

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
June 20, 2007**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 a.m. June 20, 2007, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1, Andrew Kunasek, Vice Chairman, District 3; Don Stapley, District 2, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**INVOCATION**

Karen Osborne, Elections Director, delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Bruce Bartholomew, MCDOT, led the assemblage in the Pledge of Allegiance.

**2007 SAFETY ROADEO WINNERS**

Presentation of the winners of the 2007 Safety Roadeo competition and assessment of skills was made by Bill Warren, Risk Management. The competition consisted of individual and team efforts and the many winners were a mixed lot from MCDOT, ADOT, Peoria and the Flood Control District. The numerous winners and team individuals were presented with a plaque and photo shoot with the Chairman, along with kudos and congratulations from Board Members for honing their expertise to the winner's level. (C7507033900) (ADM2000-001)

**GRADUATING CLASS – ROADBUILDER PROGRAM**

Bill Warren said the Board had entered into an agreement with Gateway College three years ago to develop a credit program of 30 credit hours for a certificate and equipment operation program and he presented the first graduating class of the ROADBUILDER Program to the Board. He said the 30 credit hours earned can be applied to an Associate's Degree and later to a Bachelor's Degree. He introduced Catina Moore from Gateway Community College, who was present for the presentation. He said the six graduates have met all requirements of Maricopa County and Gateway Community College to earn their Certificate of Completion. The graduates are Dan Clements, Stacy Perry, David Morton, Roy Arnold, Robert Naud III, and Myron Richards. Mr. Warren said the importance of this program has been recognized with awards received from Quality Alliance and NACo. (C7507034900) (ADM2000-001)

**REWARDING IDEAS PROGRAM**

Candace Steill announced the following employee awards from the Rewarding Ideas Program. Each recipient came forward for the award and a photo shoot with the Chairman. Ms. Steill thanked the Board for their continued support of this employee rewards program. She also thanked the evaluating committee members for volunteering their time in deliberating on the suggestions that were submitted. (C2007096900) (ADM3333-002)

<b>EMPLOYEE NAME</b>	<b>DEPARTMENT</b>	<b>SUGGESTED CHANGE INVOLVED</b>	<b>ANNUAL SAVINGS TO COUNTY</b>	<b>CERTIFICATE OF APPRECIATION AND CHECK FOR</b>
Cheryl Marzella	Clerk of Superior Court	Paperless initiative using email	\$1,332	\$266

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CeasarDeMoss and Troy-jon Horta	Facilities Management	Exhaust fan replacement	\$7,044	\$704 each
Orvis Wiens	Facilities Management	Switch guards on evacuation fans	\$2,586	\$517
Tammy Patrick	Elections	Modify polling sites for disabled voters	\$16,000	\$2,500
Lesley Winquist	Superior Court	Placing arbitration pacs on-line	\$12,246	\$2,450

**TONY LOPEZ RETIREMENT**

Tony Lopez, Diversity Director, was recognized for his years of service to Maricopa County and for the many innovations he made to improve the Diversity Initiative that was adopted by the County in the Spring of 2004 after he became director of that program. Supervisor Wilcox introduced Mr. Lopez and read a list of his many accomplishments and awards received over the years. Mr. Lopez began his work in the County in the Probation Department and he has actively promoted the ideals of diversity for many years. (ADM1630)

Mr. Al Aguinaga, President of the Hispanic Network, presented Mr. Lopez with a plaque and cited him for being instrumental in bringing the many diversity networks together and for bringing diversity to the forefront by developing and fostering professional leadership opportunities in Maricopa County.

David Smith commented on Mr. Lopez's work in his office as Diversity Director saying, "The way he did his job was with a big smile on his face, an extended hand of friendship, and with a sense of celebration that, 'yes, we have all of the cultural differences, but in the end we are a unified people.'" Mr. Smith said that Tony Lopez's consistent message was 'unity'. He alluded to the special skills, maturity of judgment and experience in righting the wrongs that have occurred in the American society in the past that were projected by Mr. Lopez. He added, "That is why he was so successful here."

Mr. Lopez responded to the accolades by stating that Maricopa County "is a great place to work – there's a lot of diversity here." He added that there is still work to be done and many challenges ahead. He said this isn't about affirmative action but fairness and a system that recognizes all the people in Maricopa County. He said, "I'm telling you there are good people here at Maricopa County. People that want to make a difference." He thanked the Board and said, "It's been a nice trip."

Prince Arthur, representing the African American network, presented Mr. Lopez with a gift from this network for all of the dedication and support to his and to all of the networks and their members.

Chairman Brock said that everyone appreciates the dedication and professionalism exhibited by Mr. Lopez in his many years in government service and for his dedication to the ideals of diversity in the County and elsewhere. The Chairman presented him with an engraved clock in recognition of his service and to commemorate his retirement.

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**PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS**

Pursuant to A.R.S. §4-201, Chairman Brock called for a public hearing on the following liquor license applications. 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 Wilcox and seconded by Supervisor Kunasek, to recommend approval of Special Event liquor license application "a" filed by John J. Finan:

- 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.

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

**PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS**

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Protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to recommend **denial** of liquor license application "b" filed by Norberta Tapia de Rocha in compliance with the recommendation of Maricopa County's Planning and Development and Environmental Health Services departments, as stated below:

- 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 – rezoning required**  
**Environmental Health Services Recommends Denial – establishment does not meet minimum plumbing requirements.**

**PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS**

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No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek, to comply with the request of the Sheriff's Office to continue application "c" as filed by Norman Andrus, to the July 25, 2007, meeting.

- 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 requested this item be continued to the July 25, 2007 meeting.**

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. 5359)**

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

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 16<sup>th</sup> day of May, 2007, 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:

All streets consistent with the rights-of-way, as depicted in Wigwam Creek South Parcels 8 & 9, a subdivision as shown in Book 563 of Maps, Page 18, M.C.R.  
General Vicinity: Camelback Road and Dysart Road

**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.

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**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 20<sup>th</sup> day of June 2007. (C6407218000)

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**ROAD DECLARED (ROAD FILE NO. 5360)**

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

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 16<sup>th</sup> day of May, 2007, 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:

All streets consistent with the rights-of-way, as depicted in Wigwam Creek South Parcels 11, a subdivision as shown in Book 570 of Maps, Page 10, M.C.R.  
General Vicinity: Camelback Road and Dysart Road

**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

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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 20<sup>th</sup> day of June 2007. (C6407219000)

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**ROAD DECLARED (ROAD FILE NO. 5361)**

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

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 16<sup>th</sup> day of May, 2007, 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:

All streets consistent with the rights-of-way, as depicted in Pasqualetti Mountain Ranch – Phase 2 and 3, a subdivision as shown in Book 716 of Maps, Page 10, M.C.R.  
General Vicinity: Indian School Road and Jackrabbit Trail

**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.

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**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 20<sup>th</sup> day of June 2007. (C6407220000)

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**PUBLIC HEARING – AIR QUALITY NEW RULE 242**

Chairman Brock called for a 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)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley and seconded by Supervisor Wilcox to approve Rule 242 and proposed Resolution.

Jo Crumbaker, Air Quality Department, asked to speak and said that acting on a request made during the formal comment period of the public meeting, the department wished to strike the last sentence of section 307.3 in Rule 242. She added that the Environmental Protection Agency (EPA) and the County Attorney have agreed to this amendment of the Rule's final draft that is being considered for approval today. This change to the Rule applies to documentation required on projects that have already been completed and it would have added a retroactivity issue. Ms. Crumbaker said that deleting that sentence makes the rule "cleaner."

- 307.3** The silt content of the unpaved road(s) used in calculating the PM<sub>10</sub> emission reductions under Section 302.2 shall be that for a gravel road, 6.2%, unless the Arizona government transportation agency responsible for the road(s) provides documentary evidence that the road(s) did not, in fact, have a gravel surface. ~~This documentary evidence must have been created prior to the paving of the road(s).~~

Motion was amended by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Rule 242, Emission Offsets, as amended by Ms. Crumbaker in deleting the last sentence of section 307.3, as given above.

**RESOLUTION TO ADOPT A PROGRAM  
TO PERIODICALLY EVALUATE THE ECONOMIC INCENTIVE PROGRAM  
CREATED BY PROPOSED RULE 242**

**WHEREAS**, the Maricopa County nonattainment area has been reclassified as a Serious Area for particulate matter at 10 microns (PM<sub>10</sub>) according to the Clean Air Act; and

**WHEREAS**, the Clean Air Act §113 requires New Source Review (NSR) for major sources of PM<sub>10</sub>; and

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**WHEREAS**, major sources of air pollution are subject to New Source Review (NSR); and

**WHEREAS**, sources subject to New Source Review need offsets for the construction of new major stationary sources or major modifications to an existing source; and

**WHEREAS**, these same sources voluntarily elect to pave unpaved roads for emission offsets; and

**WHEREAS**, as part of the Economic Incentive Program (EIP), Maricopa County proposes to evaluate this program on a periodic basis (every three years after 2008) and submit the evaluation report to EPA within 60 days of completion;

**NOW, THEREFORE BE IT RESOLVED** by The Board of Supervisors, Maricopa County as follows:

**SECTION 1.** The Board agrees to proceed with a good faith effort to implement the measures identified in Exhibit A, which is part of the resolution.

**SECTION 2.** The Board commits to implement the measures as scheduled and with the funding sources identified. Recognizing, however, that the availability of necessary funding may depend on the funding programs or processes of various state and federal agencies, Maricopa County reserves the right to reevaluate and, if necessary, modify the funding or schedules for implementation actions.

**DATED** this 20<sup>th</sup> day of June 2007. (C8507027700)

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**PROPOSED AMENDMENTS  
TO RULE 242  
(EMISSION OFFSETS GENERATED BY THE VOLUNTARY PAVING OF UNPAVED ROADS)**

Underlines indicate proposed new text and ~~strikeouts~~ indicate existing text to be deleted.

Rule 242, Section 101 – Added the word “public” to the sentence.

**PURPOSE:** To establish enforceable procedures for calculating emission reductions of particulate matter at 10 microns or less ( PM<sub>10</sub>) created through the voluntary paving of unpaved public roads that will be used as offsets to meet New Source Review ( NSR) requirements.

Rule 242, Section 102 – added the word “public” to the sentence.

**APPLICABILITY:** This rule applies to applicants subject to NSR requirements, who need PM<sub>10</sub> offsets for the construction of new major stationary sources or major modifications to an existing major stationary source in the Maricopa County PM<sub>10</sub> non-attainment area and those same applicants who also voluntarily elect to generate emission reductions of PM by paving unpaved public roads in the Maricopa County non-attainment area.

Rule 242, Subsection 301.1 – added the word “public” to the sentence.

301.1 A statement that the offsets will be generated from the paving of unpaved public roads identified within the Offset Plan.

Rule 242, Subsection 301.8 – Amend the text by switching the first part of the sentence to the end of the sentence for clarity.

~~301.8 – Photos or videos of the public roads to be paved, if they are classified as “non-gravel” roads or documentation from the local government agency that the roads were non-gravel.~~  
Documentation from the local government, photos or videos of the public roads to be paved if they are classified as “non-gravel” roads.

Rule 242, Subsection 302.1e – Amend the phrase “offset program” to “the rule” in the second sentence.

**302.1 e-** For the purpose of the ~~offset program~~ rule, the adjustment factors shall be obtained from the most recent Freeway Management System data provided by the Arizona Department of Transportation.

Rule 242, Subsection 303.2 – Amend the phrase “at the time of permit approval ” to “ within 90 days after receiving all of the information required by Section 301”.

~~303.2 – The Control Officer shall issue a written approval of the Offset Plan, indicating which roadway segment(s) may be paved and the amount of the resulting emission offsets that will be generated for each roadway segment at the time of permit approval. The Control Officer shall issue a written approval of the Offset Plan, within 90 days after receiving all of the information required by Section 301, indicating which roadway segment(s) may be paved and the amount of resulting emission offsets that may be generated for each roadway segment.~~

Rule 242, Subsection 303.3 - (C8507027700)

### **PUBLIC HEARING – REVISED FEE SCHEDULE FOR PARKS & RECREATION**

Chairman Brock called for a 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)

Bill Scalzo described this item, the first entry and camping fee increase for the County’s park system in five years. He said the Parks Commission reviewed ASU surveys of park customers and non-customers regarding entry fees, costs, amenities, etc., to come to an agreement with the increase. Also considered were fee comparisons with Arizona State Parks and county parks of similar size in the Western U.S. He stated that public perception is that taxes should pay for no more than 50% of any costs of the park system. He added that currently only 20% of Maricopa County park operations come from tax dollars, some monies also come from grants and donations. The Assessor ran a comparison of average homeowner taxes (average home value of \$210,500) and breakdown of their County taxes that contribute to various functions and reported the following disbursements from each homeowner’s tax assessment:

- Library District gets \$10.68
- Flood Control District gets \$43.08

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- County Health Care District gets \$24.92
- County Parks get 20 cents

Mr. Scalzo added that an average for individual contributions would be considerably less than that of homeowners and said he believed that these parks are one of the best bargains in the County. He gave a breakdown of the fee increases, i.e. entry fee of a vehicle (not number of people in the vehicle) would increase to \$6 from \$5. He said all fees are below the midpoint of the national average. (See below for a fee schedule.)

Supervisor Wilson said he would not support the increases, not because he didn't support the parks and all they offer, but because he feared an increase in fees might keep people from going to the parks and he wanted to do all he could to encourage more people to go and enjoy the 127,000 acres of parks in Maricopa County's park system.

Supervisor Wilcox has checked with non-profit organizations on the effect these increases would have. She indicated that they did not feel the increase was punitive but well worth it to support the high quality of the park system and all had expressed willingness to pay it. She added that the increase was also well supported by the AZ Republic's editorial board.

Chairman Brock also endorsed the different amenities at the many parks in the County's system and thanked Mr. Scalzo for his hard work.

Supervisor Stapley questioned the fee for archers at Usery Mountain Park's five-star range in East Mesa – the only archery range currently in the system and the only five-star archery range in the southwestern U.S.A. He said the last fee increase changed the entry fee to \$5 per archer, regardless of how many were in the car. He recommended that this be changed to the regular entry of \$6 per vehicle, saying he discussed this with Mr. Scalzo, who had agreed to this change.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Stapley to approve the revised fee schedule for Parks & Recreation, as given below, with a change to the \$5 per person entry fee for archers entering Usery Park to \$6 per car. Also, including instructions for a report on park attendance to be given to the Board in three months. Motion carried by majority vote (4-1) with Supervisors Wilcox, Stapley, Kunasek and Brock voting "aye" and Supervisor Wilson voting "nay."

**PARKS AND RECREATION FEE SCHEDULE  
Effective August 13, 2007**

**Park Day Use Entry Fee**

<u>Mountain Parks and Recreation Areas</u>	\$6 per motorized vehicle entry
(pedestrian, bicycle, horse)	\$1 all other entry
Annual Pass	\$75
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<u>Lake Pleasant Regional Park</u>	\$5 per motorized vehicle entry
(pedestrian, bicycle, horse)	\$1 all other entry
Fee for Watercraft	\$2 per watercraft
Annual Pass w/ one water craft	4-Day \$100 & 7-Day \$160
Each additional watercraft annual fee	4-Day \$20 & 7-Day \$40

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Annual Pass w/o watercraft 7-Day \$120

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Mtn and LP Senior Citizen Annual Pass \$65  
for Maricopa County Residents age 65 and older; no watercraft included

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**Conservation Areas**

(pedestrian, bicycle, horse) \$3 per person  
School Bus - All Parks \$10  
Commercial Bus - All Parks \$30  
Coupons may be issued reducing entrance fees for marketing purposes

**Group Picnic Ramadas**

All Parks  
2 Tables \$20 reservation fee plus entry  
4 Tables \$30 reservation fee plus entry  
6 Tables \$40 reservation fee plus entry  
8-10 Tables \$60 reservation fee plus entry  
12-16 Tables \$80 reservation fee plus entry  
(4 hour maximum - \$5 additional per ramada per hour)

**Camping** (Entry fee included in camping fee. Camping limited to 14 night stay within 30 day period.)

Family Campground All Parks:

Developed Camp Sites \$20 per night  
Semi Developed Camp Sites \$15 per night  
Primitive Camping \$10 per night for LP shoreline and Estrella turf  
Shaded RV Site \$30 per night

Specific Campground Sites

Trailhead Group Area - McDowell \$30 reservation fee, plus \$12 per night per unit  
Group Campground - McDowell, Cave  
Creek; Usery Horse Staging Area, 6 - 10 unit min - \$72 - \$120 charge  
White Tank, Lake Pleasant

Youth Camping \$30 reservation fee, plus \$2 per night per person  
McDowell, Usery, White Tank, Estrella

Non-refundable Reservation Deposit \$8

**Desert Outdoor Center at Lake Pleasant**

<b>Schools</b>	<u>Per person</u>	<u>Minimum</u>	<u>Non-Profit Groups</u>	<u>Per person</u>	<u>Minimum</u>
1/2 Day	\$5	25 people	1/2 Day	\$6.00	25 people
1 Full Day	\$10	25 people	1 Full Day	\$12.00	25 people
24 hours	\$20	25 people	24 hours	\$27.00	25 people
2 Days	\$35	25 people			

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	For-Profit Groups	Per person	Minimum
<u>Room only Reservation Fee</u>	1/2 Day	\$ 8.00	25 people
Small	1 Full Day	\$16.00	25 people
Large	24 hours	\$36.00	25 people
\$100			
\$250			

All groups must provide their own food and preparation or use a caterer.  
Kitchen Use Fee (if applicable) - \$100. Non-refundable reservation fee - \$75.

**Other Regular Fees**

Shooting Range fee for Law Enf. Agencies	\$5/per shooter
Special Interest Activity Fee	Set by Dept.
Estrella Ball Fields – Reserve Fields	\$10/hour/field
Lights	\$5/hour/field
Estrella Arena Reservation Fee <sup>1</sup>	\$50
Arena Lights	\$5/hour
Amphitheater Reservation <sup>1</sup>	\$25
Competitive Track Reservation <sup>1</sup>	\$100
Special Use Permit Application Fee <sup>1</sup>	\$50
Collection Service Fee	\$5

<sup>1</sup>(Park impact fee determined by event - contact Park)

Lake Pleasant Regional Park	(602) 372-7460
	(928) 501-1702
Desert Outdoor Center	(602)372-7470

**Mountain Parks and Recreation Areas**

Cave Creek Recreation Area	(623) 465-0431
Estrella Mountain Regional Park	(623) 932-3811
McDowell Mountain Regional Park	(480) 471-0173
Usery Mountain Regional Park	(480) 984-0032
White Tank Mountain Regional Park	(623) 935-2505
San Tan Mountain Regional Park	(480) 655-5554
Buckeye Hills Recreation Area**	(623) 932-3811
Adobe Mountain Regional Park**	(623) 465-0431

**Conservation Areas**

Spur Cross Ranch	480-488-6601
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**Additional Facilities:**

Waterworld	(623) 581-1947
Victory Lane Sports Complex	(623) 581-6000
500 Club Golf course	(623) 492-9500
Paradise Valley Golf course	(602) 992-7190
Estrella Mountain Golf Course	(623) 932-3714

\*\* No Park Entry Fee

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**POINT OF PERSONAL PRIVILEGE**

Supervisor Wilcox asked to have item #58 moved forward because the representative from Pulte Homes had to leave the meeting for another appointment. Ms. Wilcox joked that she wouldn't want them to leave and take their \$500,000 donation with them. The Chair agreed with her request.

**DONATION FROM PULTE HOMES AND THE COMMUNITIES OF DEL WEBB**

Item: 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) (ADM3200-006)

Jackie Petrolykees, Public Affairs Director for Pulte Homes in Arizona, said that Pulte was standing by their agreement made approximately six years earlier when discussion was underway on the possibility of moving the Sheriff's Shooting Range that was in a flood plain near Sun City Grand. The relocation was ultimately determined to be to the Buckeye Hills Recreation Area and an agreement was made with the County for Pulte to donate \$500,000 to support the move and construction of a new facility. She lauded Supervisor Wilcox for her continued commitment to support this contract and said that despite the less than ideal housing market of today and the fact that the contract expired four years ago, Pulte Homes stands behind the agreement to support the relocation.

Supervisor Wilcox and Chairman Brock received the first quarterly installment of the \$500,000 donation from Ms. Petrolykees for Pulte Homes.

Supervisors Wilcox and Wilson honored Del Webb and Pulte Homes for being the kind of company that stands by their word and commitments despite internal changes, and also for the many improvements they have brought to the Valley of the Sun over the years.

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (5-0) to accept, with gratitude, the donation of \$500,000 from Pulte Homes and the Communities of Del Webb.

**CHANGE OF OWNERSHIP OF OFFICE BUILDING**

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

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**AMENDMENT TO COSTAR GROUP SOLE SOURCE CONTRACT**

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

**FIREWORKS PERMIT APPLICATION**

Pursuant to A.R.S. 36-1603, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following applications for an original Fireworks Display. (ADM665-63)

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

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

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

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

**PROPERTY RE-CLASSIFICATION APPEAL CASES**

Pursuant to A.R.S. §42-12052, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the property owners' appeal to re-classify properties, which have 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)

<b>Owner Name</b>	<b>Book</b>	<b>Map</b>	<b>Item</b>	<b>Num</b>
Romero, Jose Juan/Maria Del Refugio C Ramirez	105	3	057B	1611
Pham, Toan D	300	84	199	4807
Gandasutisna, Albert/Shirley	504	23	375	22678

**EXECUTIVE COMPENSATION PACKAGE**

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

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

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

**GRANT AGREEMENT WITH ARIZONA AUTOMOBILE THEFT AUTHORITY FOR VERTICAL PROSECUTION PROGRAM**

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

**EXEMPTION FROM COUNTY MARKINGS**

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

**JUSTICE OF THE PEACE PRECINCT LINES AND ELECTION VOTING PRECINCT LINES**

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

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- 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)

Karen Osborne said these changes were necessary in order to keep all Justice of the Peace Precincts under 1,200 population, in accordance with the law, and asked for these new delineations to be approved along with the addition of two new Justice Precincts that will be voted on in the fall of 2008 and open for business in 2009.

Supervisor Stapley said he continued to marvel at the wonderful job the Elections Department does in planning and implementing the new precinct lines and congratulated Ms. Osborne and her workers.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the above changes related to Justice of the Peace & Election Voting Precincts:

**ONE-TIME ADDITION TO FLEET**

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

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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)

**DONATION FROM SUN CITY GRAND PET CLUB**

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

**APPROPRIATION INCREASE OF REVENUE AND EXPENDITURE AND TRANSFER AUTHORIZATION**

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

**VEHICLE EXEMPTION FROM MARKINGS**

Pursuant to A.R.S. §38-538.03, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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)

**TERMINATION OF LEASE FOR THE ADULT PROBATION FACILITY**

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

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option as of January 31, 2008. This approval will also authorize notice of termination to the Landlord under the lease. (C1107007401) (C11050064YY)

**APPOINTMENTS**

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

**ADDITION TO FLEET FOR TRIAL COURTS TECHNOLOGY SERVICES**

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

**ONE TIME LUMP SUM PAYMENTS**

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

**IGA WITH NAVAJO COUNTY FOR SUPPORT OF THE ARIZONA METH PROJECT**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an intergovernmental agreement (IGA) with Navajo County, transferring \$10,000 to Maricopa

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County to support the ARIZONA METH PROJECT. Upon approval of this intergovernmental agreement, this action will require and 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)

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

Pursuant to A.R.S. §42-17105, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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)

**RESOLUTION**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, PHOENIX, ARIZONA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR FUNDING FROM THE FORT MCDOWELL YAVAPAI NATION FOR THE FLORENCE CRITTENTON YOUTH ACADEMY AND AUTHORIZING ACCEPTANCE OF FUNDS AND PASS-THROUGH**

**BE IT RESOLVED** by the Board of Supervisors of Maricopa County, Phoenix, Arizona as follows:

- Section 1.** The Maricopa County Manager's Office is hereby authorized to submit an application for Proposition 202 12% Tribal Gaming Funds to the Fort McDowell Yavapai Nation in the amount of \$55,000 in FY 2007-2008.
- Section 2.** The Maricopa County Manager's Office is hereby authorized to accept grant funds from the Fort McDowell Yavapai Nation and to pass through these funds to the Florence Crittenton Youth Academy, a non-profit organization.
- Section 3.** The Chairman of the Maricopa County Board of Supervisors is hereby authorized to execute said grant application, and necessary acceptance documentation.

**DATED** this 20<sup>th</sup> day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

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

Pursuant to A.R.S. §42-17105, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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)

**RESOLUTION**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, PHOENIX, ARIZONA AUTHORIZING THE SUBMITTAL OF A GRANT REQUEST LETTER FOR FUNDING FOR THE JUNIOR ACHIEVEMENT OF ARIZONA TO THE AK-CHIN INDIAN COMMUNITY, AUTHORIZING THE EXECUTION OF SAID APPLICATION, ACCEPTANCE OF FUNDS GRANTED AND AUTHORIZING AND PASS-THROUGH OF GRANT FUNDING.**

**BE IT RESOLVED** by the Board of Supervisors of Maricopa County, Phoenix, Arizona as follows:

- Section 1.** The Maricopa County Manager's Office is hereby authorized to submit an application for Proposition 202 Indian Gaming Funds to the Ak-Chin Indian Community in the amount of \$150,000 in FY 2007-2008.
- Section 2.** The Maricopa County Manager's Office is hereby authorized to accept grant funds from the Ak-Chin Indian Community and to pass through these funds to the Junior Achievement of Arizona, a non-profit organization.
- Section 3.** The Chairman of the Maricopa County Board of Supervisors is hereby authorized to execute said grant application, and necessary acceptance documentation.

**DATED** this 20<sup>th</sup> day of June 2007. (C2007100000)

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

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

Pursuant to A.R.S. §42-17105, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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)

**RESOLUTION**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, PHOENIX, ARIZONA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR FUNDING FROM THE AK-CHIN INDIAN COMMUNITY FOR THE DEPARTMENT OF PUBLIC HEALTH AND AUTHORIZING ACCEPTANCE OF FUNDS GRANTED**

**BE IT RESOLVED** by the Board of Supervisors of Maricopa County, Phoenix, Arizona as follows:

- Section 1.** The Maricopa County Manager's Office is hereby authorized to submit an application for Proposition 202 12% Tribal Gaming Funds to the Ak-Chin Indian Community in the amount of \$20,350 in FY 2007-2008.
- Section 2.** The Maricopa County Manager's Office is hereby authorized to accept grant funds from the Ak-Chin Indian Community for the Department of Public Health's South Phoenix Healthy Start Program.
- Section 3.** The Chairman of the Maricopa County Board of Supervisors is hereby authorized to execute said grant application, and necessary acceptance documentation.

**DATED** this 20<sup>th</sup> day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

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

Pursuant to A.R.S. §42-17105, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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

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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)

**RESOLUTION**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, PHOENIX, ARIZONA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR FUNDING FROM THE AK-CHIN INDIAN COMMUNITY FOR THE DEPARTMENT OF PUBLIC HEALTH AND AUTHORIZING ACCEPTANCE OF FUNDS GRANTED**

**BE IT RESOLVED** by the Board of Supervisors of Maricopa County, Phoenix, Arizona as follows:

- Section 1.** The Maricopa County Manager's Office is hereby authorized to submit an application for Proposition 202 12% Tribal Gaming Funds to the Ak-Chin Indian Community in the amount of \$40,000 in FY 2007-2008.
- Section 2.** The Maricopa County Manager's Office is hereby authorized to accept grant funds from the Ak-Chin Indian Community for the Department of Public Health's PANDA Program.
- Section 3.** The Chairman of the Maricopa County Board of Supervisors is hereby authorized to execute said grant application, and necessary acceptance documentation.

**DATED** this 20<sup>th</sup> day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

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

Pursuant to A.R.S. §42-17105, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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)

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**RESOLUTION**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, PHOENIX, ARIZONA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR FUNDING FROM THE AK-CHIN INDIAN COMMUNITY FOR THE DEPARTMENT OF PUBLIC HEALTH AND AUTHORIZING ACCEPTANCE OF FUNDS GRANTED**

**BE IT RESOLVED** by the Board of Supervisors of Maricopa County, Phoenix, Arizona as follows:

- Section 1.** The Maricopa County Manager's Office is hereby authorized to submit an application for Proposition 202 12% Tribal Gaming Funds to the Ak-Chin Indian Community in the amount of \$225,000 in FY 2007-2008.
- Section 2.** The Maricopa County Manager's Office is hereby authorized to accept grant funds from the Ak-Chin Indian Community for the Department of Public Health's Social Marketing Program.
- Section 3.** The Chairman of the Maricopa County Board of Supervisors is hereby authorized to execute said grant application, and necessary acceptance documentation.

**DATED** this 20<sup>th</sup> day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

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

Pursuant to A.R.S. §42-17105, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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)

**RESOLUTION**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, PHOENIX, ARIZONA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR FUNDING FROM THE AK-CHIN INDIAN COMMUNITY FOR THE PARKS AND RECREATION DEPARTMENT AND AUTHORIZING ACCEPTANCE OF FUNDS GRANTED**

**BE IT RESOLVED** by the Board of Supervisors of Maricopa County, Phoenix, Arizona as follows:

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- Section 1.** The Maricopa County Manager's Office is hereby authorized to submit an application for Proposition 202 12% Tribal Gaming Funds to the Ak-Chin Indian Community in the amount of \$300,000 in FY 2007-2008.
- Section 2.** The Maricopa County Manager's Office is hereby authorized to accept grant funds from the Ak-Chin Indian Community for the Parks and Recreation Department's Interpretive Display program.
- Section 3.** The Chairman of the Maricopa County Board of Supervisors is hereby authorized to execute said grant application, and necessary acceptance documentation.

**DATED** this 20<sup>th</sup> day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**AMENDMENTS TO THE MARICOPA COUNTY HEALTH CARE PLAN**

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

**AMEND PREVIOUS BOARD ACTION – PATHLORE LEARNING MANAGEMENT SYSTEM CONTRACT**

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

**ALLOCATION AND TRANSFER FUNDS FOR TUITION REIMBURSEMENT EXPENSES**

Pursuant to A.R.S. §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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. (ADM128) (C3107005C00)

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**EXEMPTIONS TO THE MARICOPA COUNTY TRAVEL POLICY**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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. (C3107006600) (ADM658)

<b>Name</b>	<b>Department</b>	<b>Position applying for</b>	<b>Amount</b>
Rodrigo Silva	Animal Care & Control	Animal Care & Control Director	\$1,174.80
Jackie Meeks	Public Health	Public Health Director	\$6,006.95
Vito Minei	Environmental Services	Environmental Services Director	\$1,950.66
Peter Ozanne	County Admin Officer	Asst. County Mgr for Criminal Justice	\$651.42
Keith Krinn	Environmental Services	Environmental Services Director	\$660.93
William Wilson	Correctional Health Services	Correctional Health Services Director	\$749.17
Kevin Lowry	County Admin Officer	Asst. County Mgr for Criminal Justice	\$827.89
<b>TOTAL</b>			<b>\$12,021.82</b>

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

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

<b>Market Range Title</b>	<b>Minimum</b>	<b>Minimum</b>	<b>Midpoint Hiring Max</b>	<b>Midpoint Hiring Max</b>	<b>Max</b>	<b>Max</b>
Plans Examiner Super	\$25.39	\$52,811	\$30.35	\$63,128	\$35.31	\$73,445
Construc Maintenance Spr	\$22.13	\$46,030	\$26.69	\$55,515	\$31.25	\$65,000
Medicolegal Death Invest**	\$15.13	\$31,470	\$19.33	\$40,206	\$23.53	\$48,942
Histotechnology Super**	\$16.41	\$34,133	\$20.34	\$42,297	\$24.26	\$50,461
Special Programs Coord**	\$14.63	\$30,430	\$17.43	\$36,244	\$20.22	\$42,058
Nutrition Programs Asst**	\$13.06	\$27,165	\$16.00	\$33,280	\$18.94	\$39,395
Breastfeeding Peer Cnslr**	\$13.06	\$27,165	\$16.00	\$33,280	\$18.94	\$39,395
Laboratory Tech**	\$14.71	\$30,597	\$18.35	\$38,168	\$21.99	\$45,739
Laboratory Asst/Tech**	\$9.66	\$20,093	\$12.16	\$25,293	\$14.66	\$30,493
Sr. Medicolegal Death Inv**	\$19.79	\$41,163	\$23.78	\$49,452	\$27.76	\$57,741
Forensic Tech**	\$15.89	\$33,051	\$18.66	\$38,802	\$21.42	\$44,554

**TRANSFER OF EXPENDITURE AUTHORITY RELATED TO INTERNAL SERVICE CHARGES**

Pursuant to A.R.S. §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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

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(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) (ADM3100-003)

**REVENUE AND EXPENDITURE ADJUSTMENTS**

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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) (ADM5300)

**NOTICE OF INCREASE TO GRANT AWARD FOR HOMELESS INDIVIDUALS PROGRAM**

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

**AMENDMENT TO CONTRACT FOR SERVICES WITH BANNER HEALTH SYSTEM**

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

**TERMINATE MOU WITH PUEBLO FAMILY PHYSICIANS**

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

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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)

**AMENDMENT TO IGA FOR HIV/HCV SERVICES PROGRAM**

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

**DONATION OF PHARMACEUTICAL PRODUCTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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) (ADM2150-006)

**DONATION OF LAB SUPPLIES**

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

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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) (ADM2150-006)

**DONATION OF HUMAN IMMUNE DEFICIENCY (HIV) PREVENTATIVE SUPPLIES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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) (ADM2150-006)

**TERMINATE CONTRACT WITH PHOENIX HEALTH PLAN**

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

**EXPENDITURE APPROPRIATION ADJUSTMENT AND REVENUE APPROPRIATION ADJUSTMENT**

Pursuant to A.R.S. §42-17106B, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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

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Board approval in the expenditure of these funds from the Public Health Fee Fund (265). (C8607068M00) (ADM2150-003)

**EXPENDITURE APPROPRIATION ADJUSTMENT AND REVENUE APPROPRIATION ADJUSTMENT**

Pursuant to A.R.S. §42-17106B, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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)

**IGA FOR TOBACCO BRIEF INTERVENTION SERVICES**

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

**AMENDMENTS TO CONTRACTS FOR RAPID RESPONSE SERVICES**

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

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- 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)

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

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

**AMENDMENT WITH CITY OF PHOENIX TO ESTABLISH WORKFORCE INVESTMENT ACT PARTNERSHIP**

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

**REVISIONS TO THE HEAD START POLICY COUNCIL BYLAWS**

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

**MARICOPA COUNTY  
HEAD START ZERO-FIVE POLICY COUNCIL  
BYLAWS**

**ARTICLE 1  
NAME**

The name of this organization shall be the MARICOPA COUNTY HEAD START ZERO-FIVE POLICY COUNCIL, herein after referred to as Policy Council or Council.

**ARTICLE 2  
PURPOSE AND FUNCTION**

**SECTION 2.1 PURPOSE**

The purpose of the Policy Council is to provide program parents and other community representatives with the authority and opportunity to participate in shared decision-making with the Maricopa County Board of Supervisors and with key management staff concerning the design and implementation of the Maricopa County Head Start Zero-Five program, as provided for in the Head Start Performance Standards.

**SECTION 2.2 FUNCTION**

- A. The Policy Council works in partnership with key management staff of the Maricopa County Head Start Zero-Five Program and the Board of Supervisors to develop, review, and approve or disapprove the following:
1. All funding applications and amendments to funding applications for Head Start and Early Head Start, including administrative services, prior to submitting the applications to the United States Department of Health and Human Services.
  2. Procedures for program planning, including the program's philosophy and long- and short-range goals and objectives.
  3. The selection of delegate agencies and their service areas.
  4. The composition of the Policy Council and the procedures by which Policy Council members are chosen.
  5. Criteria for defining recruitment, selection, and enrollment priorities, in accordance with the requirements of 45 CFR part 1305.
  6. The annual self-assessment of Maricopa County 's progress in carrying out the programmatic and fiscal intent of its grant application, including planning or other actions that may result from the review of the annual audit and findings from the Federal monitoring review.
  7. Program personnel policies and subsequent changes to those policies, in accordance with 45 CFR 1301.31, including standards of conduct for program staff, consultants and volunteers.
  8. Decisions to approve or disapprove the hiring or termination of the Head Start Zero-Five Director, or any person who works primarily for the Head Start Zero-Five Program.
  9. Procedures describing how the Maricopa County Board of Supervisors and the Policy Council will implement shared decision-making and how internal disputes between the Policy Council and the Board, including impasse procedures, will be resolved.
  10. Procedures and rates of reimbursement for reasonable expenses incurred by the members of the Policy Council and Parent Committees when they participate in program activities in order to enable low-income members to participate fully in their responsibilities.
- B. The Policy Council directly performs the following program functions:
1. Serves as a link to the Parent Committees, the Maricopa County Board of Supervisors, public and private organizations, and the communities they serve.
  2. Assists Parent Committees in communicating with parents enrolled in Head Start Zero-Five to ensure they understand their rights, responsibilities, and opportunities in Head Start and Early Head Start, and to encourage their participation in the program.
  3. Assists Parent Committees in planning, coordinating, and organizing program activities for parents, with the assistance of program staff, and ensures funds set aside from program budgets are used to support parent activities.
  4. Assists in recruiting volunteer services from parents, community residents, and community organizations, and assists in the mobilization of community resources to meet identified needs.
  5. Establishes and maintains procedures for working with Maricopa County Head Start Zero-Five to resolve community complaints about the program.

**ARTICLE 3**  
**MEMBERSHIP AND DUTIES**

**SECTION 3.1 CATEGORIES OF MEMBERSHIP**

Categories of membership shall be Parents, Delegate Agency and Community Representative.

- A. Parents must be a parent of a child currently enrolled in Maricopa County's Head Start Zero-Five Program [parent is defined in accordance with Head Start Performance Standard 1306.3(h)]. Parents are elected to the Policy Council by the Parent Committees in accordance with the Policy Council Parent Representative Election Procedures.

In accordance with Head Start Performance Standard 1304.50(b)(6), no staff of the Head Start Zero-Five program or any member of their immediate family (wife, husband, brother, sister, son, daughter, mother, father or any of these like relationships created by marriage) may serve on the Policy Council except parents who occasionally substitute for regular Head Start Zero-Five Program staff.

- B. Delegate Agency members must be a member of the Delegate Agency's Policy Committee and elected to the Council by the Delegate Agency's Policy Committee.
- C. Community Representatives shall be drawn from the local community, such as businesses; public or private community, civic and professional organizations; or others who are familiar with resources and services for low-income children and families; or have a skill, talent or other asset that can benefit the Head Start Zero-Five Program.
1. Community Representatives may be parents of former Head Start children.
  2. The Board of Supervisors shall appoint a representative from among their members, or a representative from the community, to serve on its behalf as Designee to the Policy Council.
  3. Community Representatives, except the Board of Supervisors' Designee, are selected in accordance with the Policy Council's Community Representative Selection Procedure.
  4. No person who was formerly employed by the Maricopa County Head Start Zero-Five Program within the last 12 months is eligible to serve as a Policy Council community representative, or as an alternate community representative except persons who occasionally substitute for regular Head Start Zero to Five Program staff.

**SECTION 3.1.1 COMPOSITION OF MEMBERSHIP**

- A. Parents  
Each Cluster in the Head Start Zero-Five Program shall have 3 representatives to the Policy Council, except Cluster 8, which shall have two representatives, with one representative each elected by the Adobe Mountain and Black Canyons Parent Committees. Parent Representatives are elected by the Parent Committees within each Cluster in accordance with the Policy Council's Parent Representative Election Procedure.
- B. Community Representatives  
A maximum of five (5) Community Representatives shall be seated on the Policy Council; of which one (1) shall be the Board of Supervisor's Designee and two (2) may be a formerly enrolled parent.

- C. Delegate Agency Representatives  
The Delegate Agency's, Policy Committee shall elect two (2) members to the Policy Council.

**SECTION 3.2 DUTIES**

- A. All Policy Council members shall:
- Read the agenda and review materials prior to the meeting.
  - Attend meetings regularly and arrive on time.
  - Actively participate in the meetings.
  - Respect the rights of other members to express their opinions.
  - Consider all information and arguments before voting.
  - Debate the issues and not persons.
  - Accept and support any final decisions of the majority of the Policy Council.
- B. Parent Representatives shall:
- Discuss matters to be considered with other parents in their Parent Committee and provide written summaries of matters to be considered to other Parent Committees within in their Cluster.
  - Report back any action taken by the Policy Council to their Parent Committee and provide written summaries of Policy Council meetings to other Parent Committees in their Cluster.
- C. Delegate Agency Representatives shall:
- Discuss matters to be considered with their Policy Committee.
  - Report back any action taken by the Policy Council to their Policy Committee.
- D. Community Representatives shall:
- Keep the organizations they represent and the general community informed regarding the Head Start /Early Head Start programs.
  - Mentor and guide new Parent Representatives on the Council.

**SECTION 3.3 TERM OF SERVICE**

The term of service of each Policy Council member shall be one year, from September through September. All members' terms end at the September meeting when the new members are seated. Policy Council members shall not serve more than three (3) one-year terms, regardless of the category of membership and whether such terms are served consecutively. Any member serving six (6) or more months on the Council will be considered to have served one full year.

**SECTION 3.4 VACANCIES**

- A. A vacancy of a Parent Representative shall be filled in accordance with the Policy Council Parent Representative Election Procedure and this individual shall fill the balance of the unexpired term.
- B. When a Delegate Agency Representative vacancy occurs, the Delegate Agency Policy Committee shall elect a representative to serve the balance of the unexpired term.
- C. When a community representative vacancy occurs, the Policy Council may fill the vacancy for the unexpired term, in accordance with the Policy Council's Community

Representative Selection Procedure, provided the vacancy is other than the Board of Supervisors' Designee. If the vacancy is with the Board of Supervisors' Designee, the Board of Supervisors shall fill the vacancy for the unexpired term.

**ARTICLE 4  
OFFICERS**

**SECTION 4.1 OFFICERS**

The Policy Council Officers shall consist of a Chairperson, a Vice-Chairperson, a Secretary, a Treasurer and an Executive Committee Member at Large.

**SECTION 4.2 RECORDING SECRETARY**

The Head Start Director or designee shall serve as Recording Secretary and has no voting rights on the Council.

**SECTION 4.3 ELECTION OF OFFICERS**

- A. All Policy Council members are eligible to run for an office except Delegate Agency Representatives.
- B. Officers shall be elected at the October meeting of the Policy Council and shall serve a term of one year or until their successor has been designated.
- C. Officers shall be elected by ballot. If no candidate receives a majority vote on the first ballot, subsequent ballots will be taken including the top two (2) candidates (or more in case of ties) until one (1) candidate has received a majority vote.
- D. No two relatives may hold executive offices simultaneously.

**SECTION 4.4 DUTIES OF OFFICERS**

- A. The Chairperson shall:
  - Prepare an agenda with the Head Start Director or designated staff for each meeting.
  - Call the meeting to order and establish a quorum to conduct scheduled business.
  - Sign all documents as may be required for Policy Council operations.
  - Appoint committees with the concurrence of the Policy Council.
  - Serve as a non-voting member of all committees except the Executive Committee, of which the Chairperson serves as a voting member.
  - Serve as a voting member of the Health Advisory Committee.
  - Set an example and conduct meetings in fairness, courtesy and under meeting rules.
  - Work closely with the Council members and Head Start Zero-Five staff in carrying out the functions of the Council.
  - Perform such other duties as the Policy Council may assign.
- B. The Vice-Chairperson shall:
  - Preside at meetings in the absence of the Chairperson.
  - Prepare a meeting agenda with the Head Start Director, in the absence of the Chairperson.
  - Assist the Chairperson, as requested.
  - Work closely with the Council members and Head Start Zero-Five Program staff.
  - Perform such other duties as the Policy Council may assign.
- C. The Secretary shall:

- Conduct roll call.
- Work closely with Council members and Head Start Zero-Five Program staff.
  
- D. The Treasurer shall:
  - Serve on the Program Design and Management Committee.
  - Review all parent expense financial records.
  - Present monthly finance reports to the Policy Council.
  - Work closely with the Council members and Head Start Zero-Five staff.
  
- E. The Executive Committee Member-at-Large shall:
  - Attend and vote at Executive Meetings.
  - Work closely with Policy Council members and Head Start Zero-Five staff.

**SECTION 4.5 VACANCIES**

If an officer's position becomes vacant, an election shall be held to fill the vacancy and the person elected shall complete the balance of the unexpired term.

**ARTICLE 5  
MEETINGS**

**SECTION 5.1 TYPES OF MEETINGS**

- A. Regular meetings of the Policy Council shall be held on the last Friday of every month.
  
- B. Special meetings may be called by the Chairperson upon request of 25% of the members and notification is provided to the Head Start Director or upon the request of the Head Start Director with approval of the Chairperson. Special meetings of the Policy Council are convened only to consider individual action items specified in the call of the meeting.
  
- C. Meetings shall be held at the Eastside Operations Facility unless the Council chooses an alternate location.

**SECTION 5.2 MEETING NOTICES**

The Head Start Director shall send all notices for Policy Council meetings.

Official notices of regular meetings shall be mailed to each member at least five (5) calendar days prior to the date of each meeting. Notices shall include the agenda for the meeting and information about major items on the agenda.

Notice of a special meeting shall include the purpose, agenda and related information, and shall be given to each Policy Council member a minimum of forty-eight (48) hours prior to the date of the meeting.

A public notice stating time and place of all meetings shall be posted at the Maricopa County Human Services Department office. All meetings shall be in compliance with the Open Meeting Law (ARS 38-431).

**SECTION 5.3 QUORUM AND VOTING**

- A. The quorum for a meeting of the Policy Council shall be 51% of the seated membership and the Recording Secretary.
  
- B. A majority vote of those representatives present and voting shall decide any matter, except when these Bylaws require otherwise.

- C. Each representative shall have one (1) vote.
- D. Voting may be done via conference call/speaker phone. All Council members must have access to the conference call and be able to hear the vote(s). There shall be no voting by proxy.

**SECTION 5.4 ATTENDANCE**

All Council members are expected to attend monthly Policy Council meetings. If a Parent Representative cannot attend, they must contact their alternate at least forty-eight (48) hours prior to the meeting. If a Community Representative is unable to attend a meeting s/he may send a representative of the agency to the Policy Council meeting as a voting alternate. If neither a member nor the member's alternate can attend, the member is expected to call the Recording Secretary before the meeting is held. Members who have two consecutive absences may be removed by the Policy Council (the Board of Supervisors' Designee is exempt from this provision to remove members based on absences).

**SECTION 5.5 REIMBURSEMENT OF POLICY COUNCIL MEMBERS**

Reimbursement of reasonable parent expenses will be provided in accordance with the Policy Council's Reimbursement Policy.

**ARTICLE 6  
EXECUTIVE COMMITTEE**

The Executive Committee shall consist of the Chairperson, Vice-Chairperson, Secretary, Treasurer and one Member-at-Large elected from the Policy Council. The Chairperson may appoint any other support position necessary with the Policy Council's approval.

The purpose of the Executive Committee is to:

- Review and develop recommendations to the Policy Council on staff terminations.
- Nominate Community Representatives to the Policy Council in accordance with the Community Representative Selection Procedure.

**ARTICLE 7  
COMMITTEES**

**SECTION 7.1 GENERAL PROVISIONS**

- A. No standing committee shall conduct any business unless a quorum is present. A quorum shall consist of three (3) members for standing committees.
- B. The Chairperson, with Policy Council approval, shall appoint such committees as are necessary for assisting the Policy Council in carrying out its responsibilities.
- C. The Head Start Director or designee shall assist all committees.
- D. No committee meetings will be scheduled at the same time as Policy Council. Any committee scheduled at the same time as Policy Council will be considered an illegal meeting with all actions void.
- E. The term of appointment for all committees shall expire at the end of every Policy Council term.

**SECTION 7.2 STANDING COMMITTEES**

- A. The standing committees shall be:
- Program Design and Management Committee.
  - Child Development and Health Services Committee.
  - Family and Community Partnerships Committee.
  - New Hire Committee.
- B. Standing committees, except the New Hire Committee, will submit an annual calendar of meetings for approval by Policy Council no later than the December meeting.
- C. Each standing committee except the New Hire Committee shall consist of five (5) Policy Council members. Current members of Parent Committees may also serve on any standing committee. Standing committee members shall each have a full and equal voice in each standing committee meeting. Each standing committee shall elect its own Chairperson, who must be a member of the Policy Council.
- D. Standing committees discuss, review and develop recommendations that are presented to the Policy Council for approval.
- E. Committees may conduct formal votes when developing recommendations for Policy Council approval, or act upon unanimous consent.
- F. The Committee chairperson shall report to the Policy Council. In the absence of the chairperson, another committee member or staff liaison may make the report.

**SECTION 7.3 PROGRAM DESIGN AND MANAGEMENT STANDING COMMITTEE**

The purpose of the Program Design and Management Committee is to work with program planning, communication, record-keeping, reporting, and program self-assessment and monitoring to assure that Maricopa County Head Start effectively integrates the various functions of Head Start and provides high quality services to children and families. This committee reviews and develops recommendations for approval to the Policy Council on the following items:

- Finance and Budget, including a review of monthly financial reports for the program.
- Grant Planning and Evaluation.
- Monitoring/Self-Assessment Plans.
- Human Resources Policies.
- Bylaws.
- Training and Technical Assistance Plans.

**SECTION 7.4 CHILD DEVELOPMENT AND HEALTH SERVICES STANDING COMMITTEE**

The purpose of the Child Development and Health Services Committee is to review the status of child development and health program services, review information from the Health Services Advisory Committee, and discuss and develop recommendations for Policy Council approval on the following:

- Policies and procedures related to Child Development and Health.
- Curriculum and Education Plans.
- Disabilities and Mental Health Plans.
- Nutrition Plan.
- Develop strategies for advocacy in the areas of early childhood education, disabilities and mental health, and nutrition and health and services.

- Review the status of service delivery in the areas of health, nutrition, mental health and disabilities.

**SECTION 7.5 FAMILY AND COMMUNITY PARTNERSHIPS STANDING COMMITTEE**

The purpose of the Family and Community Partnerships Committee is to review the status of family and community partnership and parent involvement services, and discuss and develop recommendations for Policy Council approval on the following:

- Policies and procedures related to Family and Community Partnerships and Parent Involvement.
- Program selection and screening criteria.
- Recruitment Plan.
- Volunteer Program Utilization Plan.
- Develop strategies for advocacy in the areas of Family and Community Partnerships and Parent Involvement.
- Identify and recommend community partnerships and collaborations in order to provide the highest level of services to children and families.
- Review the status of service delivery in the areas of family and community partnerships.

**SECTION 7.6 NEW HIRE STANDING COMMITTEE**

- A. The New Hire Committee is responsible for participating in interviews of candidates for hire and making recommendations to the Policy Council on approving new staff hires.
- B. The New Hire Committee shall consist of five (5) Policy Council members, of which a minimum of three (3) must be Parent Members.
- C. The Committee shall elect its chairperson.
- D. The New Hire Committee shall meet as a whole committee at least once per year, and this meeting shall take place within 30 days after the committee is created, to receive training on interviewing candidates for hire.
- E. New Hire Committee members shall participate in interviews for new staff hires in accordance with the Policy Council's New Hire Procedure.

**ARTICLE 8**

**DISCIPLINARY ACTION**

- A. Policy Council members may be disciplined by the Policy Council for inappropriate actions. Inappropriate actions shall include, but are not limited to the following:
- B.
  - 1. Personal misconduct at Policy Council meetings or when representing the Policy Council, such as use of vulgar language, abusive and confrontational behavior, or other discourteous behavior.
  - 2. Presenting false information verbally or in writing.
  - 3. Physical altercations, display of firearms or other dangerous weapons such as knives or chains.
  - 4. Lewd and/or illegal behavior.
  - 5. Violations of confidentiality.
  - 6. Inciting conflict or hostilities.
  - 7. Bringing false accusations to the Policy Council or any of its committees.

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8. Slanderous or libelous remarks against Policy Council members, Maricopa County, the Board of Supervisors or Head Start Zero-Five Program staff.
  9. Written correspondence sent without Policy Council approval.
  10. A member who claims to speak on behalf of the Council to the media, funding sources, or other entities without Policy Council approval.
  11. Conduct reflecting negatively on the Policy Council or the Head Start Zero-Five Program.
- B. Any Policy Council member or the Head Start Director may file a complaint about another Policy Council member by submitting a written statement to the Policy Council Chairperson within 30 calendar days of the occurrence of alleged inappropriate action. This statement must describe in detail the alleged inappropriate action. If the statement is submitted by a Policy Council member, a copy of the written statement shall also be provided to the Head Start Director, in which case the Head Start Director shall submit written acknowledgement of the complaint within seven calendar days.
- C. The Policy Council Chairperson shall provide written notice of the complaint to the Council member in question within seven calendar days and provide the member with two weeks to discuss the complaint with the Policy Council Chairperson and Head Start Director before a recommended resolution is made.
- D. The Policy Council Chairperson and Head Start Director shall conduct an investigation of the complaint, which shall be completed within thirty days of the receipt of the complaint.
- E. The Chairperson and Head Start Director shall announce the outcome of their investigation and recommendation of disciplinary action, if so warranted, at the next Policy Council meeting after the conclusion of the investigation. The options may include:
1. The allegation(s) is found to be invalid.
  2. There is no need for corrective action.
  3. Recommend that the parties involved discuss the issues and work toward a resolution.
  4. Provide a written recommendation leading to improvement or resolution of the problem identified in the written statement.
  5. Suspend the Council member's voting rights for up to sixty (60) days.
  6. Terminate membership on the Council.
  7. The Policy Council member may speak to the Council regarding the recommended action.
  8. The Policy Council must approve action to suspend a member's voting rights or terminate membership on the Council.
  9. If the complaint is about the Policy Council Chairperson, the Chairperson shall excuse him or herself from the investigation and the Vice-Chairperson shall handle the investigation with the Head Start Director.

**ARTICLE 9  
BYLAW AMENDMENTS**

These Bylaws may be amended by a two-thirds (2/3) vote at any meeting of the Policy Council upon the condition that written notice of the proposed changes are given to the membership postmarked at least seven (7) days prior to any meeting at which an amendment of these Bylaws is to be considered.

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**ARTICLE 10  
PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall be the Parliamentary Authority for all matters of procedure not specifically covered by these By-laws or any special rules of order this organization may adopt.

**IGA WITH THE TOWN OF GUADALUPE FOR OPERATION OF THE COMMUNITY ACTION PROGRAM**

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

**IGA WITH CHANDLER UNIFIED SCHOOL DISTRICT**

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

**LEASE WITH THE CITY OF SCOTTSDALE**

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

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which represents the County's share of operating expenses. This full service lease contains a sixty-day termination clause without penalties. (C2208094000)

**SUBSTITUTE TEACHER AND TEACHER'S AIDE SERVICES**

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

**RESCIND PREVIOUS BOARD ACTION – CONSTRUCTION MANAGER AT RISK CONTRACT**

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

**ACCEPT HERITAGE FUND GRANT AWARD**

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

**ANIMAL CONTROL FIELD SERVICES**

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

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- 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)

**KENNEL PERMITS RENEWALS**

Pursuant to A.R.S. §11-1009, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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. (Supervisorial District 4) (C7907124C00) (ADM2304)
- b. Judy O'Connell, d.b.a. O'Connell Kennels, 11005 E. Vallejos Street, Chandler, AZ. Permit renewal #396. (Supervisorial District 1) (C7907125C00) (ADM2304)

**DONATIONS**

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

Also 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)

**FUND TRANSFERS; WARRANTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, 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.

**AMENDMENT TO IGA WITH THE BUCKEYE VALLEY RURAL FIRE DISTRICT**

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

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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)

Supervisor Wilcox said this item has long been a rather controversial issue and has finally been resolved. It was originally designated as a park but the land was never formally transferred. She indicated that Rainbow Valley will benefit greatly from this action and the Buckeye Fire District is planning to do many good things there that will benefit the area.

#### **INCREASE OF REVENUE AND EXPENDITURE APPROPRIATION**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following 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)

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

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

Also, 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

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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)

### **LICENSE AGREEMENT FOR PARKING SPACES**

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

[Clerk's Note: Not part of the minutes. An Administrative Correction was subsequently approved on September 5, 2007 under C1807043C01 to correct the action termination date stated as July 30, 2008 to June 30, 2008 as stated in the signed agreement.]

### **SOLICITATION SERIALS**

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

- o 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

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- 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:**

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

**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

**TRANSFER OF EXPENDITURE AUTHORITY**

Pursuant to A.R.S. Section 42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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

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\$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)

**ADMINISTRATIVE CORRECTION – ADJUST FISCAL YEAR REVENUE & EXPENDITURE APPROPRIATIONS**

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

Also 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)

**ADMINISTRATIVE CORRECTION – ADJUST FISCAL YEAR REVENUE & EXPENDITURE APPROPRIATIONS**

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

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 \$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 approved as the official file for US EPA Grant A-00905206-0 as C8506007302. (C8507004000) (C8506007302)

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**FUND TRANSFER TO RECONCILE EXPENDITURE TRANSACTIONS**

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

**RETURN OF FUNDS TO MAG AND AZ DEPARTMENT OF ENVIRONMENTAL QUALITY**

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

Also 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.

Also 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)

**ACCEPT EMERGENCY MANAGEMENT PERFORMANCE GRANT TO SUPPORT EMERGENCY PLANNING EFFORTS**

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

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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)

**AMENDMENT TO LEASE FOR OFFICE SPACE**

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

**CONTINUATION OF MODULAR FURNITURE ASSETS INVENTORY MANAGEMENT SYSTEM POLICY**

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

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

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

**CONTRACT WITH SWAN ARCHITECTS, INC. OF PHOENIX**

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

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**CONSTRUCTION MANAGER AT RISK CONTRACT WITH LAYTON INTERIOR SPECIALISTS OF ARIZONA**

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

**CONTRACT WITH GOULD EVANS FOR COURT TOWER PROJECT**

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

**SETTLEMENT – W.E. O’NEIL**

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

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

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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)

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

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, 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 (ADM2007)

- TT256.004 (JPM) Project No: TT256 – Northern Ave. @ El Mirage Rd. – Letter Agreement for a Temporary Ingress and Egress Permit - Parcel No.: 501-46-003K – JIA Corporation - for the sum of \$100.00.
- TT256 n/a (JPM) Project No: TT256 – Northern Ave. @ El Mirage Rd. – Letter Agreement for a Temporary Ingress and Egress Permit - Parcel No.: 501-54-008Y – Mr. Carl Vasey - for the sum of \$100.00.
- TT256 n/a (JPM) Project No: TT256 – Northern Ave. @ El Mirage Rd. – Letter Agreement for a Temporary Ingress and Egress Permit - Parcel No.: 501-54-013A – Ms. Frieda Mason - for the sum of \$100.00.
- TT265.001 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-279 – Urias, Johnnie K. - for the sum of \$100.00.
- TT265.004 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-258-A – Estrada, Karen S. - for the sum of \$100.00.
- TT265.008 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-262 – Corral, Donaciano/Eva. - for the sum of \$100.00.
- TT265.011 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-264-A – Riggs, Jo Anna M/Andrew Jackson. - for the sum of \$100.00.
- TT265.012 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-293 – Madrid, Richard B Jr/Rebecca L. - for the sum of \$100.00.
- TT265.013 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-265 – Riggs, Andrew J/Jo Anna. - for the sum of \$100.00.
- TT265.015 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-266 – Pando, Martin. - for the sum of \$100.00.
- TT265.017 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-267 – Sandoval, Jesus Jr/Sadie R. - for the sum of \$100.00.

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- TT265.018 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-245 – Fremont, Rock R & Mary A - for the sum of \$100.00.
- TT265.019 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-268 – Looper, Danny Ray/Gillen Brenda - for the sum of \$100.00.
- TT265.020 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-366 – Zamora, Alma/Bautista. - for the sum of \$100.00.
- TT265.021 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-439 – Silva, Arthur & Ester - for the sum of \$100.00.
- TT265.022 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-437 – Elliott, Terry/Deborah - for the sum of \$100.00.
- TT265.023 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-427 – Zack, Elsie M/Farr Roy L/Roberta - for the sum of \$100.00.
- TT265.024 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-408 – Whisler, Reida E ETAL. - for the sum of \$100.00.
- TT265.026 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-391 – Florez, Ann M - for the sum of \$100.00.
- TT265.029 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-362 – Barnett, Bill L/Betty A - for the sum of \$100.00.
- TT265.031 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-413 – Gorbach, Bambi L - for the sum of \$100.00.
- TT265.032 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-380 – Heirs of Mitchell, Joseph & Samuel F/Looper R L - for the sum of \$100.00.
- TT265.033 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-412 – Rogers, Gary James & Jennie C - for the sum of \$100.00.
- TT265.034 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-411 – Sorensen, Linda - for the sum of

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\$100.00.

- TT265.035 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-406 – Gardner, Eugene F/Thompson Bonnie R Co TR - for the sum of \$100.00.
- TT265.038 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-370 – Gutierrez, Julieanne - for the sum of \$100.00.
- TT265.039 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-425 – Navarro, Margie/Salazar, Andrew - for the sum of \$100.00.
- TT265.040 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-372 – Estrella, Josefina - for the sum of \$100.00.
- TT265.041 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-371 – Acosta, Pedro T/Ruth S TR - for the sum of \$100.00.
- TT265.042 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-426 – Santana, Eduardo - for the sum of \$100.00.
- TT265.043 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-277 – Poole, Erika Emilie - for the sum of \$100.00.
- TT265.044 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-242 – Strawn, Elton E/Joanne Faye. - for the sum of \$100.00.
- TT265.045 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-243 – Zeamer, Fredrick D/Linda Lee - for the sum of \$100.00.
- TT265.046 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 105-69-416 – Richmond, Linda M/Banta Gary W. - for the sum of \$100.00.
- TT265.049 (DLK) Project No: TT265 – 43<sup>rd</sup> Ave Dust Abatement – Letter Agreement for a Temporary Construction Easement - Parcel No.: 104-76-005J – McDonald, Clyde E/Sonya O TR - for the sum of \$100.00.
- DD-10721 (GL) Project No: TT011 – Northern Ave – Roadway Dedication – Warranty Deed, Parcel No.: 501-04-009-F– White Tanks Storage, Inc. - for the sum of \$10.00.
- DD-10721 Project No: TT011- Northern Ave – Roadway Dedication - Purchase Agreement and

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(GL) Escrow Instructions - Parcel No. 501-04-009F - White Tanks Storage, Inc.

**AMENDMENT TO IGA FOR BELL ROAD INCIDENT MANAGEMENT PROGRAM**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to 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. (C6406258001)

Blue Crowley, citizen, requested that more bus stops be placed along Bell Road to decrease incidents and help air quality.

**AMENDMENT TO AGREEMENT FOR PAVEMENT DESIGN RESEARCH**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to 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. (C6407161201)

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

Pursuant to A.R.S. §42-17106 (B), motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to 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:

<b>Project Number</b>	<b>Name</b>	<b>Capital Budget</b>
T002	Project Reserves Account	\$3,655,000
T006	Unallocated Force Account	\$812,500
T102	Williams Field Road at Higley Road	\$525,000
T112	MC 85: 107th 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:

<b>Project Number</b>	<b>Name</b>	<b>Capital Budget</b>
T001	TIP Development	\$230,000
T011	ROW In-Fill/ Roadway Inventory System	\$200,000
T025	Bell Road: SR303 – L101 ITS Imp	\$30,000
T028	PM 10 Program	\$125,000

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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 Rd	\$1,425,000
T083	MC 85: Cotton Lane – Estrella Parkway	\$175,000
T087	Queen Creek Road: AZ Ave – McQueen Rd	\$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 Roed 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)

Blue Crowley, citizen, requested these roads be done to a full footprint with transit line installed.

**REIMBURSEMENT TO ROOSEVELT IRRIGATION DISTRICT FOR ENGINEERING AND DESIGN SERVICES**

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

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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. (C6407236100) (ADM2000-006)

**APPLICATION FOR ASSIGNMENT IN A RIGHT OF WAY EASEMENT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to 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. (C6407241000) (ADM5002)

**INTERSTATE 8 AND INTERSTATE 10 HIDDEN VALLEY ROADWAY FRAMEWORK STUDY**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to 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. (C6407250200)

Blue Crowley, citizen, said this highway is CAN-A-MEX and he wants the public to be aware that this is a trade route from Mexico to Canada and it will involve air quality and other parts of the equation addressed properly, he does not believe that it should be going through the metroplex.

**CHANGE IN NEW RIVER TRANSFER STATION ACREAGE USAGE**

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

Also 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. (C6407251100) (ADM2075)

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**RESOLUTION  
NO. MCDOT07-251**

**APPROVING A CHANGE IN USE OF UNIMPROVED LAND AT THE NEW RIVER  
TRANSFER STATION TO BE USED AS MARICOPA COUNTY DEPARTMENT OF  
TRANSPORTATION'S NORTHEAST MAINTENANCE FACILITY**

**Whereas**, on January 25, 1999, Maricopa County, a political subdivision of the State of Arizona, received a land patent from the United States of America, pursuant to the Recreation and Public Purposes Act of June 14, 1926, as amended, 43 U.S.C. 869, on a 60 acre parcel of land for use as a solid waste disposal site and related purposes.

**Whereas**, this site is located in Township 6 North, Range 2 East of Section 17, Northeast quarter of the southwest quarter, east one-half of the northwest quarter of the southwest quarter of the Gila and Salt River Base and Meridian, Maricopa County, Arizona (T. 6 N., R. 2 E., sec. 17, NE1/4SW1/4, E1/2NW1/4SW1/4 GSRB&M)

**Whereas**, Maricopa County Department of Transportation desires to utilize 8 acres in the northwest corner of the 60 acre parcel for its Northeast Maintenance Facility. (legal description below). This facility is needed to better serve the ever increasing traveling public in the northern portion of Maricopa County.

**NOW, THEREFORE, BE IT RESOLVED** by the Maricopa County Board of Supervisors as follows:

1. That this change in use of the property for public purposes be approved by the Bureau of Land Management on behalf of the United States of America.
2. That the updated division of land is approved as reflected in Exhibit A below
3. That there is no additional cost to the County for the transfer of property as outlined within this resolution,

**DATED** this 20<sup>th</sup> day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**Exhibit "A" Legal Description, MCDOT 07-251**

A portion of the Southwest quarter of Section 17, T6N, R2E of the G&SRB&M, Maricopa County, Arizona; Said portion is described as Parcel 2 in the Record of Survey, recorded as Book 866 of Maps, Page 1, Maricopa County Recorder and is described as follows:

The North 348.48 feet of the Northeast quarter of the Northwest quarter of the Southwest quarter of said Section 17 and the West 342.99 feet of the North 348.48 feet of the Northeast quarter of the Southwest quarter of said Section 17, containing 8.000 acres, more or less.

**AMENDMENT TO THE CURRENT FY2007-2011 FIVE-YEAR TIP**

Pursuant to A.R.S. §42-17106 (B), motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to 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:

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

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

<b>Project</b>	<b>Project Name</b>	<b>Capital Budget</b>
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)

**REIMBURSEMENT TO SOUTHWEST GAS CORPORATION FOR ENGINEERING SERVICES AND CONSTRUCTION**

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

**REIMBURSEMENT TO APS FOR INSTALLATION STREETLIGHTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to 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%. (C6407260M00) (ADM2000-006)

**NEW TRAFFIC CONTROLS**

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

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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. (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. (C6407252000) (F23223)
- c. **222nd Street from Pecos Road to Williams Field Road** – A 35 MPH Speed Limit Zone. (C6407253000) (F23223)
- d. **Williams Field Road from 222nd Street to Mountain Road** – A 45 MPH Speed Limit Zone. (C6407253000) (F23223)
- e. **Williams Field Road from Mountain Rd to Meridian Road** – A 35 MPH Speed Limit Zone. (C6407253000) (F23223)
- f. **111th Avenue from Thunderbird Boulevard to Cameo Drive** – A 30 MPH Speed Limit Zone. (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. (C6407255000) (F23223)
- h. **176th Avenue at Pima Street for Northbound traffic** – A one way stop. (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. (C6407257000) (F23223)
- j. **53rd Avenue southbound at Olney Avenue** – One Way Stop. (C6407257000) (F23223)

**APPOINTMENTS/RESIGNATIONS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following:

- 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)

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- 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)

**INDUSTRIAL DEVELOPMENT AUTHORITY – TIMBERLAKE APARTMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to adopt a Resolution approving the following captioned resolution. 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)

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, CONSENTING TO AND AUTHORIZING THE TRANSFER OF A MULTIFAMILY APARTMENT PROJECT KNOWN AS TIMBERLAKE APARTMENTS, AND ANY ACTIONS NECESSARY IN CONNECTION WITH SUCH TRANSFER (THE “TRANSFER”); CONSENTING TO AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ASSUMPTION AGREEMENT AND ANY RELATED DOCUMENTS, IF REQUIRED; GRANTING APPROVAL FOR THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA OF ITS MULTIFAMILY HOUSING REVENUE BONDS (TIMBERLAKE APARTMENTS PROJECT) SERIES 2007 (THE “BONDS”), IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT IN EXCESS OF \$18,000,000; AND RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN IN CONNECTION THEREWITH**

**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)

No vouchers/warrants were presented for approval or ratification for this meeting. No update was given by the staff.

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**HEARING SET – COURT-RELATED FEES AND FINES**

Pursuant to A.R.S. §11-251.08, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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)

**HEARING SET – FEE SCHEDULE FOR PUBLIC HEALTH ADULT IMMUNIZATIONS FOR FOREIGN TRAVEL**

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

**AGENDA MANAGEMENT SYSTEM**

Pursuant to A.R.S. § 42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Office of Management and Budget to transfer \$939,549 from Appropriated Fund Balance (480) General Fund (100) Reserved Contingency Items (4811) line item "Technology Reserve" to an existing line item in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) entitled "Clerk of the Board – Agenda System".

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

Approval of this item includes the addition of two Full Time Employees to support the ongoing maintenance of this program. In addition, approval of this action provides the financial structure for the procurement, related infrastructure, implementation and on-going maintenance of this program providing enhanced functionality for the Board of Supervisors, all County users, and the public. These adjustments will result in a FY 2007-08 county wide net impact of zero. (S-1) (C0607109800) (ADM725)

**EXTEND RECEIPT OF GRANT FUNDS FROM OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE ABATEMENT**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment Number 1 to extend the receipt of grant funds from the Oversight Council on Driving or Operating Under the Influence Abatement. Grant funds in the amount of \$93,712, are to be used exclusively for reimbursement of expenditures related to the prosecution, prevention, and abatement of driving or operating under the influence occurrences. This grant agreement originally commenced on July 1, 2006 and was to terminate on June 30, 2007. Approval of this amendment will extend the termination date to September 30, 2007, and will authorize up to \$35,000 of the original amount to be expended in FY 2007-08.

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Also, approve expenditure appropriation adjustments to the County Attorney's Office (190) Grants Fund (219) associated with the aforementioned grant in an amount of \$35,000 for FY 2007-08, which will be authorized after the FY 2007-08 budget is adopted. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (S-2) (C1907004301)

**GRANT APPLICATION FOR ELECTION ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Elections department to submit application for grant funding as described on the application for the State Subgrants for Health and Human Services (HHS), Election Assistance for Individuals with Disabilities (EAID) Program administered by the Secretary of State, and authorize the Chairman to approve receipt of any and all such funds awarded. The funding will support the department's Help America Vote Act of 2002. The grant will provide funding to purchase ramps, ADA stickers, signature guides, and Deaf Link supplies. The total amount of funds requested is \$50,000, and no matching dollars are required. The department's indirect cost rate of 23.91% is unrecoverable.

Also, authorize a revenue and expenditure appropriation increase in the amount of \$50,000 in FY 2006-07 to the Election Department Grant Fund (248). Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget request does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (S-3) (C2107011000)

**TRANSFER OF REVENUE AND EXPENDITURE AUTHORITY**

Pursuant to A.R.S. §42-17106B, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a transfer of revenue and expenditure authority in the amount of \$37,000 between the General Government (470) General Government Grants Fund (249) and the Superintendent of Schools (370) School Communication Fund (782). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) General Government Grants Fund (249) by \$37,000 and increasing the FY 2006-07 Superintendent of Schools (370) School Communication Fund (782) by \$37,000. These adjustments will result in a county wide net financial impact of zero. The School Communication Fund (782) is used to charge the school districts for the connectivity associated with the Vision Software. School districts are charged their applicable cost on a reimbursement basis. The fund accounts for the management of centralized billings paid by the Superintendent of Schools for multiple school districts. This is the first year that the School Communication Fund has been included in the Maricopa County budget. The amount of the utility bills that would be paid on behalf of the school districts was underestimated by the department staff. The department has collected sufficient revenue to offset the requested increase in expenditures. (S-4) (C3707018000) (ADM3800-003)

**ARIZONA FAMILY COUNSELING PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize, by Resolution, participation in the State of Arizona Family Counseling Program for FY 2007-08, administered by the Juvenile Court pursuant to A.R.S. §8-261 through §8-265 for the purpose of

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strengthening family relationships and prevention of juvenile delinquency. Also authorize \$91,270 of (budgeted) matching General Funds for FY 2007-08. (S-5) (C2707021300) (ADM1400)

**ARIZONA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS  
JUVENILE JUSTICE SERVICES DIVISION**

**FAMILY COUNSELING RESOLUTION**

The Maricopa County Board of Supervisors hereby elects to have the county participate in the Family Counseling Program as provided for in A.R.S. Section § 8-261 through § 8-265 for fiscal year 2007-2008.

The Board of Supervisors resolves that \$91,270 in matching funds will be provided by this county's Board of Supervisors for Maricopa County, Arizona.

**DATED** this 20<sup>th</sup> day of June 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**TRANSFER OF EXPENDITURE AUTHORITY**

Pursuant to A.R.S. §42-17106, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the transfer of expenditure authority in an amount not-to-exceed \$2,750,000 from General Government (470) General Fund (100) Contingency (4711) "General Contingency" and an amount not-to-exceed \$1,589,754 from General Government (470) General Fund (100) Contingency (4711) "Justice Reserve" to the Office of Contract Counsel (560) General Fund (100) at the end of Fiscal Year 2006-07 to cover increased Capital case representation costs, increased legal costs for other Indigent Representation Activities, and costs associated with the Attorney Loan Repayment Program. The transfers will only be used if, following the transfer of any year-end General Fund savings from the Offices of the Public Defender (520), Legal Defender (540) and Legal Advocate (550) to the Office of Contract Counsel by the County Manager, the Office of Contract Counsel is unable to cover remaining General Fund expenditures within its current appropriation. (S-6). (C5607002800) (ADM530-001)

**SETTLEMENT**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the proposed settlement between Maricopa County and AHCCCS regarding encounter and timely filing sanctions imposed on the Maricopa Health Plan and Maricopa Long Term Care Plan and authorize the Chairman to sign the settlement upon review and approval by assigned legal counsel. This matter was discussed with the Board in Executive Session on June 18, 2007. (S-7) (C3907011800) (ADM409)

**AMENDMENT TO IGA FOR JUVENILE DETENTION CENTER EDUCATION PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 to the Intergovernmental Agreement (IGA) #28245 between Arizona Supreme Court through the Administrative Office of the Courts (AOC), the Maricopa County Board of Supervisors, the Maricopa County Regional School District No. 509 Receivership Board, and the

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Maricopa County Superior Court. This amendment allows the Administrative Office of the Courts to distribute funds to Maricopa County Regional School District No. 509 to be used for the Maricopa County Juvenile Detention Center Education Program. The allocation of funds for Maricopa County total \$315,933.98 for the FY 2006-07. An amendment to this intergovernmental agreement has been reached allowing the Administrative Office of the Courts to distribute these funds to Maricopa County Regional School District No. 509 to be used for the Maricopa County juvenile detention center education program, pursuant to A.R.S. §15-913(C). This amendment is effective upon Board approval. This matter was discussed in Executive Session on June 20, 2007. (S-8) (C0606067200) (C4907059200)

**AMEND PREVIOUS BOARD ACTION**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to amend the previous board action (C4907048800) taken on May 2, 2007 that approved an FY 2006-07 fund transfer of \$214,015,000 from the Appropriated Fund Balance (480) General Fund (100) to the Appropriated Fund Balance (480) General Fund County Improvement Fund (445) by adding the following language:

Pursuant to ARS 42-17106(B), decrease the FY 2006-07 Health Care Mandates (390) General Fund (100) expenditure appropriation by \$23,227,011. (S-9) (C4907048801)

**MINI-GRANT AGREEMENT FOR SAFE ROUTES TO SCHOOL**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Mini-Grant Agreement from the State and Territorial Injury Prevention Directors Association (STIPDA) to Maricopa County, through its Department of Public Health, for the Safe Routes to School Mini-Grant. The term of the agreement is from June 1, 2007 until May 31, 2008 in an amount not to exceed \$12,500. The Department of Public Health's indirect rate for FY07 is 18.1%. The grant allows for full indirect cost recovery; therefore, indirect costs are estimated at \$1,916 and are fully recoverable.

Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$1,042 for FY2007 and \$11,458 for FY2008. The appropriations adjustment is necessary because these funds were not included in the FY 2007 and FY2008 budgets. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (S-10) (C8607067003)

**IGA FOR WELL WOMAN HEALTHCHECK PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Intergovernmental Agreement (IGA)(HG761266) with the Arizona Department of Health Services (ADHS) and Maricopa County, through its Department of Public Health, to provide Well Woman Healthcheck Program services to uninsured or underinsured women for breast and cervical cancer screening and diagnostic services. The term is July 1, 2007 to June 30, 2008. The IGA does not specify a total dollar amount but provides for services in two line items for sub recipients to be authorized by Purchase Order. Based on prior year estimates, total costs are estimated at an amount not to exceed \$580,000.

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

Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$580,000. The appropriations adjustment is necessary because these funds were not included in the FY 2008 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (S-11) (C8608001300)

#### **AMENDMENTS TO CONTRACTS FOR WORKFORCE INVESTMENT ACT YOUTH SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the amendments to the following contracts for services to provide Workforce Investment Act (WIA) youth services and activities to northern area special population in-school and southeastern area in-school and out-of-school youth. These amendments are effective on July 1, 2007, and the contract will terminate on June 30, 2008. These contracts do not contain any county general funds. (S-2)

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

#### **ACCEPT DONATION FROM MR. MAX W. WILSON**

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the acceptance of a cash donation of \$40,000 from Mr. Max W. Wilson to Maricopa County for capital improvements at the Maricopa County Events Center. Also, approve an appropriation adjustment to Event Center Fund (375), increasing the FY 2006-07 revenue and expenditure budgets by \$40,000. (S-13) (C6207003M00) (ADM3450)

#### **SOLICITATION SERIALS**

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following solicitation serial item. The action on the following item is subject to Civil Division's review and approval of the respective contract and subsequent execution of contract. (S-14) (ADM3005)

##### **Award**

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

- Sire Technologies

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**OFFER OF JUDGMENT**

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve an Offer of Judgment in the amount of \$850,000 in the case of Ruth Holliday and Ernest Robichaud v. Arpaio, et al., Maricopa County Superior Court No. CV2006-017678 (Claim No.: AL5051031173 and AL5051031193). This matter was discussed with the Board in Executive Session on June 18, 2007. (S-15) (C7507032100) (ADM409)

**AUTHORIZE PAYMENT TO VENDOR FOR REPAIR OF WATER TANKER**

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve payment to vendor in the amount of \$129,007.35 concerning Maricopa County Risk Management Claim No. APD6432031065 and Claim No. APD6432031064. This matter was discussed with the Board in Executive Session on June 18, 2007. (S-16) (C7507035100) (ADM409)

**CONSENT AGREEMENT WITH PLAINTIFF ARIZONA ROCK PRODUCTS ASSOCIATION**

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the proposed Consent Agreement between Maricopa County and Plaintiff(s) Arizona Rock Products Association (ARPA), concerning Maricopa County Superior Court No. CV 2005-015595 and authorize the Chairman to sign the Consent Agreement and all necessary documents upon review and approval as to form by assigned legal counsel. This matter was discussed with the Board in Executive Session on June 18, 2007. (S-17) (C8507032M00) (ADM409)

**SETTLEMENT OF CLAIMS – AMERICAN HOME ASSURANCE COMPANY**

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the settlement of the claims of American Home Assurance Company against the County arising out of the construction of the Lower Buckeye Jail Central Services facility in the amount of \$1.85M and authorize the chairman to execute all documents necessary to effectuate the settlement. Contract number JE00-09, originally awarded to Joe E. Woods, was approved by the Board on October 4, 2000 as agenda item C-40-01-00-1-00. This matter was heard in executive session on June 18, 2007. (S-18) (C7007058800)

**REAPPOINTMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following reappointments to the Community Development Advisory Committee:

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

These members were appointed by their respective Supervisor to serve terms effective July 1, 2007 through June 30, 2008. (S-19) (C0607107900) (ADM1501-001)

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**TRANSFER OF FUNDS FOR SERIES OF COMMUNICATIONS**

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

Approval of this action provides one-time funding for a series of communications to test the effectiveness of a revamped web site communication strategy. These FY 2007-08 adjustments will result in a countywide net impact of zero. (S-20) (C2007106800) (ADM1625)

Motion carried by majority vote (3-2) with Supervisors Stapley, Wilcox and Brock voting "aye" and Supervisors Kunasek and Wilson voting "nay."

**PLANNING AND DEVELOPMENT HEARINGS**

No Planning and Development public hearings on zoning cases and other matters will be heard at the July 25, 2007 meeting. (S-21) (F23240)

**CONSENT AGENDA  
Clerk of the Board**

**ASRS CLAIMS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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. (ADM3309-001)

Bedrava, Linda	\$11,342.22
Johnson, Mona	\$25,293.29

**CANVASS OF ELECTIONS**

No canvasses of elections were submitted by special districts for this meeting.

**CLASSIFICATION CHANGES**

No classification changes were presented for approval at this meeting. (ADM723)

**DONATIONS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the donation reports received from county departments for May 2007. (ADM1810)

Sheriff's Office	Cash donation of \$1,071.34
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**DUPLICATE WARRANTS**

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and ratify as requested for duplicate warrants to be issued to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

**COUNTY**

<b>NAME</b>	<b>WARRANT</b>	<b>FUND</b>	<b>AMOUNT</b>
Todd Shamburg	270033428	Payroll	\$568.78
William Carrick	240002173	Payroll	\$342.88

**SCHOOLS**

<b>NAME</b>	<b>SCHOOL</b>	<b>WARRANT</b>	<b>AMOUNT</b>
Phyllis Roberts	Littleton Elem SD #65	470113931	\$34.02
Unisource Worldwide Inc.	Tolleson Elem SD #17	470105717	\$20,966.64
Jennifer Vander Veur	Alhambra SD #68	170103385	\$4,008.86
Victor Graeber	Wilson SD #7	170093772	\$92.35
Michelle Doherty	Osborn SD #8	8630876	\$62.43
Robert Johnston	Agua Fria Union High SD #216	470105406	\$300.00
Tools for Literacy	Phoenix Elem SD #1	470120803	\$2,400.00
Ludmila Sebastian	MC Regional SD #509	170106170	\$6,810.76
Jesus De Alatorre	Roosevelt SD #66	170102758	\$353.06
Justin Bogus	Tolleson Union High SD #214	170105138	\$668.58
AZ Federation of Teachers	Balsz SD #31	470123233	\$1,015.00

**GOVERNMENT PROPERTY LEASE TAX**

Pursuant to A.R.S. §42-11102, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to 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. 118-37-021P) taxed under the Government Property Lease Tax (GPLET) framework. ASRS occupies 23.46% of the building, which is exempt from taxation. (ADM303)

**PRECINCT COMMITTEEMEN**

No appointment and/or cancellation of appointment of Precinct Committeemen were submitted for approval at this meeting. (ADM1701)

**SECURED TAX ROLL CORRECTIONS**

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

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<b>YEAR</b>	<b>FROM</b>	<b>TO</b>	<b>AMOUNT</b>
2006	11867	11886	-\$74,087.30
2005	18818	18882	-\$9,808.38
2003	28079	28079	-\$745.04
2006	11890	11920	-\$180,367.60
2005	18885	18909	-\$144,963.26
2004	15754	15769	-\$161,506.32
2003	28080	28091	-\$130,850.86

**SETTLEMENT OF TAX CASES**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the settlement of tax cases dated June 20, 2007. (ADM704)

**2006**

TX2006-050015

**2007**

ST2006-000056

ST2006-000128

**STALE DATED WARRANTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, 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)

Source Infinity 1999 LLC

\$26,755.05

**TAX ABATEMENTS**

No tax abatements were received from the Treasurer's Office for approval at this meeting. (ADM708)

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

James R. Kirk, citizen, addressed the Board to ask their intervention in reopening the case file completed by the County Medical Examiner on his son's death. The Medical Examiner has denied his request to reopen the file on three occasions. The case file lists his son's death as accidental but he said his son was actually murdered in August 2006 and the medical examiner's conclusion of accidental drowning is wrong. He charged that the examiner ignored vital evidence and visible injuries on his son's body that indicated foul play was involved and it had not been an accidental drowning. He told the Board he was appealing their decision as a parent as well as a citizen of the County that vows to serve its citizens well. (ADM605)

Chairman Brock said the Board was unable to respond to public comment but assured Mr. Kirk that there would be follow-up inquiry on his appeal.

Blue Crowley, citizen, addressed his attendance at the Citizens Transportation Oversight Committee (CTOC) meeting the previous evening with regards to the Open Meeting Law and his previous complaint

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to the Attorney General on treatment he received in not being allowed to speak and being ushered out due to his attire. He said that the Attorney General directed CTOC that everyone be treated the same at a public meeting. Last night he said the public had been allowed to address the open meeting item and he had raised his hand to speak. Mr. Arnett told him he could not speak. Mr. Crowley said the reason he goes to those meetings is to address the fact that Plan 400 isn't working for the County as a whole and the vote needs to be carried out in a multi-modal sense because travel areas in the west and south are being ignored. He cited several park and ride areas that have been implemented but have less than 10 cars in them during business hours. He said this encumbers between \$700,000 and \$1 million per area on unused space when that money could have been used to provide shaded bus stops geared to protect the many citizens who travel by bus throughout the valley from the excessive summer heat. He felt that improved bus stops should be addressed valley-wide before building park and rides that are used by a small percentage of citizens.

### **SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

No Supervisor commented at this meeting. (ADM606)

### **PLANNING AND DEVELOPMENT**

#### **CODE ENFORCEMENT REVIEWS**

**Please note:** The following Code Enforcement Review is of a quasi-judicial nature. The Board will review the Hearing Officer's decision in the case to determine if sufficient evidence was presented to the Hearing Officer to support his decision, or whether a procedural error may have occurred. New evidence is not considered at these hearings.

David Smith left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, 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).

#### **CODE ENFORCEMENT REVIEW – 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. (ADM3417-050)

Darren Gerard said this violation was reported and opened in 2005 when junk trash and debris, and inoperable vehicles were found to be visible from the street and neighboring properties. Following notification procedures, the hearing officer heard the case on April 10, 2007, and assessed a \$300 fine payable immediately plus a per diem fine of \$30 until compliance was verified. He said the respondent was present at the hearing where he stated that he did not have the time or the money to correct these violations. The respondent did not state any errors found in the hearing officer's decision in his appeal. A property re-inspection was held June 13, 2007, and photos of the yard taken then were passed to the Board. Mr. Gerard explained that some changes had since been achieved but the site remains non-compliant. He added that additional photos were taken yesterday but they were not available today and the property was still not in compliance. The current total of the fines are \$2,430 as of this date and continue to accrue. Staff recommendation is to uphold the order of judgment and to include the accrual of fines until property is verified to be compliant.

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Motion was made by Supervisor Stapley and seconded by Supervisor Kunasek to uphold the Hearing Officer's Order of Judgment for Daniel Logue.

Darren Gerard noted that the respondent appeared to be present in the audience. Clerk of the Board Fran McCarroll told the Chairman that a speakers' form had not been filled out but Mr. Logue did appear to be present. Chairman Brock invited Mr. Logue to address the Board.

Mr. Logue said he had a bad back that made it difficult for him to do yard work. He asked that the \$30 per diem fine be reconsidered as it would be a hardship for him to pay it.

Supervisor Stapley said he could understand the difficulty but this problem should have been addressed a long time ago as the violation began in 2005. He asked Mr. Logue how much more time was needed to get his property cleaned up.

Mr. Logue said he considered it "more or less cleaned up" as of yesterday.

Supervisor Stapley said it wasn't fair to the property owners adjacent to Mr. Logue's property or to the community at large to have to continue to endure the mess as it was pictured in his yard. He suggested that paying the fine might be the only way to get Mr. Logue to address the clutter. He said this kind of litter is a violation of the Ordinance and complaints against him were made in writing and that is what had instigated the investigation and the resulting violation and fine.

Mr. Gerard said the photos taken yesterday showed the pile of weeds still in place and suggested Mr. Logue might consider that the front yard was cleaned up but not all of the things in the original complaint made referencing his yard had been addressed.

Supervisor Stapley told Mr. Logue, "We'll work with you to try to enable you to get the fine resolved."

Motion carried unanimously (5-0).

**PLANNING AND DEVELOPMENT ITEMS**

**CONSENT AGENDA:**

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.

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- 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

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval of the Special Use Permit with stipulations "a" through "i."

**CHAIRMAN'S PREROGATIVE**

Chairman Brock moved the following item, Z2006-086, forward at the request of Supervisor Stapley who has to leave the meeting shortly.

**REGULAR AGENDA:**

- 7. **Z2006-086**      **District 4** (Continued from 06-06-07)  
    **Applicant:**      Beus Gilbert, PLLC for Dycam Associates

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**Location:** North of Camelback Road and east of Dysart Road (in the west Glendale/Litchfield Park area)  
**Request:** Rezone from R1-10 PD and C-O PD to R-5 PD (approximately 11.1 acres) – Vinyards Tuscan Village

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

- a. Development of the site shall be in substantial conformance with the zoning exhibit entitled, “Site Plan for The Vineyards - Tuscan Village at Litchfield”, consisting of three (3) full size sheets, stamped received April 3, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in substantial conformance with the narrative report entitled, “Vineyards Tuscan Village at Litchfield Zone Change and Preliminary Condominium Plat Submittal Z2006086 and S2006046”, consisting of eight (8) pages, dated February 26, 2007, and stamped received April 3, 2007, except as modified by the following stipulations.
- c. Landscaping of the site shall be is in substantial conformance with the landscape plan entitled, “The Vineyards: Tuscan Village at Litchfield Preliminary Condominium Plat”, consisting of two (2) full size sheets, stamped received April 3, 2007, except as modified by the following stipulations.
- d. Building elevations shall be in general conformance with the elevations entitled, “Ord & Rodgers Homes Mesa Ridge Condos”, consisting of eight (8) 8-1/2” by 11” reductions, stamped received March 8, 2007.
- e. Within 30 days of approval of this case by the Board of Supervisors, the applicant shall submit a revised site plan and preliminary landscape plan that shows the following corrections:
  - 1) Emergency vehicular access onto Colter Street.
  - 2) The City of Glendale strip annexation across the southern end of the site.
  - 3) Buildings and units re-numbered in accordance with Maricopa County Addressing Regulations.
- f. No construction permits or final plats shall be approved on or for the subject property until an Inter-Governmental Agreement between the City of Glendale and Maricopa County is executed such to allow site development, final platting activity and the necessary construction permits to be processed through the County.
- g. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
  - 1) Ultimate improvements to perimeter roads with curb, gutter and sidewalk.
  - 2) Any landscaping in county right-of-way shall meet the provisions of Chapter 9 of the Roadway Design Manual.

- h. All interior streets within the proposed development are to be constructed to minimum County standards.
- i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- j. The applicant shall remit a quality of life assessment of \$596 per dwelling unit to be made available to the Maricopa County Library District. Prior to zoning clearance for any residential building to be located on the subject property, the applicant shall provide written evidence from the Library District indicating compliance with this stipulation.
- k. The master developer shall notify future homeowners that they are located within the state-defined "territory in the vicinity of a military airport" with the following language:

"You are buying a home or property in the 'vicinity of a military airport' as described by State of Arizona statute ARS §28-8481. Your residence should include sound attenuation measures as directed by State law. You will be subject to direct over flights and noise by Luke Air Force Base jet aircraft in the vicinity.

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

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

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

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

Such notification shall be recorded on all Final Plats, be permanently posted on not less than a 3 foot by 5 foot sign in front of all home sales offices, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, and be included in all covenants, conditions, and restrictions (CC&Rs) as well as the Public Report and conveyance documents.

- l. All habitable buildings constructed within this subdivision shall be constructed to attain a noise reduction level as per ARS § 28-8482(B).
- m. All trees shall be double-staked when installed.

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- 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.

Darren Gerard said this project does not conform with the White Tanks and Maricopa County General Plans and there is more than 90% of specified property owners in opposition to the project, enough to prompt a supermajority vote for approval. He added that the Planning Commission recommended approval with stipulations but staff recommends denial because the density is not compliant with the area plan. Supervisor Wilson verified that the Planning Commission had approved this rezoning by unanimous vote.

Citizens presenting forms in opposition to this case included Jimmy Duong, Oscar F. Borboa, Vilavanh Lalab, B. Deann Miller, Tierra Buena, Stacy Wyatt, Gilbert Benitez, Elaine Wood, Tierra Buena, Alan Wood, Tierra Buena. Those asking to speak in opposition to the case included Edward M. Sanchez, Sharon G. Jacobsen, Tierra Buena, Robert Nichols, Colier Commons/Tierra Buena HOA, James

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Minnicks, Tierra Buena, David B. Moore, Rudolf Lehman, Colter Commons, and Barbara Borders, Tierra Buena. No one registered to endorse the rezoning. Chairman Brock called the speakers forward and asked that they limit the timing of their remarks.

Edward Sanchez, citizen, expressed concerns about current traffic and the increased traffic on Camelback and other streets after completion of the housing project. He believes aggressive commercialized development and overall growth in the area prompts a new evaluation before future construction is approved.

Sharon Jacobsen, citizen, has lived in Tierra Buena for 31 years and noted the area growth and heavy increase in traffic on 4-lane roads that started out as two-lanes 31 years ago. She explained that in 1988 the area was rezoned and residents were comfortable with the results. She added that today's heavy traffic on Camelback and Dysart makes it difficult for residents to exit their property and she felt adding a new exit onto 129<sup>th</sup> Avenue would be too much of an overload. She suggested building a bridge over Camelback Avenue so 129<sup>th</sup> Avenue would not be so heavily impacted.

James Minnicks was called by the Chairman but did not come forward to speak.

David Moore, citizen, said he checked the zoning on the vacant adjacent property when buying his home and had approved of what that zoning indicated for future improvement. Instead, rezoning and high density housing was being introduced with this request. He said that each traffic study presented to corroborate claims had been based on inaccurate information and numbers of new homes. He charged that the same kinds of inaccuracies are portrayed by lot size studies. He said the new zoning is simply to allow increased profits to the developer and asked for the current zoning to be kept.

**~ Supervisor Stapley left the meeting and would not return ~**

Rudolf Lehman, citizen, was concerned about the lack of adequate parking in the new townhouse complex and feels many cars will be parking on streets outside the complex, causing a hazard. He bought his home, partially because of the zoning, and asked the Board to deny the application and keep the current zoning.

Barbara Borders, citizen, said the neighborhood is 100% satisfied with the current zoning and low density restrictions. She feels higher density will lower the property values and will also bring increased crime. She expressed concerns about traffic. She asked for the current zoning to be kept.

Robert Nichols, citizen, questioned the density change between 12 houses per acre and 2.5 houses per acre as being too drastic a change when they are located across the street from each other.

Paul Gilbert, representing the applicant, referenced the White Tanks Grand Avenue Plan that specifies a density of 2.5 houses per acre and said nothing in that whole area is in conformance with that plan or with that density. He said the planned town homes will be restricted by certain regulations and they must keep to those. They will all be 13,000 sq. feet or larger and all will have a two-car garage. He asserted that over 40% of the project is in landscaped open areas and this is a well-planned, quality development that will be an asset to the neighborhood. He reminded the Board that all agencies have approved the plan.

He said the applicants listened to and addressed many neighborhood complaints expressed in the two public meetings. They will restrict apartment rentals and said this is also precluded by the zoning ordinance. Another concern expressed was that these will be sold to first time homebuyers but he said these homes are priced at \$130,000 to \$135,000 and this is competitive with the neighborhood. He also

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noted that commercial properties could move into this area if the town homes are rejected and those would be less desirable to have “across the street” than these beautiful town homes. He added that their planned units are next to commercial entities now. He said they redesigned the project to address the traffic access to 129<sup>th</sup> Avenue, and added that they have proven this project will provide less traffic than if the site is developed commercially. He stated that the applicant has agreed to pay for installing a traffic light at 127<sup>th</sup> Avenue and Camelback, which would solve a major traffic problem in the neighborhood and added that other traffic lights are planned for the area. He said they are in agreement with all stipulations and asked for approval.

Discussion ensued on traffic problems, traffic lights and ingress and egress for the project. Paul Basha, project traffic engineer testified as to access, traffic signals, traffic peak times, and zoning restrictions.

Supervisor Kunasek asked when the light would be installed. Mr. Gilbert said they could agree to installing it prior to the completion of 25% of the units.

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and carried by a ¾ majority, roll call vote (4-0-1) with Supervisors Wilson, Kunasek, Wilcox and Brock voting “aye” and with Supervisor Stapley absent for the vote.

- 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.

Darren Gerard said this TA would revise the fee schedule to increase fees on regulatory documents. Approval is also recommended by staff.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to concur with the Planning Commission for approval of this Text Amendment.

**MARICOPA COUNTY ZONING ORDINANCE  
Chapter 16 – Fees**

**ARTICLE 1601.1. PURPOSE:** To consolidate in one location in the Ordinance all regulations relating to fees, fines and penalties. This Article establishes the amounts and types of fees, fines and penalties to be charged.

FEE TYPE	DESCRIPTION (per offense & conviction)	MINIMUM FEE	MINIMUM FEE
		BY USE SINGLE FAMILY	BY USE ALL OTHER USES
Civil Fines	Initial	\$100	\$300
	Initial Non-compliance	\$200	\$500
	Daily Non-compliance	\$20	\$30
	Recurrence	\$300	\$500
Criminal Fines		Class 2	Class 2
		MISDEMEANOR	MISDEMEANOR

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Investigation Fee	Charged when compliance achieved by administrative means	Amount equal to permit or application fee	Amount equal to permit or application fee
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**SECTION 1602. FEES**

ARTICLE 1602.1. FEES: \*3, \*4, \*5, \*6, \*8, \*7, \*\*\*9, \*\*\*\*10, \*\*\*\*11, \*\*12, \*13, \*15, \*16, \*23, \*24 \*25

**The following fees shall be charged with no provision for refund:**

<b>FEE TYPE</b>	<b>FEE</b>
Precise Plan of Development (after zone change) in existing PD or UPD overlay. Required for development in industrial zoning districts, C-S zoning district, non- residential hillside development and development within scenic corridors. Zoning Change <sup>*23</sup> with overlay	\$1,200 + \$100 per acre or portion there of Maximum Fee – \$50,000
Zone Change	\$3,000 + \$100 per acre or portion there of Maximum fee - \$50,000
Special Use Permit	\$1,200 + \$100 per acre or portion there of Maximum Fee - \$50,000
Special Use Permit for mobile home/manufactured home in rural zoning district	\$3,000 + \$100 per acre or portion there of Maximum fee - \$50,000
Text Amendments	\$250
Change to zoning case in process	\$1,000 per Section Maximum Fee - \$5,000
Comprehensive Plan Amendments, Development Master Plans and major Development Master Plan Amendments	\$100 for each occurrence in process \$2,000 + \$20 per acre or portion there of Maximum fee - \$100,000
Minor Comprehensive Plan and Development Master Plan amendments	\$1,500 + \$10 per acre or portion there of Maximum fee - \$30,000
Minor Amendments to approved site plans for Special Use Permits, Plans of Development, and Unit Plans of Development	\$750 + \$110 per acre or portion there of Maximum fee - \$5,000
Modification of Stipulation	\$500 per stipulation Minimum fee - \$1,000 Maximum fee - \$5,000
Major Amendments	Charged same as original application fee
Zoning Clearance	Residential - \$100 Commercial - \$250
Continuance of public hearing	\$250
An additional fee shall be charged for any continuance of a public hearing granted by the Commission at the request of a petitioner or petitioner's representative.	
Pre-application meeting fee	\$100

**Date of Revisions**

*3 Revised 1-3-72	*15 Revised 8-21-94
*4 Revised 3-22-76	*16 Added 11-6-95

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- |       |                                   |     |  |
|-------|-----------------------------------|-----|--|
| *5    | Revised 3-12-84, Effective 4-1-84 | *19 | Effective 5-15-98  |
| *6    | Revised 1-7-85                    | *20 | Effective 6-21-98  |
| *7    | Revised 4-1-85                    | *22 | Effective 9-17-99  |
| *8    | Revised 7-1-85                    | *23 | Effective 3-31-00  |
| ***9  | Renumbered 8-4-86                 | *24 | Deletion of Slight Refinements & revisions, effective 2-7-03 |
| ***10 | Renumbered 12-7-87                | *25 | Revised x-x-07   |
| ***11 | Renumbered 2-6-89                 |     |  |
| **12  | Renumbered 8-23-90                |     |  |
| *13   | Revised 8-1-91                    |     |  |

**SECTION 1603 FEES FOR APPEALS**

**ARTICLE 1603.1 APPEALS:**<sup>6</sup> The following fees shall be charged for the filing of an appeal concerning the interpretation or administration of this Ordinance with no provision for refund:

FEE TYPE	FEE
Appeal of Determination of Zoning Inspector	\$300

**Date of Revisions**

- |    |                 |    |                |
|----|-----------------|----|----------------|
| *2 | Revised 3-22-76 | *7 | Revised 8-1-91 |
| *6 | Added 4-1-84    |    |                |

**SECTION 1604 APPLICATION FEES FOR VARIANCE**

**ARTICLE 1604.1. APPLICATION FEES FOR VARIANCE:**<sup>8, 9</sup> The following fees shall be charged for the filing of an application for any Variance to the regulations of this Ordinance with no provision for refund:

FEE TYPE	FEE
Residential Variance	\$250 + \$50 for each additional request
Non-Residential Variance	\$750 + \$100 for each additional request
Blanket Variance	\$750 + \$100 for each additional request
Continuance of Public Hearing when requested by applicant prior to the hearing.	\$250

**Date of Revisions**

- |    |                 |    |                 |
|----|-----------------|----|-----------------|
| *8 | Revised 2-20-94 | *9 | Revised 8-21-94 |
|----|-----------------|----|-----------------|

**SECTION 1605 TEMPORARY USE PERMITS**

**ARTICLE 1605.1 USE PERMITS:** The following fees shall be charged with no provision for refund.

FEE TYPE	MIN FEE BY USE
Residential Temporary Use Permit	\$250
Non-residential Temporary Use Permit	\$750

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.

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to concur with the Planning Commission for approval of this Text Amendment.

**MARICOPA COUNTY ZONING ORDINANCE**  
Chapter 4 – Zoning

**SECTION 401 ESTABLISHMENT OF ZONING DISTRICTS AND BOUNDARIES THEREOF**

For the purpose of this Ordinance, that part of Maricopa County outside the corporate limits of any municipality is hereby classified into the following zoning districts:

**ARTICLE 401.1. RURAL ZONING DISTRICTS:**

- 401.1.1. RURAL - 190 Rural Zoning District - 190,000 Square Feet Per Dwelling Unit  
401.1.2. RURAL - 70 Rural Zoning District - 70,000 Square Feet Per Dwelling Unit  
401.1.3. RURAL - 43 Rural Zoning District - 1 Acre Per Dwelling Unit

**ARTICLE 401.2. SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS:**

- 401.2.1.R1 - 35 Single-Family Residential Zoning District - 35,000 Square Feet Per Dwelling Unit  
401.2.2.R1 - 18 Single-Family Residential Zoning District - 18,000 Square Feet Per Dwelling Unit  
401.2.3.R1 - 10 Single-Family Residential Zoning District - 10,000 Square Feet Per Dwelling Unit  
401.2.4.R1 - 8 Single-Family Residential Zoning District - 8,000 Square Feet Per Dwelling Unit  
401.2.5.R1 – 7<sup>2</sup> Single-Family Residential Zoning District - 7,000 Square Feet Per Dwelling Unit  
401.2.6.R1 - 6 Single-Family Residential Zoning District - 6,000 Square Feet Per Dwelling Unit

**ARTICLE 401.3. MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICTS:**

- 401.3.1.R - 2 Two-Family Residential Zoning District  
401.3.2.R - 3 Multiple-Family Residential Zoning District  
401.3.3.R - 4 Multiple-Family Residential Zoning District  
401.3.4.R - 5 Multiple-Family Residential Zoning District

**ARTICLE 401.4. COMMERCIAL ZONING DISTRICTS:**

- 401.4.1.C - S           Planned Shopping Center Zoning District
- 401.4.2.C - O<sup>\*3</sup>       Commercial Office Zoning District
- 401.4.3.C - 1         Neighborhood Commercial Zoning District
- 401.4.5.C - 2         Intermediate Commercial Zoning District
- 401.4.5.C - 3         General Commercial Zoning District

**ARTICLE 401.5. INDUSTRIAL ZONING DISTRICTS:**

- 401.5.1.     IND - 1     Planned Industrial Zoning District
- 401.5.2.     IND - 2     Light Industrial Zoning District
- 401.5.3.     IND - 3     Heavy Industrial Zoning District

**ARTICLE 401.6. OVERLAY ZONING DISTRICTS:**

- 401.6.1.     PAD                 Planned Area Development Overlay
- 401.6.2.     RUPD                Residential Unit Plan of Development
- 401.6.3.     CUPD                Commercial Plan of Development
- 401.6.4.     IUPD                Industrial Plan of Development
- 401.6.5.     PD<sup>\*7</sup>                 Planned Development Zoning District
- 401.6.6.     SC<sup>\*5</sup>                 Senior Citizen Overlay Zoning District
- 401.6.7.     WESTSIDE            Westside Military Airbase Overlay Zoning District
- MILITARY
- AIRBASE<sup>\*9</sup>
- 401.6.8.     WICKENBURG        Wickenburg Scenic Corridor Overlay Zoning District
- SCENIC
- CORRIDOR<sup>\*8</sup>
- 401.6.9.     HWY 74 SCENIC        Highway 74 Scenic Corridor Overlay Zoning District
- CORRIDOR<sup>\*11</sup>
- 401.6.10.    WIRELESS             Wireless Communication Facilities Use District
- COMMUNICATION
- FACILITY USE
- DISTRICTS<sup>\*10</sup>
- 401.6.11.    AD<sup>\*4</sup>                 Airport District (See Separate Ordinance)
- 401.6.12.    MHR<sup>\*6,\*12</sup>            Manufactured Housing Residential Zoning District–Deleted 7-23-94

**Date of Revisions**

- |                       |                     |
|-----------------------|---------------------|
| *2     Added 11-3-75  | *8     Added 8-1-91 |
| *3     Added 12-12-77 | *9     Added 1-9-92 |
| *4     Added 12-11-78 | *10    Added 4-5-92 |
| *5     Added 5-30-79  | *11    Added 6-6-94 |
| *7     Added 7-1-85   |                     |

**SECTION 402 BOUNDARIES**

**ARTICLE 402.1. BOUNDARY LINES ON THE ZONING DISTRICT MAPS:** The boundaries of the aforesaid zoning districts are shown upon the maps designated as the "Zoning District Maps". The zoning district maps, along with all the notations, references, and other maps, along with all the notations, references, and other information shown thereon, are a part of this Ordinance and have the same force and effect as if said maps and all the notations, references and other information shown thereon were all fully set forth or described herein.

**ARTICLE 402.2. BOUNDARY DETERMINATION:** Where uncertainty exists with respect to the boundaries of any zoning district as shown on the zoning district maps, the following rules shall apply:

402.2.1. Where zoning district boundaries are indicated as approximately following street or alley lines or the centerlines thereof, such lines shall be construed to be the zoning district boundaries.

402.2.2. Where zoning district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be the zoning district boundaries.

402.2.3. Where zoning district boundaries are indicated as approximately following the line of any stream, irrigation canal or other waterway or railroad right-of-way, or the boundary line of public land, the center of such stream, canal or waterway, or of such railroad right-of-way, or the boundary line of such public land shall be construed to be the zoning district boundaries.

402.2.4. Where a zoning district boundary divides a lot or parcel of land, the location of such boundary, unless indicated by dimensions shown on the zoning district maps, shall be determined by the use of the scale appearing on said maps. Further, such zoning district line shall be treated as a property line for applying all zoning district requirements.<sup>\*13</sup>

402.2.5. Where such boundaries have been changed by the Board of Supervisors pursuant to Chapter 3, Section 304. of this Ordinance and where such changed boundaries are shown on detailed maps, the detailed maps shall govern in event there is any difference between the boundaries shown on the zoning district maps adopted as part of this Ordinance, or subsequent amendments thereto, and the detailed maps.

**ARTICLE 402.3. PUBLIC WAY VACATION:** Whenever any PUBLIC street, alley or other public way is vacated by the Board of Supervisors, the zoning districts adjoining each side of such street, alley or public way shall be considered as extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended zoning districts.

**ARTICLE 402.4 ZONING OF RIGHT-OF-WAY.** ZONING IS APPLICABLE ON ALL PROPERTY, EXCEPT PUBLIC STREET RIGHTS-OF-WAY. USE OF PUBLIC STREET RIGHTS-OF-WAY FOR OTHER THAN PUBLIC STREET PURPOSES REQUIRES APPROVAL BY THE APPROPRIATE AGENCY.<sup>\*14</sup>

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**Date of Revisions**

\*13 Revised 6-5-96

\*14 REVISED X-X-07

TA2007005

**SECTION 403 LANDS NOT PREVIOUSLY ZONED**

Lands which for reason of law, change in ownership or for any other reason, come under the authority of Maricopa County after this Ordinance becomes effective and which have not been zoned prior thereto by any other jurisdiction having zoning authority, shall be subject to the regulations of the Rural-190 Zoning District until such time as soon as practicable thereafter public hearings are held as required by law for the expressed purpose of zoning such lands pursuant to this Ordinance.

**SECTION 404 LANDS PREVIOUSLY ZONED BY OTHER JURISDICTIONS**

Lands which for reason of law, change in ownership or for any other reason, come under the authority of Maricopa County after this Ordinance becomes effective and which have been zoned prior thereto by another jurisdiction having zoning authority, shall retain such zoning until such time as soon as practicable thereafter public hearings are held as required by law for the expressed purpose of zoning such lands pursuant to this Ordinance.

**SECTION 405 LOTS DIVIDED BY ZONING DISTRICT BOUNDARIES**

Whenever a lot of record existing at the effective date of this Ordinance or any applicable subsequent amendment thereto is divided by a zoning district boundary, the regulations applicable to the zoning district in which 50% or more of the lot area of such lot is located may apply to the entire area of such lot, provided that the greatest distance from said zoning district boundary to any lot line of such lot in the zoning district in which less than 50% of its area is located shall not exceed 25 feet. Such distance shall be measured perpendicular to said zoning district boundary.

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.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the Planning Commission for approval of this Text Amendment.

**MARICOPA COUNTY SUBDIVISION REGULATIONS TA2007-009**  
**Chapter 2 – Subdivision Application & Approval**

**SECTION 201. PURPOSE**

The purpose of this Chapter is to establish application, review, approval, and recordation processes for subdivisions (i.e., preliminary plats, final plats, replats, waivers, corrective plats, lot line relocations), and Development Master Plans.

**SECTION 202. PRELIMINARY PLAT**

The preliminary plat stage of land subdivision includes detailed subdivision planning by subdivider, application submittal, review of the plat by the Department, the Technical Advisory Committee, and review and action by the Commission.

1. **APPLICATION SUBMITTAL:** A preliminary plat application shall be made to the Department. Such application shall be made on forms, together with documents and drawings, the precise contents of which shall be as provided by administrative guidelines as adopted by the Maricopa County Board of Supervisors. The preliminary plat application will not be considered accepted for processing until all required information as described in the aforementioned administrative guidelines is provided to the Department and appropriate fees as provided herein are paid.
2. **INFORMATION REQUIRED FOR PRELIMINARY PLAT SUBMITTAL:**  
A preliminary plat shall contain the following information areas (detail information required shall be as specified in the Administrative Guidelines):
  - a. Identification of the subdivision by name, location, legal description and zoning district.
  - b. Identification of persons involved in the preliminary plat application (e.g., owner, subdivider, engineer, surveyor).
  - c. Location of all lots in the subdivision and verification of Zoning Ordinance compliance.  
All lots which are considered potentially reserved for school sites and fire stations in accordance with Section 308 of these regulations shall also be shown on the preliminary plat.
  - d. Location of all public streets and private rights of way, both existing and proposed.
  - e. Quantification, and accurate location of all drainage features (e.g. regulatory and delineated floodplains, lakes, streams, washes, canals, irrigation laterals or tailwater ditches, drainage easements, drainage tracts, and retention or detention facilities), both existing and proposed.
  - f. Identification of method of providing domestic water supply and sewage collection, treatment and disposal facilities, both existing and proposed.
  - g. Identification and location of all utilities in and for the subdivision, both existing and proposed.
  - h. Identification of method of fire protection.
  - i. Identification of a condominium and its characteristics, if applicable, and its conformance with zoning ordinance standards.
  - j. Identification of a Unit Plan of Development and its characteristics, if applicable, and its conformance with zoning ordinance standards.
  - k. A list by lot, parcel and/or tract number that identifies lot width and area for each lot, parcel and/or tract.

- l. Any other information as may be required by the administrative guidelines, in order to carry out the purpose and intent of these Regulations.
- m. Preliminary plat boundaries shall include all portions of any existing parcel included in the subdivision.

**3. DEPARTMENT/TECHNICAL ADVISORY COMMITTEE REVIEW PROCESS:**

- a. The subdivision shall be designed to comply with the requirements of the specific zoning district within which it is located. In the event that a change of zoning is necessary, a rezoning application may be processed concurrently.
- b. Upon acceptance of the preliminary plat application, the Department will distribute all application information to the following reviewing offices:
  - 1. Maricopa County Department of Transportation
  - 2. Flood control District of Maricopa County
  - 3. Maricopa County Environmental Services Department
  - 4. Maricopa County Department of emergency Management (where warranted)
  - 5. Maricopa County Parks Department
  - 6. Maricopa County Library District
  - 7. Arizona Department of Transportation (where warranted)
  - 8. Arizona Department of Water Resources
  - 9. Arizona State Historic Preservation Office
  - 10. Luke Air Force Base (where warranted)
  - 11. Salt River Project or Arizona Public Service as applicable
  - 12. Rural Metro or other appropriate fire department or district
  - 13. Superintendent of the appropriate school district
  - 14. Any city or town within three miles of the limits of the proposed subdivision
  - 15. Other organizations or individuals with special expertise or interest
- c. Upon acceptance of the preliminary plat application, the Department will schedule the matter for review at the next available Technical Advisory Committee meeting. The purpose of this Committee meeting is to resolve with all affected parties, technical problems with the proposed subdivision before hearing by the Commission. The subdivider and/or his representative(s) is/are required to attend the Technical Advisory

committee to meet together with representatives of the Committee. More than one Technical Advisory Committee meeting may be required.

- d. The preliminary plat will not be scheduled for hearing by the Commission unless:
1. It contains all of the required information; and
  2. Written responses have been received from all county departments which have representatives on the Technical Advisory Committee that the preliminary plat is in satisfactory form.

Scheduling of a preliminary plat for a commission hearing will be dependent upon adequacy of data presented and completion of review by all agencies concerned.

4. **PRELIMINARY PLAT APPROVAL:**

- a. If satisfied that all requirements of these regulations have been met, the Commission may approve the preliminary plat subject to stipulations. If approved a notation of approval shall be stamped on two copies of the plat, one being returned to the subdivider and one retained in the permanent file of the Department. Once approved, stipulations of approval can only be modified by the Commission subject to the required fee.
- b. If the Commission finds that the plat requires revision, the plat shall be held over pending revisions, resubmittal, processing and rescheduling for hearing.
- c. If a plat is rejected, the new filing of a plat for the same tract, or any part thereof, shall follow the aforementioned procedure and be subject to the required fee. IF THE PLAT IS REJECTED, IT SHALL BE FORWARDED TO THE BOARD OF SUPERVISOR'S (BOS) FOR FINAL DISPOSITION. IF THE BOS REJECTS THE PLAT, ANY NEW FILING OF THE PLAT SHALL NOT BE FILED WITHIN A PERIOD OF ONE (1) YEAR UNLESS IN THE OPINION OF THE COMMISSION THERE IS A CHANGE OF CIRCUMSTANCES WARRANTING SUCH FILING.
- d. Preliminary plat approval constitutes authorization for the subdivider to proceed with the preparation of the final plat and the engineering plans and specifications for public improvements. Preliminary approval is based on the following:
- 1) The basic conditions under which preliminary approval of the plat is granted will not be changed prior to the expiration date.
  - 2) Preliminary plat approval is valid for a period of twenty four (24) months from the date of Commission action.

5. **PRELIMINARY PLAT EXTENSIONS:**

- a. Upon written request by the property owner, a preliminary plat may be administratively extended for an additional period not to exceed twelve (12) months from the date of the expiration of the original approval by the Planning Commission, if in the opinion of the Director, satisfactory progress has been made towards completion of the final plat.

- b. If in the opinion of the Director, satisfactory progress has not been made then the request for extension will be scheduled for formal review by the Planning Commission.
- c. If any changes other than a time extension to the original approval of the preliminary plat by the Commission are proposed such as phasing, stipulations of approval, etc. an application for a new preliminary plat will be required and will follow the procedures outlined in Section 202.

### SECTION 203. FINAL PLAT

The final plat stage of land subdivision includes submittal, review and approval of the final plat and improvements required by the Board and recording of the plat with the County Recorder. The final plat shall conform to the approved preliminary plat and any stipulations thereto made by the Commission.

- 1. **APPLICATION SUBMITTAL:** A final plat application shall be made to the Department. In accordance with Arizona Revised Statutes, Section 32-101, a land surveyor registered in the State of Arizona is the only person that can sign a final plat. A registered engineer cannot sign a final plat unless he is registered as a land surveyor and uses the surveyor seal. Such application shall be made on forms, together with documents and drawings, the precise contents of which shall be as provided by administrative guidelines as adopted by the Maricopa County Board of Supervisors. The application must be submitted a minimum of 75 working days prior to the regular meeting at which the subdivider desires to be heard by the Board (this period of time for review may be shorter or longer based on the applicant's compliance with technical aspects of these Regulations). The final plat application will not be considered for processing until all required information as described in the aforementioned administrative guidelines is provided to the Department and appropriate fees as provided herein are paid.
- 2. **INFORMATION REQUIRED FOR FINAL PLAT SUBMITTAL:** A final plat shall contain the following information areas (detailed information required shall be as specified in the administrative guidelines):
  - a. Identification of the subdivision by name, location, legal description and zoning district.
  - b. Identification of persons involved in the plat preparation (e.g., owner, subdivider, engineer, surveyor, etc.).
  - c. Identification of all lots in the subdivision utilizing engineered data. This shall include certification by a registered professional land surveyor preparing the plat that it is correct and accurate. All lots which have been recommended by the Commission to be reserved for school sites and fire stations in accordance with Section 308 of these regulations shall also be shown on the final plat.
  - d. Identification of all public streets and private rights of way. This shall include the identification of dedication of all streets and alleys for public use, and an acknowledgment of that dedication.
  - e. Identification and accurate location of all drainage or water features such as washes, floodplains, drainage tracts or easements, lakes, etc. Maintenance responsibilities, building restrictions, and access requirements shall be specified for tracts or easements used for drainage, using language approved by the Flood Control District.

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- f. Identification of method of fire protection.
  - g. Identification of a condominium and its characteristics, if applicable, and its conformance with zoning ordinance standards.
  - h. Identification of a Unit Plan of Development and its characteristics, if applicable, and its conformance with zoning ordinance standards.
  - i. Assurance Statements regarding the following (specific format of Assurance Statements shall be as specified in the administrative guidelines):
    - 1) Pavement and improvement of roads.
    - 2) Utilities.
    - 3) 100-Year assured water supply.
  - j. Certifications from the following Maricopa County Agencies (specific format of Certifications shall be as specified in the administrative guidelines):
    - 1) Maricopa County Department of Transportation.
    - 2) Maricopa County Assessor.
    - 3) Maricopa County Treasurer.
  - k. A statement regarding adherence with the provisions of Article 1112 of the Maricopa County Zoning Ordinance (Outdoor Light Control Provisions).
  - l. Notes on final plat delineating ownership and maintenance of all private streets and tracts.
  - m. Space for approval of the Board under the signature of the Chairman of the Board and attested to by the Clerk of the Board.
  - n. A list by lot, parcel and/or tract number that identifies lot width and area for each lot, parcel and/or tract. (Identify by footnote all changes made from preliminary plat list.)
  - o. Any other information as may be required by the administrative guidelines, in order to carry out the purpose and intent of these Regulations.
3. **DEPARTMENT/COUNTY AGENCIES REVIEW PROCESS:**
- a.
    - 1. Maricopa County Department of Transportation
    - 2. Flood Control District of Maricopa County
    - 3. Maricopa County Environmental Services Department
    - 4. Maricopa County Department of Emergency Management (where warranted)

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5. Maricopa County Parks Department
6. Maricopa County Library District
7. Arizona Department of Transportation Department (where warranted)
8. Arizona Department of Water Resources
9. Arizona State Historic Preservation Office
10. Luke Air Force Base (where warranted)
11. Salt River Project or Arizona Public Service as applicable
12. Rural Metro or other appropriate fire department or district
13. Superintendent of the appropriate school district
14. Any city or town within three miles of the limits of the proposed subdivision
15. Other organizations or individuals with special expertise or interest

The reviewing offices shall make known their recommendations in writing addressed to the department. The department shall assemble the recommendations of the various reviewing offices, and will make them available to the subdivider for any necessary revisions or corrections.

- b. The reviewing agencies shall review said final plat. Once each of the primary reviewing agencies have indicated the proposed final plat was prepared in accordance with their respective requirements, the Planning and Development Department shall inform the subdivider of such. Upon such notification, the subdivider shall prepare no less than two (2) mylar copies of the final plat. The subdivider shall sign and have notarized the appropriate acknowledgements and dedications, and shall present said mylars to the Maricopa County Department of Transportation (MCDOT) for review and acceptance by the County Engineer (or Planning Director in the event of alternative assurances). Upon said acceptance, the subdivider shall retrieve the mylars from MCDOT and shall present said mylars to the Planning and Development Department, who shall then forward said mylars to the County Assessor's Office and County Treasurer's Office for their respective signatures. Upon receipt of said signatures, the Planning and Development Department shall retrieve said mylars and schedule the final plat for review by the Board of Supervisors.
4. **FINAL PLAT APPROVAL:** Upon completion of the above signature procedure, the final plat shall be forwarded by the Planning and Development Department to the Board of Supervisors for approval provided the reviewing agencies have certified that their requirements have been met. The Department shall then assemble the above information, prepare a concise summary of the requirements and submit said summary together with the reviewers' recommendations at the next regular meeting of the Board.

5. **FINAL PLAT RECORDATION:** When the final plat has been approved by the Board, the mylar copies of the final plat shall be transmitted to the Clerk of the Board for signature. Upon such signature, the Clerk of the Board shall notify the Planning and Development Department, who shall in turn retrieve said mylars and present to the County Recorder's Office for recordation. If the recorder finds the mylars clear and legible, the recorder shall record all copies of the mylars and shall retain one (1) set for the public record, returning all remaining sets to the Planning and Development Department, who shall inform the subdivider that the plat has been recorded. If the recorder finds the mylars unsatisfactory, the recorder shall not record the mylars and shall return the mylars to the Planning and Development Department, who shall coordinate with the subdivider to remedy the deficiencies. Upon successful recordation, the subdivider shall retrieve the remaining mylars from the Planning and Development Department after reimbursing the Planning and Development Department for any recording fees. The subdivider shall provide the Planning and Development Department with five (5) full size bond copies of the recorded final plat. The subdivider shall also provide a copy of the approved final plat, in digitized form, to the Planning and Development Department and no final plat shall be recorded until the digitized plat is submitted. The digitized version of the approved final plat shall conform to the requirements and guidelines for digitized plats prepared by the Maricopa County Department of Transportation and the Maricopa County Recorders Office.

#### SECTION 204. REPLATS

1. Any division of a lot or lots in a recorded subdivision into six (6) or more adjoining lots in a recorded subdivision, or in altering a tract specified for a specific use within the subdivision, but creating no new street, shall be processed in accordance with Section 203 (Final Plats) of these Regulations.
2. Any replat involving dedication of land for a public street or the creation of more than six (6) or more lots shall comply with all procedures set forth in Sections 202 (Preliminary Plat) and 203 (Final Plat) of these Regulations unless, at the discretion of the Director, the preliminary plat stage is waived.
3. If abandonment of a street, alley or easement (e.g., utilities, drainage, access, equestrian, non-vehicular, etc.) in a previously recorded subdivision is necessary during the process of replatting, the replat shall be processed in accordance with Sections 202 (Preliminary Plat) and 203 (Final Plat) of these Regulations, unless, at the discretion of the Planning and Development Director, the preliminary plat stage is waived.

#### SECTION 205. CORRECTIVE PLATS

1. At the determination of the Director, corrections of minor survey, drafting or typographical errors on a recorded plat may be made with a corrective plat. These corrections must be illustrated on the recorded plat for clarity.
2. The corrective plat should indicate the items to be corrected and the reason for the correction. This shall be accomplished by adding a plat note to the recorded plat. The note(s) shall be signed and sealed by the party responsible for the plat. In addition, the word corrective shall be added to the title block.

3. The corrective plat will be reviewed by the department for completeness and accuracy. If no revisions are necessary, the plat will be re-recorded with the Maricopa County Recorder's Office after receiving an approval signature from the Director.
4. At the discretion of the director an affidavit of correction may be substituted for a corrective plat, but will be subject to the same requirements of a corrective plat as otherwise outlined in this section.

#### SECTION 206. ABANDONMENTS

Pursuant to provisions of Title 18, Chapter 2, Article 1, Section 18-201, and Title 28, Chapter 14, Article I, Subsections 28-1901 through 28-1908, ARS, the abandonment of all or part of a recorded subdivision may be initiated by written petition to the Board, said petition to be signed by ten or more owners of real property in Maricopa County, requesting abandonment of all streets, alleys and easements within said subdivision and giving the legal description and recording information thereof. Applications for abandonment are filed with the Clerk of the Board and referred for recommendation to the Maricopa County Department of Transportation and the utility companies concerned. After approval of the abandonment of the streets, alleys and easements by the Board and upon recordation of the Abandonment Resolution and a subsequent County Road Map in the office of the Maricopa County Recorder, the subdivision is removed from official maps and the land reverts to acreage as far as the Assessor's records are concerned.

#### SECTION 207. DEVELOPMENT MASTER PLAN

The Development Master Plan stage of land planning provides a site specific arrangement of various land uses, and includes conceptual planning by the owner; review of the Development Master Plan by the Department/Technical Advisory Committee; review and approval by the Commission; and approval by the Board of Supervisors.

1. **APPLICATION SUBMITTAL:** Application for approval of the Development Master Plan shall be made to the Department whenever it is the decision of the Department that:
  - a. The tract is sufficiently large enough to comprise an entire community;
  - b. The tract initially proposed for platting is a portion of a larger land holding of 640 acres or more of the owner or subdivider;
  - c. Or the tract is a part of a larger land area, the development of which is complicated by unusual topographic, land use, land ownership or other conditions. Such application shall be made on forms, together with documents and drawings, the precise contents of which shall be as provided by Development Master Plan Guidelines as adopted by the Maricopa County Board of Supervisors. The Development Master Plan application will not be considered accepted for review until all required information as described in the Development Master Plan Guidelines is provided to the Department and appropriate fees as provided therein are paid.

**MARICOPA COUNTY SUBDIVISION REGULATIONS TA2007-009**  
**Chapter 4 – Adoption, Amendments, Administration, Enforcement and Fees**

**SECTION 401. ADOPTION & AMENDMENTS**

It shall be the responsibility of the Board of Supervisors to adopt rules and regulations or any amendments related to subdivisions. Before adoption of any rule, regulation or amendment thereof, a public hearing shall be held by the Commission. A copy of the rule, regulation or amendment shall be certified by the Commission to the Board which shall hold a public hearing after notice of the time and place has been given by one publication fifteen days prior to the public hearing in a newspaper of general circulation in the County.

**SECTION 402. ADMINISTRATION**

It shall be the responsibility of the Department to directly administer or coordinate the administration of the provisions contained herein, where those provisions are administered by other County agencies. The Director:

1. Shall receive all applications for Subdivisions or Development Master Plans.
2. May examine premises for which applications of Subdivision and Development Master Plans have been received.
3. May make necessary investigations to secure compliance with the provisions of these regulations.
4. Shall issue such notices or orders as may be necessary for the purpose of enforcing compliance with the provisions of these regulations.
5. May adopt rules, forms and procedures consistent with these regulations for the implementation thereof.
6. Shall serve as Chairman of the Technical Advisory Committee in matters of review of Subdivision and Development Master Plan applications.
7. Shall prepare all reports and make all presentations to the Planning Commission and the Board of Supervisors regarding Subdivision and Development Master Plan applications.
8. Shall keep careful and comprehensive records of a) applications for Subdivisions and Development Master Plans, b) inspections made, c) reports rendered, and d) notices or orders issued, and shall further retain on file copies of all papers in connection with such applications for such time as may be required by law.

**SECTION 403. ENFORCEMENT**

It shall be the duty of the Director to directly enforce, or coordinate the enforcement of the provisions of these regulations, where the provisions are enforced by other County agencies.

**SECTION 404. FEES**

**1. PRELIMINARY PLATS:**

- a. ~~\$30~~ \$100 per lot, tract, and/or parcel provided that no preliminary/replat subdivision fee shall be less than ~~\$250~~ \$1,000 or more than ~~\$22,500~~ \$30,000. ~~Further, should the applicant desire to obtain early parcel numbers and addresses, the fee shall be \$35 per lot, tract, and/or parcel.~~
- b. Additional fees as prescribed by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, the Drainage Review Division of the Maricopa County Planning and Development Department, and the Flood Control District of Maricopa County for all applications.
- c. \$500 for a time extension.
- d. \$250 PER STIPULATION (\$500 MINIMUM FEE, \$1,500 MAXIMUM FEE) FOR MODIFICATION OF STIPULATION/S TO APPROVED PRELIMINARY PLATS.

2. **FINAL PLATS:** ~~If the applicant has opted for early parcel numbers and address assignments, then the fee for a final plat shall be \$5~~ \$40 per lot, tract, and/or parcel provided that no subdivision fee shall be less than ~~\$250~~ \$1,000 nor more than ~~\$1,000~~ \$10,000 and ~~\$5 for every address that is required to be changed from the preliminary plat assignment. If the applicant has not opted for early parcel numbers and address assignment, then the fee for a final subdivision shall be \$10 per lot, tract and/or parcel.~~

3. **WAIVER OF STANDARD:** \$500 per standard provided that no fee for a waiver request shall be less than \$500 or more than \$5,000.

4. **ADDRESSING: REFER TO THE MARICOPA COUNTY ADDRESSING REGULATIONS.**

5. **PRE-APPLICATION MEETING: \$100 PER MEETING.**

6. **DEVELOPMENT MASTER PLANS:** REFER TO THE MARICOPA COUNTY ZONING ORDINANCE

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.

## Development Master Plan Guidelines

### Application Guidelines

#### Requirements

The applicant must be a legal representative of the landowner(s) involved in the proposed DMP, and all contiguous property under the applicant's control must be included in the application. Verification of ownership must be submitted with the DMP application.

#### Form

Applicants must complete the DMP application packet in full. Although the application packet is self-explanatory, additional questions should be directed to the Maricopa County Planning and Development Department.

#### Fees

~~The DMP filing fee is five thousand dollars (\$5,000) plus five hundred dollars (\$500) for each square mile (rounded up to the nearest square mile) or portion thereof.<sup>4</sup> The maximum filing fee is twenty-five thousand dollars (\$25,000).~~

~~The filing fee for a DMP amendment is one thousand dollars (\$1,000) plus ten dollars (\$10) per acre (rounded up to the nearest acre) or portion thereof. The maximum DMP amendment fee is thirty thousand dollars (\$30,000).~~

~~The filing fee for a DMP administrative amendment is three hundred dollars (\$300) plus three dollars (\$3) per acre (rounded up to the nearest acre) or portion thereof. The minimum fee is three hundred fifty dollars (\$350), and the maximum fee is one thousand dollars (\$1,000). THE APPLICATION FEES FOR DEVELOPMENT MASTER PLANS AND DEVELOPMENT MASTER PLAN AMENDMENTS ARE FOUND IN THE MARICOPA COUNTY ZONING ORDINANCE.~~

All DMP application fees are non-refundable.

~~<sup>4</sup> Total area is rounded up to the next highest whole number. For example, calculations for 1.2 square mile site would be rounded up to 2 miles.~~

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the Planning Commission for approval of this Text Amendment.

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.

### Comprehensive Plan Amendment Guidelines

~~<sup>4</sup> Total area is rounded up to the next highest whole number. For example, calculations for 1.2 square mile site would be rounded up to 2 miles.~~

An amendment to the adopted Comprehensive Plan or an Area Plan may be filed with or without a rezoning application. These guidelines are provided to assist an applicant in the processing of a Comprehensive Plan or Area Plan amendment.

On July 23, 1990, an Amendment to the Maricopa County Zoning Ordinance was approved by the Board of Supervisors requiring compliance with the County Comprehensive and Area Plans prior to the approval of any rezoning request 40 acres in size or larger.

The following outline describes the process for a Comprehensive Plan Amendment.

**Process**

**1. Preliminary Discussion and Review**

When an applicant applies for a rezoning, 40 acres or larger in size, preliminary discussions will be held with the applicant to determine whether or not their request is in conformance with the Comprehensive or Area Plans. This is determined by reviewing the nature of the proposal (including density, uses, and location) against the Comprehensive Land Use Plan for the area. This review also enables staff to advise the applicant of those characteristics of the proposal that do not conform with the Plan and possible changes to the proposal that could bring it into conformance. Staff will respond to the applicant in 5 days or less.

**2. Application**

Once it has been determined that a CPA is required, a formal application must be filed and the appropriate filing fees paid. ~~The cost to apply for a CPA is \$500.00 plus \$10.00 per acre or portion thereof. This fee is nonrefundable.~~ THE APPLICATION FEES FOR COMPREHENSIVE PLAN AMENDMENTS ARE FOUND IN THE MARICOPA COUNTY ZONING ORDINANCE. Additionally, the Supplemental Questionnaire and a map showing the requested change must be submitted.

**3. Formal Review**

Upon receipt of the application and filing fee, the Planning and Development Department will refer the application for review by various agencies and schedule a meeting of the Technical Advisory Committee (TAC). At this meeting, the Planning and Development Department will evaluate the proposal based on the following:

- a. Whether the amendment constitutes an overall improvement to the Comprehensive Plan and is not solely for the good or benefit of a particular land owner or owners at a particular point in time.

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to concur with the Planning Commission for approval of this Text Amendment.

- 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 “l”. 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.

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
June 20, 2007**

- 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.

Darren Gerard reported on background information for this Special Use Permit, which has a 20 year time frame that precludes its inclusion as a consent item.

The Clerk noted that Taylor Candland was present to answer questions, but the Board had none.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the Planning Commission for approval of this Special Use Permit.

Chairman Brock noted that Queen Creek has set aside the first week in August as Dust Control Week and the Chairman encouraged other cities and towns in Maricopa County to join them in this idea to help improve air quality in the Valley.

**MEETING ADJOURNED**

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

\_\_\_\_\_  
Fulton Brock, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board