

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

INFORMAL SESSION

June 16, 2008

The Board of Supervisors of Maricopa County, Arizona convened in Informal Session at 9:05 a.m., June 16, 2008, in the Tom Sullivan 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 (entered late). Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager and Dean Wolcott, Outside Counsel to the Board. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

1. EXECUTIVE SESSION CALLED

Pursuant to A.R.S. §38-431.03, et.al., motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to recess into executive session for the purpose of reviewing matters listed below, pursuant to the listed statutory references. All members remained in session when the meeting reconvened.

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

E-1. Luke Air Force Base Aux I Land Use Restrictions - CONTINUED

Joy Rich, Assistant County Manager
Chuck Kelhoffer, Outside Counsel
Terry Eckhardt, Deputy County Attorney
Jean Rice, Deputy County Attorney

This item was continued to a Special Executive Session scheduled for June 18, 2008.

~ Supervisor Wilcox entered the meeting ~

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-2. 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
Tom Manos, Chief Financial Officer
Shelby Scharbach, Deputy Finance Director
Brian Hushek, Deputy Budget Director
Lee Ann Bohn, Deputy Budget Director
Chiefs of Staff Latto, Bloom and Isham

Dean Wolcott left the meeting at 9:35 a.m. and Chris Keller, Chief Counsel, Civil Division, entered the meeting as Counsel to the Board.

LEGAL ADVICE; purchase, sale or lease of real property – A.R.S. §38-431.03(A)(3) and (A)(7)

E-3 Consideration of Lease of County-Owned Downtown Property

Sandi Wilson, Deputy County Manager

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Dennis Lindsey, Real Estate Manager
Chris Keller, Chief Counsel
Adrian Gough, Deputy County Attorney, **did not attend**
Chris McNichol, Outside Counsel
Tom Manos, Chief Financial Officer
Shelby Scharbach, Deputy Finance Director
Brian Hushek, Deputy Budget Director
Chiefs of Staff Latto, Bloom and Isham

LEGAL ADVICE; purchase, sale or lease of real property – A.R.S. §38-431.03(A)(3) and (A)(7)

E-4. Potential Real Estate Acquisition or Development

Sandi Wilson, Deputy County Manager
Joy Rich, Assistant County Manager
Tom Manos, Chief Financial Officer
Brian Hushek, Deputy Budget Director
Dennis Lindsey, Real Estate Manager
Jim Sadler, Outside Consultant
John Wyss, Outside Consultant
Michael McShea, Outside Consultant
John Paulsen, Deputy County Attorney
Shelby Scharbach, Deputy Finance Director
Chiefs of Staff Latto, Bloom and Isham

~ Supervisor Stapley left the meeting at 10:20 a.m. and would not return ~

David Smith left the meeting at 10:20 a.m. and Sandi Wilson, Deputy County Manager, attended the rest of the meeting in his stead.

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

E-5. Thomas Russell v. Maricopa County, No. CV2007-008555 (Maricopa County Superior Court)

Peter Crowley, Risk Manager
David Hendershott, Chief Deputy, Sheriff's Office, **did not attend**
Laurence Tinsley, Deputy County Attorney
Scott Zwillingner, Outside Counsel, **did not attend**
Sara Whithoff, Outside Counsel

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

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LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION – A.R.S. §38-431.03(A)(3) and (A)(4)

E-7. IGA with City of Phoenix for County Jail Services and Facilities

Shelby Scharbach, Deputy Finance Director
Gina Denney, Manager, Finance Department, **did not attend**
Bruce White, Deputy County Attorney
Tom Manos, Chief Financial Officer

LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION – A.R.S. §38-431.03(A)(3) and (A)(4)

E-8. Use Management Agreement for Adobe Dam Park Concessionaire

R.J. Cardin, Director, Parks and Recreation
Kevin Costello, Deputy County Attorney
Tom Manos, Chief Financial Officer
Tom Timmons, Parks Contract Manager

MEETING ADJOURNED

After consideration of the items given above 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