

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the requested compromises as payment in full. This item was discussed in Executive Session on September 5, 2006. (ADM407)

Andrews, David Bruce	\$25,000.00
Pernales, Ernesto Olivares	\$25,000.00
Smallwood, Andrea	\$40,000.00

COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the Treasurer's Statement of Collections and Investment summary reports for July 2006 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4006)

DONATIONS

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the donation reports received from county departments for July 2006 and August 2006. (ADM1810)

Sheriff, July cash donation	\$138.00
Sheriff, August cash donation	\$1,813.24

DUPLICATE WARRANTS

Necessary affidavits having been filed pursuant to A.R.S. §11-632, motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and ratification is

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
September 25, 2006**

requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

COUNTY

NAME	WARRANT	FUND	AMOUNT
Yvonne Delgado	270005424	Payroll	\$69.94
Jennifer Williams	360565621	Expense	\$160.00
Keefe Supply Company	370001769	Expense	\$18,902.48
Scientific Archeological	370002771	Expense	\$9,039.80

SCHOOLS

NAME	SCHOOL	WARRANT	AMOUNT
Northwest Exterminating	Litchfield Elem SD #79	460130339	\$647.00
Lena Tallabas	Phoenix Elem SD #1	170000505	\$320.77
Yuliana Renteria	Litchfield Elem SD #79	170017863	\$613.26
Grainger	Queen Creek SD #95	460125819	\$1,073.65
Dawn Schummer	Avondale Elem SD	170008930	\$1,330.29
Ronald Nelson	Littleton SD	470006527	\$2,400.00

MINUTES

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the minutes of the Board of Supervisors meetings held May 25, 2006 and June 7, 2006.

PRECINCT COMMITTEEMEN

No request to authorize the appointment and cancellation of appointment of Precinct Committeemen was received for this meeting. (ADM1701)

PROPERTY RE-CLASSIFICATION APPEAL CASES

Pursuant to A.R.S. §42-12052, Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to 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)

Sausedo, Tomos V/Delia M Tr	102	27	47
Delgado, Anita M	104	57	168
Luque, Michael P/Patricia D	143	46	13
Auten, Roy B Jr	168	48	23
Reese, Wayne G/Linda K	176	10	729
Anderson, Dare R/Emmeline J Tr	214	30	56
Mcdermott, Joseph T/Kimberly	214	38	285
Delliplaine, Michelle L	301	5	77

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

Dean, Orlando T

304 41 596

SECURED TAX ROLL CORRECTIONS

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

YEAR	FROM	TO	AMOUNT
2002	20100	20109	-\$53,615.36
2003	26713	26861	-\$105,865.42
2005	14618	14790	-\$154,440.88
2004	13017	13223	-\$127,453.44
2003	27130	27159	\$208,143.28
2004	13503	13573	\$229,990.74
2005	15077	15260	\$126,555.58

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the settlement of tax cases dated September 25, 2006. (ADM704)

2004	2006
TX2004-000185	ST2005-000098
2005	2006/2007
TX2004-000862	TX2005-050357

STALE DATED WARRANTS

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to find 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. (ADM1816)

Diane & Curtis Wheeler	\$2,939.24
Fidelity National Title	\$528.10

TAX ABATEMENTS

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §41-18353. (ADM708)

PARCEL NO.	YEAR	PROPOSED ABATEMENT	PARCEL NO.	YEAR	PROPOSED ABATEMENT
141-69-079A	2002	\$6,816.95	141-69-079A	1998	\$7,131.77
141-69-079A	2003	\$5,583.01	141-69-079A	1999	\$9,245.49
141-69-079A	2004	\$8,801.92	141-69-079A	2000	\$8,391.59
141-69-079A	2005	\$8,461.43	141-69-079A	2001	\$7,502.94

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

PARCEL NO.	YEAR	PROPOSED ABATEMENT	PARCEL NO.	YEAR	PROPOSED ABATEMENT
626-11-108	1991	\$33,325.14	304-22-010B	2004	\$29.35
908-08-737	1986	\$6,104.95	304-22-010B	2005	\$10.29
908-08-737	1987	\$39,711.96	304-22-010B	1995	\$1,366.84
908-08-737	1988	\$36,315.99	304-22-010B	1996	\$68.14
908-08-737	1989	\$32,576.90	304-22-010B	1997	\$66.02
928-83-392	2000	\$14,400.56	304-22-010B	1998	\$60.24
968-31-302	1986	\$196.95	304-22-010B	1999	\$55.00
968-31-302	1988	\$184.78	304-22-010B	2000	\$49.00
968-31-302	1989	\$191.00	304-22-010B	2001	\$43.94
504-40-021G	1996	\$479.46	304-22-010B	2003	\$34.53
504-40-021G	1997	\$423.98	304-22-009G	2004	\$29.35
504-40-021G	1998	\$396.21	304-22-009G	2005	\$10.29
504-40-021G	1999	\$362.51	304-22-009G	1995	\$1,366.84
504-40-021G	2000	\$322.90	304-22-009G	1996	\$68.14
217-48-284B	2002	\$1,083.41	304-22-009G	1997	\$66.02
217-48-284B	2003	\$1,079.54	304-22-009G	1998	\$60.24
217-48-284B	2004	\$980.88	304-22-009G	1999	\$55.00
217-48-284B	2005	\$814.99	304-22-009G	2000	\$49.00
217-48-284B	1994	\$385.50	304-22-009G	2001	\$43.94
217-48-284B	1995	\$373.07	304-22-009G	2003	\$34.53
217-48-284B	1996	\$269.52	500-02-035A	2003	\$371.64
217-48-284B	1997	\$544.61	500-02-035A	2004	\$539.17
217-48-284B	1998	\$578.31	500-02-035A	2005	\$457.39
217-48-284B	1999	\$722.99	930-04-498	2003	\$9,301.42
217-48-284B	2000	\$1,305.29	504-40-021K	2001	\$2,165.61
217-48-284B	2001	\$1,234.12	504-40-021K	2002	\$1,734.55
941-06-410	2001	\$41.92	504-40-021K	2003	\$1,895.28
304-40-812	2002	\$1,537.89	504-40-021K	2004	\$1,833.92
304-40-812	2003	\$38.65	168-68-001K	2000	\$8,976.28
304-40-812	2004	\$90.73	168-68-001K	2001	\$5,641.73
304-40-812	2005	\$71.30	168-68-001K	2002	\$4,640.84
118-47-017	2001	\$674.26	168-68-001K	2003	\$4,194.17
118-47-017	2002	\$681.98	168-68-001K	2004	\$5,229.45
118-47-017	2003	\$636.39	168-68-001K	2005	\$5,040.80
118-47-017	2004	\$661.74	141-15-008C	2000	\$17,374.37
118-47-017	2005	\$554.84	141-15-008C	2001	\$16,314.38
118-47-017	1992	\$53.12	141-15-008C	2002	\$21,228.37
118-47-017	1993	\$51.37	504-40-021J	2001	\$2,260.49
118-47-017	1995	\$55.16	504-40-021J	2002	\$1,816.12
118-47-017	1996	\$47.72	504-40-021J	2003	\$1,991.17
118-47-017	1997	\$526.68	504-40-021J	2004	\$1,941.63
118-47-017	1998	\$646.16	141-54-624B	2005	\$15,251.51
118-47-017	1999	\$796.47	109-59-001B	2000	\$6,104.53

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
September 25, 2006

PARCEL NO.	YEAR	PROPOSED ABATEMENT	PARCEL NO.	YEAR	PROPOSED ABATEMENT
118-47-017	2000	\$757.60	109-59-001B	2001	\$4,220.72
200-62-006S	2005	\$1,435.07	211-24-013G	2003	\$2,279.41
141-69-079A	1994	\$6,944.02	972-95-025	1996	\$353.47
141-69-079A	1995	\$7,293.99	972-95-025	1998	\$351.29
141-69-079A	1996	\$7,075.22	972-95-025	1999	\$332.89
141-69-079A	1997	\$7,048.41			

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

Blue Crowley, citizen, advised the Board that he would attend three transportation meetings the following day – Valley Metro Strategic Plan, CTOK, and the East Valley Partnership. He encouraged each supervisor to attend public transportation meetings in their districts to ascertain for themselves the perceived deviations that he has observed from the plan the legislature approved. He is concerned because he felt most of the advisors involved in the new valley-wide transportation system regard the most important stakeholder in the transit plan as themselves and not the citizens. (ADM605)

SUPERVISORS’/COUNTY MANAGER’S SUMMARY OF CURRENT EVENTS

Supervisor Brock referenced a meeting he attended on the culmination of several months of input and study by public, government and private sectors on how best to use and expand the decommissioned Williams Gateway airport. He said a huge gathering of citizens participated. He thanked the East Valley Partnership, the Urban Land Institute and other public and private entities for sponsoring and participating in the study. Chairman Stapley also commented on his attendance at this meeting. He said the Urban Land Institute had brought in some top-notch experts from around the country who interviewed more than 90 individuals from the surrounding area and made some interesting recommendations that included a strong suggestion for the Williams Gateway Authority to get Maricopa County involved as a member of the authority. They also strongly urged the Authority to send a RFP out nationally to privatize the entire operation. (ADM606)

NOTE: The Board of Supervisors will now consider Code Enforcement Reviews. Please note that these matters are of a quasi-judicial matter 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 – EAGLE ISLAND INVESTMENTS

Chairman Stapley called for the review of the Hearing Officer’s Order of Judgment in Zoning Code Violation Case Nos. V2005-00678-981-987-988, Eagle Island Investments. (ADM3417-035)

Those requesting to speak to the Board were Rome Glover and Paul Detoni, both of Eagle Island Investments.

Darren Gerard said this was actually four related cases regarding four separate parcels of land in Wickenburg and the owners were found guilty of grading without an approved grading permit or drainage clearance. Mr. Gerard showed several photographs showing the changing terrain as dirt was moved and removed on these properties over ensuing years.

FORMAL SESSION
September 25, 2006

Eagle Island obtained an earth moving permit from Environmental Services on February 18, 2003. In May 2003 they were notified that there was a violation and a grading permit would be required. In April 2005 another notification was sent to the respondent. In the two-year interim, jurisdiction had passed from the Flood Control District to Planning & Development. Subsequent communication ensued. A hearing was held on July 27, 2006 in which the respondent was found guilty and the Hearing Officer ordered a non-compliance fine of \$300 plus \$30 per diem accrued from May 23, 2003 to July 27, 2006, plus a continuing per diem fine of \$50 from July 27, 2006, until a permit is secured for the work that has occurred on the site or until the site is restored to its previous condition. Mr. Gerard said that all fines were to be suspended if compliance was achieved within 30 days, or by August 27, 2006. On August 31, 2006, the respondent applied for grading permits on three of the four parcels and these are being reviewed. The fines total \$38,120 per parcel to date.

Rome Glover, representing an absentee owner, said he received a request to become involved with this property in early 2006. He said that it was ADEQ contractors that moved the dirt on orders from the State. The absentee owners contacted ADEQ to interface with the County to correct these issues and were told that ordinarily the state only gets an earth moving permit from the County. He believes the State has a fiduciary duty to correct their error because it had come back on the absentee owners "in a very stringent fine." He added that they are making every attempt to pick up where the State documents left off and added that it was not the owners intent to not comply with the County but the issue originated with ADEQ and their superfund site.

In response to a question from the Chairman Mr. Glover said the owners did get an earthmoving permit in 2003 and that was the only document that ADEQ or the contractors requested from the absentee owners and they had supplied it.

Darren Gerard said an earth moving permit had been obtained and after work had occurred for approximately three months the owners were notified of the violation. He said that Eagle Island LLC had obtained the permit and staff believes they are the responsible party. He felt the violation could have been resolved during the intervening three years if this entity had responded to notices sooner. He pointed out that this involves four different parcels and so, four different violations. The Hearing Officer consolidated the four parcels into one when he levied the fine and he reminded the Board that the approximate \$40,000 fine could be four times greater.

Mr. Glover responded that the summons was dated May 5, 2006, and the owners had immediately written a letter to the Planning Department stating their desire to peacefully resolve any outstanding issues resulting, as they believed, by actions of the State of Arizona.

Paul Detoni, a landowner/partner in Eagle Island LLC, reported that the landowners had, in the beginning, done what was requested by obtaining the earth moving permit and all thought they had done "the right thing" and had thereafter followed advice from their engineer on restructuring the site for their intended purpose. He averred that they were willing to do whatever it took to make the project right with the County.

Supervisor Wilson stated his intention to support the hearing officer's recommendation on these parcels. "I think enough effort has been made by the Planning and Zoning in the period of time that this has covered, that if we don't enforce this there's no reason for us to have the rules and regulations."

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried, (5-0) to uphold the Hearing Officer's decision in this case and the fines, totaling \$38,120 as of this date, were

FORMAL SESSION
September 25, 2006

affirmed. Fines are still accruing at \$50 per diem until compliance is verified. Compliance consists in the issuance of an as-built grading permit or restoring the site to its pre-disturbance state.

PLANNING AND ZONING AGENDA

David Smith left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, Deputy County Attorney, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

**~ Chairman Stapley declared a conflict on the following case
He handed the gavel to Vice Chairman Brock and left the auditorium ~**

REGULAR AGENDA DETAIL: CONTINUED

1. **S2006-022** **District 1** (Continued from September 6, 2006)
 Applicant: Arroyo Pacific Partner LLC
 Location: Southwest corner of Lemon Avenue and Riggs Road (in the Chandler Heights area)
 Request: Final Plat in the Rural-43 RUPD zoning district for Sonterra (approx. 21.26 gross acres)

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (4-0-0-1) to continue this case to the September 26, 2006 Special Board Meeting. (Clerk's Note: [not part of the formal minutes] Previous Board action was taken at the September 6, 2006 meeting. See subsequent action on this final plat in the special meeting minutes of September 26, 2006, and formal meeting minutes of December 20, 2006.)

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board