

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
June 2, 2008**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Informal Session at 10:00 a.m., June 2, 2008, in the Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Max W. Wilson, Vice Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

1. MARICOPA COUNTY GREEN GOVERNMENT PROGRAM

Item: Presentation of the "Green Government Program" that is designed to help maintain a healthy and sustainable environment in Maricopa County. This program contains short and long-term strategies to help Maricopa County reduce its carbon footprint, energy and material use, save money, and enhance the region's environment. This includes identified actions to help improve the region's air quality; improve water quality and quantity; increase material reuse and recycling; reduce energy use; make better informed decisions about efficient, economical, and environmentally sensitive land use and development patterns; and build long-lasting partnerships with the broader community.

This program also identifies specific measures that will help determine progress in meeting the approved actions. The Green Government Program sets the short and long range goals. Since each action and measure for County departments will vary, these actions and measures are subject to change as the data is gathered to verify if initial assumptions and time lines were correct or need modification. The results will be reported utilizing the County's Managing for Results Information System, and viewable to the public. (C4408013000) (ADM3409)

Joy Rich, Assistant County Manager
Matt Holm, Principal Planner, Planning and Development

Joy Rich introduced the Green Government initiative by saying it has been designed to become the way the County does business, not as a mandate to others. She presented an overview of an initiative to identify and address environmental quality issues, as follows:

- Energy efficiency and reduced energy use
- Water conservation
- Air and water quality
- Efficient and balanced land development and redevelopment patterns, and environmentally-focused economic development strategies
- Material reuse and recycling
- Building eco-partnerships with the greater community
- Other quality of life considerations

Ms. Rich said the purpose of the Green Government initiative is to:

- Help maintain a healthy and sustainable Maricopa County
- Help reduce the County's carbon footprint and enhance the region's environment
- Implement the County's strategic priority to provide regional leadership in critical public policy areas
- Provide County agencies and departments with a framework to make more informed decisions

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- Build and maintain lasting relations between County agencies and departments, and between the County and the greater community

Ms. Rich outlined potential benefits to the County, as follows:

- Improved environmental quality (air quality, water quality, etc)
- Healthier community and enhanced quality of life
- Helps implement Strategic Priorities for effective regional leadership
- Establishes Maricopa County as an effective environmental advocate and a strategic community partner
- Informed “green” County workforce
- Increased efficiency (energy, land use patterns, environment, etc)

Ms. Rich said the Green Government program is a cooperative effort between many County departments in coordination with various community stakeholders. These stakeholders represent a sample of experts in environmental issues, are associated with organizations that have initiated similar programs or are directly affected by the Green Government program.

For Maricopa County, the Green Government concept involves the following:

- Long-term program
- “Lead by Example” philosophy
- Establishes a mission: to achieve a cleaner, healthier, and higher quality Maricopa County
- Identifies actions for which the County will advocate (advocacy program)
- Specifies steps and timelines to help measure implementation
- Periodic progress reports on implementation
- Some actions implemented by specific departments, while others implemented by across county departments
- Designed to be adaptable to changing conditions

Ms. Rich reported that future public outreach plans include:

- Expanded business community participation
- Expanded public / citizen participation
- Expanded community organization participation, including ‘grassroots’ and non-profit organizations
- Expanded federal, tribal, state, and local government outreach
- Media outreach
- Long-term strategy: build and sustain long-lasting, cooperative environmental partnerships between Maricopa County and public and private citizens and organizations to help ensure program success

The Green Government strategy is a three-step process which allows Maricopa County to reassess whether initial assumptions and time lines need modification. However, since the actions and measures for each County Department will vary, and because technological, financial resources, and staff changes will occur, the Green Government program will be “flexible and adaptable to changing conditions, and will be reconsidered on a periodic basis,” said Ms. Rich.

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Supervisor Stapley commented that Maricopa County is being looked to as a leader in this area. All of the Supervisors commended the initiative and expressed support for the program.

2. DONATION FROM MICROSOFT CORPORATION OF PROFESSIONAL SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the donation from Microsoft Corporation of professional services to be performed by Converter Technologies to assess previous versions of Microsoft ACCESS application within a selected group of Maricopa County departments. This donation is valued at approximately \$10,000 and does not commit Maricopa County for any future encumbrances for business with Microsoft or Converter Technologies. Services to be provided between June 2, 2008 and June 30, 2008. (C4108013000) (ADM2700) [Clerk's note: (Not part of the official minutes.) The Green Government Initiative Program was approved by the Board at its June 4, 2008 meeting. See item 54 of the June 4, 2008 Formal Agenda.]

3. EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.03, et.al, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to recess into executive session, in the Tom Sullivan Conference Room, 301 West Jefferson, for the purpose of reviewing matters listed below pursuant to the listed statutory references. All members remained in session when the meeting reconvened. Chris Keller replaced Ms. Mangiapane as counsel to the Board and Shirley Million replaced Ms. Evans as Minutes Coordinator for Executive Session.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – A.R.S. §38-431.03(A)(3) AND (A)(4)

E-1. Maricopa County v. Margaret Ma Tam, et al

Keith Russell, County Assessor
Jean Rice, Deputy County Attorney
Stephen Wolf, Deputy County Attorney

Chairman Kunasek convened the Board of Supervisors and the Board of Directors of the Flood Control District in a Joint Session to consider the following item at 10:50 a.m.

E-2. Mayer Unified School District, et al. v. Winkleman, et al., CV2004-020078; CA-CV2007-0126

Kenny Harris, Assistant County Manager, **did not attend**
Tim Phillips, Chief Engineer and General Manager, **did not attend**
Ed Raleigh, Flood Control District
John Hauskins, Transportation Director
Mike Wilson, Public Works, Real Estate Director
Julie Lemmon, Counsel to Flood Control District
Diane Sikokis, Director, Government Relations
Rick Bohan, Government Relations
John Paulsen, Deputy County Attorney
Craig McCarthy, Deputy County Attorney

Chairman Kunasek adjourned the Flood Control District Board of Directors at 11:10 a.m.

E-3. Graves v. Arpaio, U.S. District Court No. CV1977-00479-PHX-NVW (formerly Hart v. Hill)

Chris Keller, Chief Counsel

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Michelle Iafate, Outside Counsel
Dennis Wilenchik, Outside Counsel, **did not attend**
Tom Lorden, Wilenchik & Bartness
Adam Polson, Wilenchik & Bartness
Jack MacIntyre, Deputy Chief, Sheriff's Office
Betty Adams, Director, Correctional Health
Linda Mushkatel, Special Projects Manager, County Administrative Office
Diane Sikokis, Director, Government Relations
Rick Bohan, Government Relations

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – A.R.S. §38-431.03(A)(3) AND (A)(4)**

- E-4. Flach v. the Maricopa County Board of Supervisors; CV2006-052611, Counterclaim and Third Party Claim, in consolidated case CV2006-014285 (Hoskins v. Flach) (including related appeals); and Maricopa County v. Sandra E. Dowling and Dennis R. Dowling; CV2006-011451**

Tom Irvine, Outside Counsel
Rebekah Francis, Outside Counsel
Sandi Wilson, Deputy County Manager, **did not attend**
Shelby Scharbach, Deputy Finance Director, **did not attend**
Tom Manos, Chief Financial Officer
Brian Hushek, Deputy Budget Director
Lee Ann Bohn, Deputy Budget Director
Chiefs of Staff Bloom, Latto, Isham, Leija

~ Supervisor Brock left the meeting ~

**LEGAL ADVICE; PURCHASE, SALE OR LEASE OF REAL PROPERTY – A.R.S. §§38-431.03(A)(3)
AND (A)(7)**

- E-5. Consideration of lease of County owned downtown property**

Sandi Wilson, Deputy County Manager, **did not attend**
Tom Manos, Chief Financial Officer
Brian Hushek, Deputy Budget Director
Dennis Lindsey, Real Estate Manager
Chris Keller, Chief Counsel
Adrian Gough, Deputy County Attorney
Diane Sikokis, Director, Government Relations
Rick Bohan, Government Relations
Chiefs of Staff Bloom, Isham, Leija

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – A.R.S. §38-431.03(A)(3) AND (A)(4)**

- E-6. Maricopa County, ex. Rel., John Power, Director, Environmental Services Department v. Rose Valley Water Company, CV2005-013614**

Joy Rich, Assistant County Manager
John Power, Director, Environmental Services
John Kolman, Manager, Drinking Water Program, Environmental Services

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James Marburger, Outside Counsel
Jean Rice, Deputy County Attorney, **did not attend**
Dan Brenden, Deputy County Attorney
Craig McCarthy, Deputy County Attorney

MEETING ADJOURNED

At the conclusion of discussion on the above items and there being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board