



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Max Wilson, District 4, Chairman
Fulton Brock, District 1
Don Stapley, District 2
Andrew Kunasek, District 3
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Supervisors' Auditorium
205 W. Jefferson
Phoenix, AZ 85003

**FORMAL MEETING
MINUTES
BOARD OF SUPERVISORS
MARICOPA COUNTY, ARIZONA**

(and the Boards of Directors of the Flood Control District, Library District, Stadium District, Improvement Districts and/or Board of Deposit)

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**Wednesday, March 18, 2009
9:00 AM**

1. INVOCATION

Ross Tate, Maricopa County Auditor, gave the invocation.

2. PLEDGE OF ALLEGIANCE

Kimmie Wong, Internal Audit, led the assemblage in the Pledge of Allegiance to the Flag.

3. ROLL CALL

The Board of Supervisors of Maricopa County Arizona convened in Formal Session at 9:00 AM on Wednesday, March 18, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Don Stapley, District 2. Also present: Lupe Lerma, Assistant Deputy Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Deputy County Manager; and Victoria Mangiapane, Deputy County Attorney.

BOARD OF SUPERVISORS

4. Pet Showcase by Maricopa County Animal Care and Control.

Aprille Hollis brought a Chihuahua-Terrier mix, 10-week old puppy who is available for adoption today at 11:00 a.m., along with his cute little twin brother. Both "boys" will be neutered, licensed and given a rabies vaccination before either, or both, can join a family. Call 602-506-7387 for more information.

PRESENTATIONS

5. PRESENTATION TO THE JERRY COLANGELO BOYS AND GIRLS CLUB RANCH

Presentation regarding the donation of sports equipment valued at \$1,500 from Dick's Sporting Goods, Pittsburgh, Pennsylvania, to the new Jerry Colangelo Boys and Girls Club in West Phoenix. The donation is the result of a Super Bowl XLIII wager between Allegheny and Maricopa Counties. All donations were received from private entities and no public funds or property were expended. (C-71-09-004-P-00)

Max Wilson, Chairman

Amy Gibbons, President of the Boys and Girls Club of Metropolitan Phoenix, expressed her appreciation that the organization would benefit from a donation of \$1,500 worth of sporting equipment from Dick's. Chairman Wilson explained that this was a result of a friendly wager on the Cardinal's Super Bowl Game. Ms. Gibbons said the gift certificates would purchase sporting goods for use at their new Jerry Colangelo Clubhouse, which will hold its Grand Opening ceremony tomorrow, March 19, 2009. She presented the Chairman with a token of their appreciation at the photo shoot for this item.

Lemuel Carter, Branch Manager for the facility, thanked the Board and said that 230 kids have already registered at the club and the sports equipment this money would purchase would be put to good use.

6. MARICOPA COUNTY FY 2009-10 HEAD START/EARLY HEAD START FUNDING PRESENTATION

Presentation regarding the Maricopa County FY 2009-10 Head Start/Early Head Start grant application, which requires Board of Supervisors approval. There is a subsequent agenda action regarding this approval. In addition, the presentation will include a program update for FY 2008-09. (C-22-09-135-P-00)

Marjorie Weiss, Assistant Director, HSD

Marjorie Weiss, Assistant Director of the Maricopa County Head Start program, introduced Head Start parent, Jennifer Contreras, who is also a member of their Policy Council. Ms. Contreras recently traveled to Atlanta, Georgia to attend the National Head Start Parent Conference. Ms. Contreras said she brought back very good information from the meetings to share with the rest of the Council, along with a realization of the benefits she and other parents of Head Start children receive through their involvement. Meeting with other parents from around the country led to her realization of the excellence achieved through the Maricopa County chapter. She said, "Other states, other counties, are just not where we are."

Ms. Weiss said it is time to renew their annual grant application for funding in the coming year and she would present an update on the activities at the Center as the Board takes a more active role in the program and will be asked to approve that application. They will also submit an application for stimulus funds, which is on today's agenda for Board approval. There are 2,382 children in the program and the grant application is for \$19,002,361 with \$4,750,590 in matching in-kind donations. She added that no County funds go into the program. She outlined several new items to add to the list of three-year goal objectives previously identified for this grant, and gave details on all aspects of the local program.

Supervisor Kunasek asked about stimulus funds and whether there would be an obligation to general fund support after the two-year stimulus monies end.

Ms. Weiss said President Obama has included Head Start funding past the two-year deadline for the stimulus and the extra funds would primarily be used to expand Early Head Start. She said their biggest challenge is to find facilities, particularly early childhood and infant/toddler classrooms.

Supervisor Wilcox congratulated Ms. Weiss on the outstanding job being done in this Head Start program and said she believed this was one center that was well organized enough to put the stimulus monies to very good use.

~ Supervisor Brock entered the meeting at 9:15 a.m. ~

STATUTORY HEARINGS

Clerk of the Board

7. LIQUOR LICENSE APPLICATIONS

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor

Board as to whether the State Liquor Board should grant or deny the license.

a. AGENT CHANGE FOR BRIARWOOD COUNTRY CLUB

Pursuant to A.R.S. § 4-203(F), approve an application filed by Keith Warren Underwood for an Agent Change and Acquisition of Control from John Kaufman for the Briarwood Country Club at 20800 N. 135th Avenue, Sun City West, AZ 85375. (AZ #14070087) (Supervisorial District 4) (C-06-09-304-L-00)

The Clerk announced that this application was withdrawn by the applicant.

b. SPECIAL EVENT FOR ROTARY CLUB OF ANTHEM

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Craighton T. Boates for Rotary Club of Anthem at 41703 N. Gavilan Peak Parkway, Anthem, AZ 85086 to be held on April 4 and 5, 2009 from 10:00 a.m. to 6:00 p.m. (Supervisorial District 3) (C-06-09-328-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Wilcox, Wilson
Nays: Brock
Absent: Stapley

c. SPECIAL EVENT FOR SUN CITY WEST SOFTBALL CLUB

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Ronald L. Power for the Sun City West Softball Club at 13800 W. Deer Valley Drive, Sun City West, AZ 85375 to be held on March 29, 2009 from 4:00 p.m. to 10:00 p.m. (Supervisorial District 4) (C-06-09-327-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Wilcox, Wilson
Nays: Brock
Absent: Stapley

Public Works

8. ROAD FILE DECLARATIONS

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

a. ROAD FILE NO. 5806

All streets consistent with the rights-of-way, as depicted in Rio Mountain Estates Unit I, a subdivision as shown in Book 663 of Maps, Page 19, M.C.R. General Vicinity: Rio Verde Drive and 152nd Street. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 2. (C-91-09-103-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson

Absent: Stapley

b. ROAD FILE NO. 5805

All streets consistent with the rights-of-way, as depicted in Fitzpatrick Ranch, Unit III, a subdivision as shown in Book 910 of Maps, Page 08, M.C.R.

General Vicinity: Deer Valley Drive and Veterans Drive. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4. C-91-09-101-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Public Health

9. FEE INCREASE TO ARIZONA VITAL RECORDS FEE SCHEDULE

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to consider approving the Department of Public Health to increase the existing fee schedule for Maricopa County's Department of Public Health's Vital Records product/fee list. The fee increases will affect the fees charged for Arizona vital records. The proposed fee increases are attributed to an anticipated fee increase to be adopted by Arizona Department of Health Services (ADHS). The proposed fee schedule will be attributable to and defray or cover the expense of the product or service for which the fee will be assessed. No fee will exceed the actual cost of the product or service provided. Use of the fee schedule will be based on the following Board of Health recommendation. According to A.R.S. 36-341 (A), a Local Registrar (County Health Officer) may establish their own fees to be charged for services provided by Vital Records. The proposed Public Health Vital Records Product/fee increases are as follows:

RECORD	CURRENT FEE	PROPOSED FEE
Non Certified Copy of a Certificate	\$3.00	\$5.00
*Certified Birth Certificate	\$9.00	\$14.00
*Certified Death Certificate	\$9.00	\$14.00
*Certified Fetal Death Certificate	\$9.00	\$14.00
*Certified Stillbirth Certificate	\$9.00	\$14.00
*Registration & Issuance of Delayed Death Certificate	\$9.00	\$14.00
*Birth Certificate Amendment	\$22.00	\$24.00
*Death Certificate Amendment	\$22.00	\$24.00

An (*) is used to denote those fees that have a surcharge associated with them and the associated fee excludes that \$1.00 surcharge. These fees were heard by the Board of Health on Monday, January 26, 2009. (C-86-09-048-M-00)

Max Porter, Public Health, was present to answer any questions, but there were none.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Board

10. RESOLUTION FOR DELEGATION AUTHORITY ON GRANT APPLICATIONS

Approve a Resolution which delegates to the Chairman of the Board of Supervisors the authority to sign grant applications in compliance with grant policy guidelines in which the grantor requires the Chairman's signature.

If awarded, prior to accepting grant funds, Board of Supervisors approval is required. All other grant procedures outlined in the Policy for Administering Grants (A2505) remain in full force and effect. (C-06-09-283-6-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

11. CANVASS THE RETURNS FOR THE MARCH 10, 2009 ELECTION FOR INCORPORATION OF THE TOWN OF TONOPAH

Pursuant to A.R.S. § 16-642, canvass the election returns for the March 10, 2009 Election for Incorporation of the Town of Tonopah in accordance with the Official Results prepared by the Maricopa County Elections Department.

The Maricopa County Elections Department has prepared the Official Returns from all county precincts, declaring the vote for the Election for Incorporation of the Town of Tonopah held on March 10, 2009. The BOS is required to canvass these returns within 20 days following the election. The Official Canvass is on file with the Clerk of the Board of Supervisors.

If a majority of qualified electors of the community of Tonopah voting thereon voted for incorporation, then the Board of Supervisors shall, by order, declare the community incorporated as the Town of Tonopah. The order shall further designate the metes and bounds of the area.

Based on the results of the official canvass, enter an appropriate order. (C-06-09-179-7-01)

The Clerk noted that there was no order to adopt and the vote on this item was to canvass the election results.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Constables

12. GRANT FROM CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD FOR GPS EQUIPMENT

Approve the application and acceptance of grant funds from Arizona Constable Ethics, Standards & Training Board, (CESTBEG09-03), to Maricopa County, by and through the

Constables Administration Department, in the amount of \$14,903.75 for the purpose of the purchase of GPS (Global Positioning Satellite) units. The grant award begins on March 18, 2009 and ends on June 1, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Constables or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Constables' composite indirect cost rate at 12.1%, or \$1,803.00. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$1,803.00. Upon receipt of funds and pursuant to A.R.S. §42-17106(B), approve revenue and expenditure appropriation adjustments to the Constables (250) General Fund (100) Non-Recurring Non-Project (0001) budget in the amount of \$14,904.00 for FY 2008-09. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation; therefore, expenditure of the funds is not prohibited by the budget law. This is an adjustment to the non-operating budget and the 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.

The purchase of these Global Positioning Satellite units will help Constables and Deputy Constables to expedite the service of court papers and documents, resulting in a reduction for fuel costs and employee time. (C-25-09-007-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Sheriff

13. DONATIONS

In accordance with County Policy A2805, accept the monthly donation report received from Sheriff's Office for February 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-342-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilson
Nays: Wilcox
Absent: Stapley

14. SALE AND TRANSFER OF EQUIPMENT TO TACTICAL SUPPORT POSSE

Pursuant to A.R.S. 11-251 (9), approve the sale for \$3,628 of County vehicle #31434, a 2004 Ford Expedition that is designated to go to auction to the Tactical Support Posse. The amount is the average auction value of two like vehicles sold at auction in the last 8 months. Unanimous Consent Of The Board Is Required. (C-50-09-057-M-00)

The Clerk announced that this item would be continued as all members are required to be present for the unanimous vote of the Board.

15. AMENDMENT TO IGA WITH THE CITY OF LITCHFIELD PARK

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) between City of Litchfield Park and Maricopa County on behalf of the Sheriff's Office to reduce public Law Enforcement services from .91 beats to .75 beats, effective March 1, 2009. This equates to a reduction in patrol coverage by one deputy position 8 hours a day, seven days a week. If approved, the total amount payable from the Town of Litchfield Park for FY 2009 Law Enforcement Services will be \$595,917.33, \$531,962 annualized. All other terms and

conditions of the Law Enforcement Intergovernmental Agreement remain in full force and effect. Also approve per A.R.S. §42-17106 reductions in Sheriff's Office FY 2009 recurring 0000 general fund (100) revenue and expenditures as follows, (\$31,978), (\$95,933) annualized. Intergovernmental Agreement revenues are not local revenues for purposes 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.

The 90-day notice for implementation of additions or reductions to the contract is being waived for this amendment. (C-50-08-009-2-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilson
Nays: Wilcox
Absent: Stapley

Treasurer

16. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for January 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-09-017-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

17. TAX DEED LAND SALE

Pursuant to A.R.S. §42-18303(E) as amended by HB2523, accept the cash offer of \$500 by Peter Dworskij on tax deed land parcel(s) 160-64-045B for which the following conditions apply:

1. Both the property offered for sale and the contiguous property were at one time under common ownership, or the property offered for sale is part of a common area maintained by a homeowners' association as determined by the County Assessor.
2. The property offered for sale cannot be separately used for residential purposes pursuant to applicable building codes and ordinances of the jurisdiction in which the property is located due to its size, configuration or recorded common area restrictions.

Date Previously Offered	Parcel No.	Purchaser / Name for the Deed	Amount of Offer	Amount of charges against the parcel
N/A	160-64-045B	Peter Dworskij	\$500	\$3,241.94

Direct that the Treasurers Office accept payment and prepare the deed to convey the property sold and deliver to the Clerk of the Board for further processing. Pursuant to A.R.S. §42-18262(A), the proceeds from the sale in the amount of \$500 will revert to the County General Fund. (C-43-09-018-8-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

TRIAL COURTS

Superior Court Judges and Commissioners

18. EXPENDITURE APPROPRIATION FOR PURCHASE OF INTEGRATED ON-LINE LAW LIBRARY SYSTEM

Pursuant to A.R.S. §11-251 and by request of the Presiding Judge of the Superior Court of Arizona in Maricopa County, transfer FY 2008-09 expenditure appropriation in the amount of \$315,000 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Superior Court (800) Law Library Fund (261) Non-Recurring (0001). Also decrease the FY 2008-09 revenue appropriation in the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Approval of this action will support one-time expenditures for the purchase of a next-generation integrated online library system in the Superior Court. The ongoing maintenance cost will be absorbed in the Superior Court (800) Law Library Fund (261) Operating (0000) budget in FY 2010.

The Superior Court Law Library in Maricopa County requires a new integrated library system which provides electronic access to the records of holdings in the library as well as access to online research databases. The current integrated library system, which was purchased over 10 years ago, will cease to be supported by the current vendor in FY 2010 and is at end of its useful life. As mandated by A.R.S. §12-305, the funds in the Law Library Book Fund are for the sole purpose of "enhancing legal research capabilities in the county law library." The purchase of a new integrated library system is critical to the continued operation of the Superior Court Law Library in Maricopa County and required for the Law Library to continue its mandated operation pursuant to A.R.S. §12-305. (C-80-09-006-2-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

COUNTY MANAGER

Communications

19. EXECUTION COMPENSATION PACKAGE: LEAVE REQUEST

Approve an Executive Compensation Package (ECP) for Theresa Ann Mulholland, an unclassified BOS Press Secretary in the Communications Department authorizing an award of a Schedule 4 Leave Accrual Rate effective February 9, 2009; and for Richard DeUriarte, an unclassified Communications Manager in the Communications Department, authorizing a deposit of 120 hours of PTO and 80 hours of FML to his leave balance effective February 9, 2009.

If approved, this ECP agreement will award Theresa Ann Mulholland a Schedule 4 Leave Accrual Rate effective February 9, 2009; and Richard DeUriarte with a deposit of 120 hours of PTO and 80 hours of FML in his leave balance. (C-71-09-003-6-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Office of Public Defense Services

20. REMOVAL OF VEHICLE DECALS AND GOVERNMENT PLATES

Approve exemptions from markings, including the issuance of non-governmental license plates, per A.R.S. §38-538.03, for one existing vehicle designated for the Juvenile Public Defender Office.

The Juvenile Public Defender's Office requests that designated department vehicle #21603 (VIN# 3FASP13J2TR103347) be classified as unmarked so that it may be exempt from County decals and government plates. This vehicle will be used primarily for juvenile felony case investigation, witness interviews, and crime scene investigation. The nature of these activities requires the vehicles be unmarked. (C-57-09-001-V-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Office of the County Manager

21. EMPLOYEE AWARDS FOR REWARDING IDEA PROGRAM

Authorize and approve the employee awards from the Rewarding Ideas Program in the amount of \$5,447 and present awards on April 1, 2009. The Rewarding Ideas Merit Award Board met on January 28, 2009, and approved and recommended the employee awards. (C-20-09-043-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

22. EXCEPTION TO MARICOPA COUNTY GRANTS POLICY

Approve an exception to the initial application requirements of the Policy for Administering Grants A2505, as revised, for all county departments that wish to apply for Federal Stimulus funds. All departments that wish to pursue Federal Stimulus grants or other funding shall work in conjunction with the County Manager's Recovery Committee for purposes of identifying application opportunities that would assist individual departments in carrying out their activities on behalf of the county. Any Federal stimulus funds actually awarded must be presented to the Board for approval prior to acceptance. This exception shall remain in place as long as Federal Stimulus funds are available. (C-20-09-044-2-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

DEPUTY COUNTY MANAGER

Office of Enterprise Technology

23. CONTRACT AMENDMENT WITH DEPARTMENT OF ENERGY WESTERN AREA POWER ADMINISTRATION

Approve a contract between U.S. Department of Energy, Western Area Power Administration (WAPA), (03-DSR-11429) and Maricopa County through the Office of Enterprise Technology, for the purpose of amending the contract between WAPA and Maricopa County to extend termination date to September 30, 2012. This contract is non-financial and is effective from September 30, 2008 until September 30, 2012.

On March 3, 2004 Maricopa County and the U.S. Department of Energy Western Area Power Administration (WAPA) approved a contract (WAPA No. 03-DSR-11429 / County No. C-76-04-007-2-00) to exchange tower and building space at both Towers Mountain and Oatman Mountain. The contract allows the County to place its communication equipment within the WAPA owned site at Towers Mountain and WAPA the right to place its communications equipment within the County owned Oatman Mountain site. The contract must now be amended and approved by both parties allowing for a new contract term which will now terminate on September 30, 2012. (C-76-04-007-2-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Public Health

24. GRANT FUNDING FROM THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR EXPANDING DISTRIBUTION OF CHILD SAFETY SEATS

Approve and accept grant funding from the Governor's Office of Highway Safety (2009-OP-001) to Maricopa County through its Department of Public Health for the purpose of expanding distribution of child safety seats and providing education and training on proper installation, to rural communities within Maricopa County. Grant funding is in the amount of \$20,000. The term of the grant is from January 1, 2009 through September 30, 2009. The Department of Public Health's indirect rate for FY 2008-09 is 18%. This grant deviates from County policy A2505 and does not allow for indirect cost reimbursement. Funds will be used for purchase of car seats, which is not subject to indirect cost. Therefore, indirect costs totaling \$3,600 will be unrecoverable.

Funding for this grant will be provided by a grant from the Governor's Office of Highway Safety and will not affect the County general fund. (C-86-09-047-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

25. IGA WITH CITY OF PHOENIX FOR LEAD BASED HAZARD REDUCTION PROGRAM

Approve Intergovernmental Agreement (IGA) between the City of Phoenix and Maricopa County through its Department of Public Health to provide education, blood lead testing of children and case management as part of the Lead Based Paint Hazard Reduction Program. This IGA provides funding for a maximum amount of \$100,215 for contract term January 1, 2009 through December 31, 2010. Of this amount, \$54,177 was already included in the FY 2008-09 adopted budget. The Department of Public Health indirect rate is 18%. Full indirect costs are estimated at \$15,287 and are fully recoverable. Funding for this agreement is provided by the City of Phoenix and does not affect the county general fund budget. (C-86-09-056-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

26. AMENDMENT TO IGA WITH THE WASHINGTON SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve Amendment No. 5 to Intergovernmental Agreement (IGA) with the Washington School District to increase the contract by \$3,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health for contract period ending May 1, 2009. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$108,000 for the contract term July 1, 2006 through May 1, 2009. (C-86-07-449-2-05)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

27. IGA WITH QUEEN CREEK UNIFIED SCHOOL DISTRICT FOR HIGH SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve an Intergovernmental Agreement (IGA) between Queen Creek Unified School District and Maricopa County by and through its Department of Public Health to provide high school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$2,000 for budget period beginning December 8, 2008 through May 1, 2009. Funding for this agreement is provided by the City of Phoenix and does not affect the county general fund budget. (C-86-09-057-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

28. AMENDMENT TO IGA WITH BUCKEYE ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve Amendment No. 4 to Intergovernmental Agreement (IGA) with the Buckeye Elementary School District to increase the contract by \$1,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health for contract period ending May 1, 2009. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$21,000 for the contract term July 1, 2006 through May 1, 2009. (C-86-07-402-2-04)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

29. AMENDMENT TO IGA WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TOBACCO EDUCATION AND PREVENTION

Approve Amendment No. 11 to the Intergovernmental Agreement (IGA) between the Arizona Department of Health Services (HG354361) and Maricopa County through its Department of Public Health for tobacco education and prevention. This amendment replaces the Price Sheet and makes administrative changes to the previous amendment.

The term of this IGA is November 1, 2008 through June 30, 2009. All other terms and conditions of the original IGA shall remain in full force and effect. Funds for this IGA are provided by ADHS and do not increase the County's general fund. (C-86-03-159-2-11)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

30. AMENDMENT TO CONTRACT WITH DELTA DENTAL OF ARIZONA FOR DENTAL INSURANCE PROGRAM

Approve Amendment No. 2 to Contract No. C-86-08-054-1, between Delta Dental Plan of Arizona and Maricopa County through its Department of Public Health, Office of Oral Health for the provision of dental insurance services to individuals affected by HIV/AIDS. This amendment extends the date of contract to June 30, 2009. This amendment also increases the contract by \$350,000 for the budget term March 1, 2009 through June 30, 2009; bringing the aggregate total not-to-exceed amount to \$1,115,000. All other terms and conditions of the original contract shall remain in full force and effect.

Funding for this contract is provided by a grant from the federal Department of Health and Human Services, Health Resources and Services Administration (HRSA), the Ryan White (RW) Comprehensive HIV/AIDS Treatment Modernization Acts of 2006 and the Maricopa County General Government Department, Ryan White Part A Program and will not affect the County general fund. Delta Dental is a successful respondent to a Request For Proposals (08-007) issued by the Department of Public Health on January 2, 2008. (C-86-08-054-1-02)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Workforce Management and Development

31. GRANT FOR RYAN WHITE HIV/AIDS TREATMENT MODERNIZATION ACT - PART A MINORITY AIDS INITIATIVE (MAI)

Approve the application and acceptance of grant funds from Department of Health and Human Services, 1 H3MHA 08443-01, in the not-to-exceed amount of \$227,675 to provide funding to agencies for services to minority communities for people living with HIV/AIDS. The grant award begins on August 1, 2009 and ends on July 31, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. \$193,524 is passed through to subrecipients and is not subject to indirect cost. The Health Care Programs indirect rate for FY 2009-10 is 14.8%. The grant allows a 10% rate for indirect costs. Indirect costs are estimated to be \$4,595, of which, \$3,105 are recoverable and \$1,490 are unrecoverable.

These funds will be included in the FY 2009-10 budget request for the Health Care Programs (390) Public Health Grant Fund (532).

Ryan White Part A Program receives funds from HRSA, under Part A of the Ryan White Treatment Modernization Act of 2006, to provide services to people infected with, or affected by HIV/AIDS. The grant provides contracts with HIV and AIDS service organizations which deliver/enhance health related and support services for HIV positive/affected persons. These services include, but are not limited to, case management, counseling, outpatient health services, food and nutrition services, legal services, transportation, and emergency financial assistance. Pursuant to federal statute, 85% of the grant funds must be passed

through to contractors. The forms that require the Chairman of the Board's signature include: Certification Regarding Lobbying, FY 2010 Agreements and Compliance Assurances - Part A Grant Program, and Application for Federal Assistance SF-424. (C-31-09-011-G-00)

Supervisor Wilcox noted that this will provide much needed services to the HIV/AIDS community.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION

Animal Care & Control Services

32. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$123,445 and the Foster Program in the amount of \$3,888.55. The total donation received was in the amount of \$127,333.55 which supports one position in the Foster Program. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-075-D-00)

Supervisor Brock thanked those who donated to Animal Care and Control so generously.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

33. DONATIONS FROM DRUSILLA WYLIE AND FROM SOUTHEAST VALLEY REGIONAL ASSOCIATION OF REALTORS

Accept the monetary donations from Drusilla Wylie of Mesa, AZ in the amount of \$500; and, Southeast Valley Regional Association of Realtors of Mesa, AZ in the amount of \$2,500 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-079-D-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

34. AGREEMENT WITH POSH PUPPY FOR NEW HOPE PROGRAM

Approve an Agreement between Kim Sobotka, d.b.a. Posh Puppy, 15060 N. Northsight Boulevard, Suite 101, Scottsdale AZ 85260, and Maricopa County to allow Posh Puppy

under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 500 new hope rescues over the term of the agreement, for a total of \$20,000. The term of this Agreement is from March 18, 2009 through June 30, 2010. (C-79-09-076-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

35. AGREEMENT WITH ENGLISH SPRINGER RESCUE AMERICA, INC. FOR NEW HOPE PROGRAM

Approve an Agreement between English Springer Rescue America, Inc., a 501 (C) 3 corporation, 19518 Nashville Street, Northridge, CA 91326, with local affiliates at 4437 W. Stonecreek Road, Maricopa, AZ 85239 and Maricopa County to allow English Springer Rescue America, Inc. under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 12 new hope rescues over the term of the agreement, for a total of \$480. The term of this Agreement is from March 18, 2009 through June 30, 2011. (C-79-09-077-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

36. AGREEMENT WITH ANGEL HAVEN ANIMAL RESCUE ASSOCIATION FOR NEW HOPE PROGRAM

Approve an Agreement between Angel Haven Animal Rescue Association, a 501 (C) 3 corporation, 1990 N. Alma School Road #305, Chandler, AZ 85284, and Maricopa County to allow Angel Haven Animal Rescue Association under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 13 new hope rescues over the term of the agreement, for a total of \$520. The term of this Agreement is from April 23, 2009 through June 30, 2012. (C-79-09-078-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Human Services

37. GRANT BUDGET APPROPRIATION ADJUSTMENTS

Approve revenue and expenditure appropriation adjustments to the Human Services Grant Fund (Department 220, Fund 222) in the amount of \$674,361 as identified on the Fiscal Year 2009 Grant Summary Worksheet on file in the Office of the Clerk of the Board. The appropriation adjustment is necessary because the carry forward amounts of prior year

grants and award amounts of new grants differ from the amount approved in the FY 2008-09 Budget Appropriation. This action is in accord with the action plan developed by the Office of Management and Budget and Human Services to insure compliance with the Board approved Budgeting for Results Accountability Policy. 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. The indirect cost rate is 15.2%, as calculated by the Department of Finance. Most of the grants for FY 2008-09 allow for indirect cost recovery, as reflected in the funding agreements. The status of the indirect costs for each grant is noted on the Grant Summary Worksheet on file in the Office of the Clerk of the Board. (C-22-09-115-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

38. AMENDMENT TO IGA WITH THE CITY OF CHANDLER (CDBG)

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) by and between the City of Chandler by and through its Arizona Office of Neighborhood Resources and Maricopa County administered by its Human Services Department (HSD). This amendment will modify Section VIII. Personnel and Participant Conditions of the IGA. This amendment will also add Attachment C to the IGA. All other terms and conditions of the IGA remain in full force and effect. This amendment is in effect from the date of approval through June 30, 2009. (C-22-09-076-3-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

39. IGA WITH THE STATE OF ARIZONA FOR SPECIAL TRANSPORTATION SERVICES (JARC)

Approve an Intergovernmental Agreement (IGA) between The State of Arizona - Job Access and Reverse Commute (JARC) and Maricopa County administered by its Human Services Department (HSD), for the provision of special transportation services. The purpose of this Agreement is for the provision of grant reimbursement for purchases of items/services shown in the section "II. Scope" for an amount not-to-exceed \$196,122. The term for this agreement is December 29, 2008 to December 28, 2009. HSD's FY 2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$25,877. (C-22-09-133-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

40. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY

Approve Amendment No.1 to Intergovernmental Agreement (IGA) between Arizona Department of Economic Security/Employment Administration (DES/EA) and Maricopa County administered by its Human Services Department (MCHSD). This amendment acknowledges the change of location of the West Valley One Stop Career Center and increases the amount DES/EA pays on a monthly basis for co-location costs associated with the operation of the West Valley One Stop Career Center.

DES/EA will pay: \$10,971.02 for Lease, \$3,848.36 for Utilities, \$910.97 for Data Communication, monthly total is \$15,730.35. Total Amendment amount is \$188,764.20.

This is a resource sharing agreement, Indirect funds do not apply to this agreement since Indirect funds are collected from the Main DES contract. All funds collected under this agreement will be applied to the costs associated with the operation of the West Valley One Stop Career Center. This is a financial IGA and is effective upon signature of both parties and will expire on June 30, 2009. There are no County General funds associated with this IGA. (C-22-07-100-2-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

41. TERMINATION OF IGA WITH ARIZONA DEPARTMENT OF VETERANS' SERVICES TROOPS TO TEACHERS

Approve the termination of the Intergovernmental Agreement (IGA) between Arizona Department of Veterans' Services (ADVS) for Troops to Teachers and Maricopa County administered by its Human Services Department (MCHSD). Pursuant to the General Terms and Conditions outlined in Exhibit 2 page 3 VI "Termination: Any Partner to this plan may withdraw from the Agreement with 60 days' prior written notice, showing reasons, to all other parties to the Agreement." The termination of the IGA is effective date is March 31, 2009.

MCHSD is in receipt of the notice by Arizona Department of Veterans' Services (ADVS) for Troops to Teachers to withdraw from the IGA. (C-22-09-068-1-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

42. AGREEMENT WITH NINA MASON PULLIAM CHARITABLE TRUST

Approve an Agreement between Nina Mason Pulliam Charitable Trust and Maricopa County administered by its Human Services Department in the amount of \$162,344 for the contract period April 1, 2009 to March 30, 2010. Also approve the terms and conditions as indicated in the agreement.

The grant funding deviates from the Maricopa County Policy for Administering Grants (A2505) which requires all departments/special districts to obtain Board of Supervisors approval prior to submitting an application for grant funding. The Nina Mason Pulliam Charitable Trust identified the Maricopa County Human Services Department as a recipient of these funds without an application process and their Board approved the funds allocation on February 19, 2009, in addition the grant is advanced funding from the Grantor Agency, therefore, we are requesting Board of Supervisor approval to accept these funds. The Department of Human Services indirect rate for FY 2008-2009 is 15.2%. No indirect is recoverable. The total grant amount of \$162,344 is for sub recipient and is not subject to indirect. The amount of \$81,172 is to be expended in FY 2009 and the remaining of \$81,172 is to be expended in FY 2010.

Funds for this Agreement are provided by a grant from the Nina Mason Pulliam Charitable Trust and do not increase the County's general fund. (C-22-09-136-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

43. HEAD START/EARLY HEAD START SUPPLEMENTAL FUNDING (AMERICAN RECOVERY AND REINVESTMENT ACT)

Approve the application of the first round of American Recovery and Reinvestment Act grant funds in an amount not-to-exceed \$1,500,000. This supplemental grant is from the Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF), Office of Head Start (OHS), (09CH7096). These funds support the base Head Start/Early Head Start grant in the areas of cost-of-living adjustments (COLA), quality improvements, and/or training and technical assistance. The Maricopa County Head Start Zero-Five Program expects the grant award will begin on July 1, 2009 and end on June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. Human Services Department indirect rate is 15.2%. Grant indirect expenses are fully recoverable and are estimated to be approximately \$197,917. Any supplemental funds received will adjust the base budget using a budget true up.

The American Recovery and Reinvestment Act (ARRA) allocates \$2.1 Billion over the next two years for Head Start/Early Head Start programs across the nation. Discussion regarding ARRA funds distribution was conducted during the MARICOPA COUNTY FY2009-10 HEAD START/EARLY HEAD START FUNDING PRESENTATION. This is the first of several anticipated supplemental funding opportunities from the American Recovery and Reinvestment Act. Maricopa County's first distribution will include funding for a 4.9 percent cost-of-living adjustment, quality improvements, and training and technical assistance. Additional ARRA funds are to be allocated for Head Start and Early Head Start expansion in the near future. Office of Head Start (OHS) will offer these supplemental funds with a short turn-around time of 4 to 6 weeks for application submission. OHS requires the BOS review and approve all grant applications prior to submission and that the BOS Chairman sign all grant applications, as well as amendments to grant applications, which is why the program is requesting advance approval to apply for these funds. All overhead/indirect costs are allowable and the FY2009-10 authorized rate will be applied to the grant. Any supplemental funds awarded require a 25 percent match, which will be provided through in-kind donations. The matching funds do not include any Maricopa County General Funds. Funds received will be shared with the delegate agency, Catholic Charities. (C-22-09-137-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

44. AMENDMENT TO CONTRACT WITH ARIZONA WOMAN'S EDUCATION AND EMPLOYMENT, INC.

Approve Amendment No. 2 to the contract by and between Arizona Woman's Education and Employment, Inc., (AWEE) and Maricopa County administered by its Human Services Department (HSD). This amendment will modify the maximum compensation that will be paid to Special Transportation Services (STS) from \$20,000 to \$10,000. This amendment will also change the program contact for STS's Worklinks program to Aaron Roth and extend the service period from January 1, 2009 to December 31, 2009. The contract term as stated in Amendment 1, was to expire on December 31, 2008. All other terms and conditions of the contract remain in full force and effect. The indirect will be reduced by \$1319 as a result of the reduction in funding. Total indirect to be collected will be \$1319. This amendment is in effect from January 1, 2009 through December 31, 2009. (C-22-08-109-3-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

45. AMENDMENT TO CONTRACT WITH PIMA PREVENTION PARTNERSHIP

Approve Amendment No. 2 to a Contract between Pima Prevention Partnership (C-22-08-129-1-00) and Maricopa County through the Human Services Department to increase the contract amount to \$424,544 and the number of service delivery units to 1,500. This amendment is effective from September 30, 2008 to September 29, 2009. All other terms and conditions of the Contract remain in full force and effect.

Maricopa County Head Start Zero-Five Program is the recipient of a five-year Healthy Marriage Initiative grant. The contract amendment uses \$87,944 carried forward from Year 1 of the grant from U.S. Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF), (C-22-08-128-3-00). Pima Prevention Partnership (PPP) is the contracted service provider for the grant funds. (C-22-08-129-1-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

46. MARICOPA COUNTY FY 2009-10 HEAD START/EARLY HEAD START BASE FUNDING

Approve the application and acceptance of grant funds from U.S. Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF), Office of Head Start (OHS), (09CH7096), in the not-to-exceed amount of \$19,002,361 for the purpose of promoting school readiness for 2,382 children in the Maricopa County Head Start Zero-Five Program. The grant award begins on July 1, 2009 and ends on June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The sub-recipient (delegate) of this grant receives \$7,127,017 of the total grant funds. Human Services Department indirect rate for FY2008-09 is 15.2% and is estimated to remain at 15.2% for FY2009-10. Indirect expenses will not exceed \$1,566,886 and are fully recoverable. Grant indirect expenses may be incurred by the Human Services Department or Maricopa County for the administration of this grant. The FY2009-10 budget request will include revenues and expenditures of \$19,002,361.

This grant will allow the Maricopa County Head Start Zero-Five Program to continue serving 2,382 low-income children (2,193 in Head Start and 189 in Early Head Start), which is the same number served in FY2008-09. The Office of Head Start requires the BOS Chairman sign all grant applications, as well as amendments to grant applications, which is why the program is requesting advance approval to apply for these funds. The base funds are awarded only three to seven days prior to the start of the grant period, which is the reason for the advance approval to accept the funds. Amendments are required if the program needs to transfer funds between budget line items in an aggregate amount of \$250,000 or more. All overhead/indirect costs are allowable and the FY2009-10 authorized rate will be applied to the grant. The federal funds awarded require a 25 percent match (\$4,750,590), which is provided through in-kind donations. The grant and matching funds do not include any Maricopa County General Funds. (C-22-09-134-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

CHIEF FINANCIAL OFFICER

Finance

47. FUNDS TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

48. ASSISTANCE PACKAGE INTERGOVERNMENTAL AGREEMENT AND PROMISSORY NOTE FOR THE CHANDLER COUNTY ISLAND FIRE DISTRICT

Approve the Assistance Package Intergovernmental Agreement and Promissory Note in the amount of \$35,000 for the Chandler County Island Fire District effective upon signature of the Chairman of the Board of Supervisors. Pursuant to A.R.S. §42-17106(B), transfer expenditure appropriation of \$35,000 from Non-Departmental (470) General Fund (100) General Contingency (4711) Non-recurring (0001) to a new line in Non-Departmental (470) General Fund (100) Other Programs (4712) Non-Recurring (0001) entitled, "Chandler County Island Fire District". Promissory Note payable when the District receives its property tax revenues or establishes a line of credit, whichever occurs first.

The Chandler County Island Fire District was formed on November 18, 2008 (C-06-08-074-7-00), and is a special taxing district that will provide fire and emergency medical services to the county island residents who live within the municipal planning area of the City of Chandler. The loan will be used to pay the Chandler County Island Fire District's Insurance Premium and will be repaid by the District when it establishes a line of credit. This item was continued from the February 25, 2009 meeting. (C-18-09-040-2-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

49. AMENDMENT TO LICENSE AGREEMENT WITH DISCOVERY WEST RANCHES PARTNERS

Approve and execute the first amendment to License Agreement with Discovery West Ranches Partners, Licensee, to allow continued farming the Southwest Regional Justice Center vacant property.

The County will receive a nominal annual fee of \$10.00 and other considerations such as weed/dust control in exchange for the right of the Licensee to farm the site. The term will commence July 1, 2009 and terminate June 30, 2010. The County may terminate the agreement by giving the Licensee a six-month written termination notice. (C-18-08-036-B-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

50. AMENDMENT TO IGA WITH THE TOWN OF GILBERT FOR USE OF A COUNTY-OWNED PARCEL OF LAND KNOWN AS THE "GILBERT RODEO GROUNDS"

Approve a Fourth Amendment to an Intergovernmental Agreement (IGA) G30107 with the Town of Gilbert (Town) for use of a County-owned parcel of land known as the "Gilbert Rodeo Grounds" located near Val Vista Drive and Ray Road, in the Town of Gilbert. This Fourth Amendment provides an additional 12-month extension of the term that will expire on February 15, 2010. The Town will pay a nominal fee of \$10.00 for use of the subject site during the 12-month extension period. The Facility Review Committee endorses the proposed Fourth Amendment. (C-18-08-003-2-03)

Supervisor Brock thanked Dennis Lindsey, Real Estate Manager, for his patience and expertise in dealing with the Town of Gilbert on this long-standing land use agreement.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

51. SALE OF REAL PROPERTY OF THE AVONDALE FAMILY HEALTH CLINIC TO THE CITY OF AVONDALE

Deem as advantageous for Maricopa County to sell, and authorize and approve the sale of, approximately 450 square feet of real property (30' X 30' triangle), at the Avondale Family Health Clinic located at the northwest corner of Van Buren and Eliseo Felix Jr. Way, to the City of Avondale for the purchase price of \$8,650.00, and authorize the Chairman to execute all necessary documents approved by County Counsel for the sale of the property. The Facilities Review Committee supports the sale of the property.

On August 20, 2008, the Board of Supervisors granted a Right of Entry (C-18-09-012-8-00) to the City to begin construction of the traffic signal and negotiations for the purchase of the subject property. The City of Avondale has made a written offer to purchase the 450 square feet for \$8,650.00. This agenda item will authorize the selling of the property for the installation and maintenance of a traffic signal at the intersection of Van Buren and Eliseo Felix Jr. Way and will authorize the Chairman to execute all necessary documents approved by County Counsel to sell the property. This item was continued from the February 25, 2009 meeting. This item requires a unanimous approval of the board of supervisors. (C-18-09-043-8-00)

The Clerk announced that this item would be continued as all members are required to be present for the unanimous vote of the Board.

52. FACILITIES USE AGREEMENT WITH THE ARIZONA BOARD OF REGENTS, AN AGENCY OF THE STATE OF ARIZONA, FOR AND ON BEHALF OF THE UNIVERSITY OF ARIZONA

Pursuant to A.R.S. §11-251(9), approve a Facilities Use Agreement (G-30119) between Maricopa County and the Arizona Board of Regents, an agency of the State of Arizona, for and on behalf of the University of Arizona and its College of Medicine (the "University") for the use of Maricopa County property as a gross anatomy teaching lab at the Forensic Science Building located at 701 W. Jefferson Street in Phoenix.

This Facilities Use Agreement (G-30119) will allow the University to reconfigure and use approximately 1,000 square feet of vacant space in the Forensic Science Building to conduct gross anatomy classes. In addition, this agreement will allow the University the use of up to 60 parking spaces in the adjacent parking structure if parking spaces are available. The effective date of the Agreement is upon execution by the parties and will terminate June 30, 2012, unless extended by the University, at Maricopa County's sole discretion, through three one-year renewal options. With prior written notice, Maricopa County may reduce the number of parking spaces in the Forensic Science Garage made available to the University. The University will reimburse Maricopa County \$12,000 per year for the use of the lab space and \$35 per month per parking space for the use of parking spaces at the Forensic Science Garage. The University is responsible for all costs associated with the reconfiguration of the lab space and for all utility, operating, and maintenance costs associated with the University's use of the lab space. This item requires a unanimous approval of the board of supervisors. (C-18-09-044-1-00)

The Clerk announced that this item would be continued as all members are required to be present for the unanimous vote of the Board.

53. POWER DISTRIBUTION EASEMENT FOR ELECTRICAL SERVICE FOR THE NEW VISITORS CENTER AT USERY MOUNTAIN REGIONAL PARK

Approve and authorize the granting of a Power Distribution Easement, without a public auction pursuant to A.R.S. 11-251 (9), to Salt River Project Agricultural Improvement and Power District (SRP), its successors and assigns, in consideration of \$1.00, to construct, operate, and maintain overhead and underground electric lines and appurtenant facilities to provide electrical service for the new Visitors Center at Usery Mountain Regional Park, and authorize the Chairman to execute the necessary Power Distribution Easement. This item was endorsed by the Facility Review Committee on February 24, 2009. This item requires the unanimous consent of the board. (C-18-09-045-8-00)

The Clerk announced that this item would be continued as all members are required to be present for the unanimous vote of the Board.

Materials Management

54. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

a. 05168-C, TRAFFIC SIGNAL HEADS & COMPONENTS

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: Expiration Date: April 30, 2012

Serial: 05168-C

Item: Traffic Signal Heads & Components (\$600,000 estimate/three years) Price agreement renewal for the purchase of traffic signal heads and components for installation/repair of County installed traffic signals.

Brown Wholesale Electric (C-73-09-059-7-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

b. 04178-C, WATER TRUCK TANK AND SPRAY SYSTEMS

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

Serial: 04178-C

Item: Water Truck Tank and Spray Systems (\$142,000) Increase price agreement value from \$185,000 to \$327,000. This \$142,000 increase is being requested by Equipment Services to purchase a replacement water tank, parts and installation services for existing water trucks in their fleet. Materials Management approved the initial price agreement on December 1, 2004 and subsequent price agreement renewal on November 29, 2007. This price agreement has an expiration date of December 31, 2010.

United Truck & Equipment (C-73-09-058-7-00)

Motion to approve by: Supervisor Kunasek, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Parks and Recreation

55. TRANSFER FUNDING FOR THE PURCHASE OF STATE LAND FOR THE MARICOPA TRAIL

1. Transfer expenditure authority from Non-Departmental (470) Non-Departmental Grants Fund (249) Non-recurring/Non-Project (0001) to Parks and Recreation (300) Parks Donation Fund (243) Non-recurring/Non-Project (0001) in the amount of \$160,833.
2. Create a project in Non-Departmental (470) Intergovernmental Capital Projects Fund (422) entitled "Maricopa Regional Trail System" (MRTS).
3. Authorize a Fund Transfer from Parks and Recreation (300) Parks Donation Fund (243) Non-recurring/Non-Project (0001) to the newly created line item entitled "Maricopa Regional Trail System" in Non-Departmental (470) Intergovernmental Capital Projects Fund (422) Maricopa Regional Trail System" (MRTS) in the amount of \$160,833 with offsetting adjustments to Eliminations Department (980) Eliminations Fund (900).
4. Transfer expenditure authority from Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System (MRTS) to Non-Departmental (470) Intergovernmental Capital Projects Fund (422) newly created line item "Maricopa Regional Trail System" (MRTS) in the amount of \$160,833.
5. Authorize a Fund Transfer from Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System" (MRTS) to Non-Departmental (470) General Fund (100) Non-recurring/Non-Project (0001) in the amount of \$160,833 with offsetting adjustments to Eliminations Department (980) Eliminations Fund (900).

6. Approve the reduction of the project titled "Maricopa Regional Trail System" in the Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System (MRTS) line item in the amount of \$160,833. This reduces year 1 (FY 2008-09) from \$1,692,086 to \$1,531,253 and the total project in Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System (MRTS) to \$4,839,167.

These adjustments result in a net impact of zero and do not change the duly adopted budget as approved by the Board of Supervisors pursuant to A.R.S. §42-17105.

Agenda item C-30-03-028-B-02 granted Parks the authority to purchase/bid \$340,815.00 for Section 14 of the Maricopa Trail at auction on April 21st, 2009. This authority would use the project funds in Non-Departmental (470) General Fund County Improvement Fund (445) Maricopa Regional Trail System (MRTS). Recent developments have shown that this parcel qualifies for using donated funds from Del Webb/Anthem that reside in Parks and Recreation (300) Donation Fund (243). (C-30-09-021-2-00)

Supervisor Kunasek said this is another step in the County's Trail construction project, saying this right-of-way will acquire land between Lake Pleasant and I-17 for the Trail. He said this is one of the last steps in completing the Trail as this segment extends between Lake Pleasant Park and Spur Cross Park near Cave Creek.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Air Quality Department

56. SALE AND OPERATING TRANSFER OF VEHICLES

1. Approve the sale and operating transfer of two vehicles from the Air Quality Department (850) Air Quality Fees Fund (504) to the Environmental Services Department (880) Environmental Grant Fund (505).

2. Approve the sale and operating transfer of four vehicles from the Air Quality Department (850) Air Quality Fees Fund (504) to the Environmental Services Department (880) Environmental Health Fund (506).

3. Approve a reduction in the County fleet of three vehicles as three of these six vehicles are being used to replace vehicles rather than purchasing new vehicles as replacements.

Pursuant to A.R.S. 42-17106(B), approve an FY 2008-09 fund transfer of \$27,525 from the Environmental Services Department (880) Grant Fund (505) to the Air Quality Department (850) Air Quality Fees Fund (504). This requires an increase to the FY 2008-09 Air Quality Department (850) Air Quality Fees Fund (504) Non Recurring Non Project (0001) revenue appropriation of \$27,525, and an increase to the FY 2008-09 Environmental Services Department (880) Grant Fund (505) Non Recurring Non Project (0001) expenditure appropriation of \$27,525, and offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non Recurring Non Project (0001). 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. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Pursuant to A.R.S. 42-17106(B), approve an FY 2008-09 fund transfer of \$55,525 from the Environmental Services Department (880) Environmental Health Fund (506) to the Air Quality Department (850) Air Quality Fees Fund (504). This requires an increase to the FY 2008-09 Air Quality Department (850) Air Quality Fees Fund (504) Operating (0001) revenue appropriation of \$55,525, and an increase to the FY 2008-09 Non Departmental (470) Non Departmental Grant Fund (249) Non Recurring Non Project (0001) Potential Fee Increases line expenditure appropriation of \$55,525, and offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non Recurring Non Project (0001). The net financial impact to the County is zero.

Environmental Services will acquire six vehicles as follows:

Equipment Number/Description/Sales Price (Environmental Services Fund)
21813/2008 Ford Focus Sedan Compact 4Dr/ \$11,150 (506)
71835/2008 Ford Ranger 4x4 Pickup Truck/ \$16,400 (506)
21814/2008 Ford Focus Sedan Compact 4Dr/ \$11,575 (506)
71831/2008 Ford Ranger 4x4 Pickup Truck/ \$16,400 (506)
71836/2008 Ford Ranger 4x4 Pickup Truck/ \$16,075 (505)
21818/2008 Ford Focus Sedan Compact 4Dr/ \$11,450 (505)

Environmental Services is replacing the following the following vehicles:

Equipment Number/Description (Environmental Services Fund)
21750/1997 Ford Escort Sedan Compact 4 DR (506)
82101/2001 Chevrolet Cavalier Sedan Compact 4DR (506)
31052/2000 Ford F150 4x4 Pickup Truck (506) (C-85-09-014-V-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Emergency Management

57. EMERGENCY ALERT SYSTEMS PLAN

Approve the Maricopa County/Pinal County Local Area plan for the Emergency Alert Systems (EAS). The Chairman of the Board of Supervisors will sign the plan for Maricopa County; other signatories are the Chairman of the Pinal Board of Supervisor, the National Weather Service, the three local primary radio stations, and the co-chairs of the Arizona State Emergency Communications Committee. The plan will be valid until superseded by an updated version. There is no cost to the county, and no revenue being generated.

The Emergency Alert System (EAS) is a Federal Communications Commission sponsored program that uses commercial radio and television stations to quickly inform the public about severe weather and other disasters that may threaten their safety. The plan provides guidance for implementing and broadcasting EAS messages in Maricopa County and northwest Pinal County. The plan updates the previous EAS plan with two changes: Added the frequency of the EAS state relay, and took all telephone numbers out of the plan and listed them in an addendum. (C-15-03-006-0-03)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

ASSISTANT COUNTY MANAGER - PUBLIC WORKS

Public Works

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

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-349-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

59. ADJUSTMENT TO FY 2008-09 TRANSPORTATION CAPITAL PROJECTS FUND

Approve the addition of the following projects to an approved capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234):

Project # Project Name Bin
T068 ELLSWORTH GERMAN - BASELINE ARTS
T114 CHAND HGTS AT SANOKI WASH BRIG
T180 COTTON LN BRIDGE @ GILA RIVER BRIG
T219 MINGUS AT 25TH AVENUE BRIG
T046 PM10: (PH4) IN SE VALLEY DMIT
T108 MCDOWELL: SHOULDERS WIDENING DMIT
T275 MERIDIAN RD PSUP
T102 WILLIAMS FLD AT HIGLEY TIMP
T216 PINNACLE PK AT 83RD & 91ST AVE TIMP
T233 CAMINO DEL SOL AT SPANISH GDN TIMP
T256 NORTHERN AVE AT EL MIRAGE RD TIMP
T258 DEL WEBB BLVD AT 99TH AVE TIMP
T267 CAREFREE HWY AT 7TH STREET TIMP

This action is necessary due to the fact that the above projects were expected to be completed in FY08 but experienced contract carry-overs received in FY 2008-09. Because they were not placed in an FY 2008-09 Project Bin, it is necessary to do so now.

In addition, approve the following projects to be included in the associated capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234).

Project # Project Name Bin
T058 ESTRELLA INTERIM LOOP 303II ARTS
T062 ELLSWORTH: UIV - MCLELLAN ARTS
T081 GILBERT RD:MCDOWELL - SR 87 ARTS
T124 PNCL PK: LK PLEASNT - 83RD AVE ARTS
T056 115TH AVE BRIDGE AT GILA RIVER BRIG
T072 MC85 AT AGUA FRIA/BRIDGE SCOUR BRIG
T193 DESERT HILLS @ SKUNK CREEK BRIG
T253 RAINBOW RD BRIDGE:BUCKEYE CNL BRIG
T028 PM10 PROGRAM DMIT
T047 PM10: (PH4) IN NORTH VALLEY DMIT
T183 OLD STAGE: N RVR - COYOTE PASS DMIT
T265 43RD AVE: SOUTHERN TO BROADWAY DMIT

T025 BELL RD: SR 303 -L101 ITS IMP INTL
T204 AZTECH SMART CORRIDORS PH III INTL
T286 SUN VALLEY PKWAY PVMNT REPAIR PAVE
T143 POWER RD: ELLIOT TO GUADALUPE PSUP
T189 APACHE BL BRIDGE/TEMPE CANAL PSUP
T223 OLIVE AT REEMS PSUP
T120 BELL RD AT R H JOHNSON SAFE
T235 UNION HILLS MULTI-USE PATH SAFE
T156 CHANDLER HTS RD @ 124TH ST TIMP
T158 LOWER BUCKEYE RD @ 67TH AVE TIMP
T227 MEEKER AT CAMINO DEL SOL TIMP
T232 R H JOHNSON AT MEEKER TIMP
T236 SIGNAL MODERNIZATION SC 1 TIMP
T255 NORTHERN AVE AT REEMS RD TIMP
T257 OLIVE AVE AT 114TH AVE TIMP
T260 BROWN ROAD AT SIGNAL BUTTE RD TIMP
T264 UNION HILLS DRIVE AT 99TH AVE TIMP

The above projects were also not included in FY 2008-09 Project Bins but the potential exists that they too may experience charges in FY 2008-09. For this reason, the Office of Management and Budget (OMB) suggests that they be placed in FY 2008-09 Project Bins at this time.

Also, approve the following projects to be included in the associated capital project bin in the Public Works Department (910) Transportation Capital Projects Fund (234).

T310 BUCKEYE RD:WINTERSBURG-35TH AV SAFE
T311 LOWER BUCKEYE RD:SALOME-339TH SAFE
T312 NEW RIVER RD:S CURVS-W FIG SPR SAFE

These projects were identified for safety improvements after the adoption of the FY 2008-09 Budget. This request establishes the projects above and allocates each one into a capital project bin where funding is available at the levels required for FY 2008-09.

These additions result in a net impact of zero and do not change the duly adopted budget as approved by the Board of Supervisors. (C-91-09-121-2-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

60. ARIZONA ASSOCIATION OF COUNTY ENGINEERS (AACE) YEAR 2008 ROADWAY NEEDS STUDY UPDATE

Approve and authorize the Maricopa Department of Transportation (MCDOT) to act as the Lead Agency for the Arizona Association of County Engineers (AACE) 2008 Roadway Needs Study Update (Study). The total cost of the Study is estimated to be \$58,164. The cost of the Study will be shared with other counties in Arizona. MCDOT's share of the cost is estimated to be \$21,423. The County Supervisor's Association will be responsible for collecting the balance estimated to be \$36,741 from the other counties and forwarding reimbursement to MCDOT.

The 2008 Roadway Needs Update Study will be the fifth in a series of studies that began with the 1994 Roadway Needs Study of the Arizona Association of County Engineers (AACE). Updates occurred in 1997, 2000, and 2004. MCDOT has been asked to oversee

this update. The project approach to address county roadway needs will be very similar to the approach used in 2004 where the five and ten year totals of needed expenditures in seven operational categories that encompass the range of county road responsibilities were determined. The seven operational categories are: (1) repair and replacement for existing bridges; (2) maintenance for existing roads; (3) operating costs; (4) upgrading existing toads; (5) safety need; (6) new bridges on existing roads; (7) new roads. Supervisory Districts 1, 2, 3, 4 and 5. (C-91-09-132-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

61. DECLARE AS EXCESS AND SELL EXCESS PARCEL

Pursuant to A.R.S. §11-251, declare as excess land and authorize the Maricopa County Department of Transportation (MCDOT) to sell the parcel as described below at public auction or in the event of a sale to a municipality, at market value without an auction to reduce Department liability and maintenance, and generate revenue for future projects. The sale documents will be processed and signed by the Board at the time of the sale.

The parcel is described as a portion of MCDOT Parcel #W2-0002, APN # 304-55-008D, approximately 3.2003 acres. This parcel was acquired as part of the Lindsey Road, Germann Road to Williams Field Road project, and the parcel is south of the 202 San Tan freeway and North of Germann Road on the west side of Lindsey Road. The estimated value of the parcel is \$20,000 and is located in Supervisorial District No. 1.

MCDOT utilizes its disposition program on all excess properties and evaluates and analyzes them for the best potential of sales or leasing depending upon current market information. The sale price of the property will be market value, to be determined by a certified licensed appraiser. (C-91-09-130-8-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

62. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF GILBERT

Pursuant to A.R.S. § 9-471(N), approve the annexation by the Town of Gilbert of County right-of-way within: Greenfield Road from Chandler Heights Rd to Lonesome Lane and Chandler Heights Road from 660 feet West of Greenfield Road to Greenfield Road, in accordance with Ordinance No. 2207. (Supervisory Districts No. 1) (C-91-09-135-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

63. IGA AMONG THE CITY OF PEORIA, MARICOPA COUNTY, AND THE FLOOD CONTROL DISTRICT FOR PINNACLE PEAK ROAD CHANNEL 99TH AVENUE TO THE AQUA FRIA RIVER PROJECT

Approve Intergovernmental Agreement (IGA) FCD 2008A013, Pinnacle Peak Road and Channel – 99th Avenue to the Agua Fria River Project (Project), among the City of Peoria (City), Maricopa County acting through its Department of Transportation (MCDOT), and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the Project design, rights-of-way acquisition, and utilities relocation. The estimated total Project

cost is \$6,800,000, with \$2,400,000 being the cost to the District and \$4,400,000 being the cost to Peoria. This Agreement will become effective as of the date it has been executed by all parties. This Agreement expires ten (10) years from the date of recording with the County Recorder or upon completion of the Project.

The Glendale/Peoria Area Drainage Master Plan Update (ADMPU) was completed by the District and identified flooding problems in the northwest Peoria area and recommended solutions to provide flood protection to properties west and south of 99th Avenue and Pinnacle Peak Road and safely convey the 100-year flood flows to the Agua Fria River. This Project was among these recommended solutions. A corresponding agenda item is listed on the Flood Control District Agenda under C-69-09-055-3-00. This Project is located in Supervisorial District 4. (C-91-09-142-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

BOARD OF SUPERVISORS

Clerk of the Board

64. APPOINTMENT TO THE TRAVEL REDUCTION PROGRAM REGIONAL TASK FORCE

Approve the appointment of Hilary Heller to the Travel Reduction Program Regional Task Force as nominated by Supervisorial District 1. The term of the appointment will be effective as of the date of Board approval through January 31, 2011. (C-06-09-329-9-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

65. REAPPOINTMENT TO THE CITIZEN'S AUDIT ADVISORY COMMITTEE

Approve the reappointment of Matthew Breecher to the Citizen's Audit Advisory Committee as nominated by District 3. The term of the appointment will be effective April 17, 2009 to April 16, 2011. (C-06-09-326-9-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

66. RESCIND APPOINTMENT OF TRAVEL REDUCTION PROGRAM REGIONAL TASK FORCE CHAIRMAN

Rescind the January 5, 2009 appointment (C-85-09-012-9-00) of Daniel Mather, representing District 3, as Chairman of the Travel Reduction Program Regional Task Force. Pursuant to A.R.S. §49-582, the task force shall nominate a chairman for the Task Force who is then officially appointed by the Board.

The Travel Reduction Program Regional Task Force has voted to rescind a previous vote to correct a procedural error in nominating Daniel Mather as Chairman of the Task Force. Per A.R.S. §49-582, the TRP program is required to have a task force representing the interests affected by the travel reduction program. Members must be selected from major employers, transportation management associations, business parks, industrial parks, office buildings,

shopping centers or other concentrations of commercial interests, or public interest groups established to address transportation or air quality issues or political subdivisions. (C-85-09-012-9-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

67. APPOINTMENT OF TRAVEL REDUCTION PROGRAM REGIONAL TASK FORCE CHAIRMAN

Approve appointment of Daniel Mather, representing District 3, as Chairman of the Travel Reduction Program Regional Task Force. Pursuant to A.R.S. §49-582, the task force shall nominate a chairman for the Task Force who is then officially appointed by the Board.

The Travel Reduction Program Regional Task Force voted to nominate Daniel Mather as Chairman of the Task Force. Per A.R.S. §49-582, the TRP program is required to have a task force representing the interests affected by the travel reduction program. Members must be selected from major employers, transportation management associations, business parks, industrial parks, office buildings, shopping centers or other concentrations of commercial interests, or public interest groups established to address transportation or air quality issues or political subdivisions. (C-85-09-015-9-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

SETTING OF HEARINGS

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

Public Works

68. Set a public hearing to declare the following roads into the county highway system for 9:00 m, Wednesday, April 15, 2009.

a. ROAD FILE 5808

Adopt a Resolution setting hearing on Road File No. 5808 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and El Mirage Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). (Supervisor District No. 4) (C-91-09-131-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

b. ROAD FILE NO. 5809

Adopt a Resolution setting hearing on Road File No. 5809 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: El Mirage Road and Pinnacle Peak Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). (Supervisor District No. 4.) (C-91-09-136-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

CONSENT AGENDA

Clerk of the Board

69. ARIZONA POLLUTION CONTROL CORPORATION REVENUE REFUNDING BONDS

Approve a Resolution approving the Proceedings of Maricopa County, Arizona Pollution Control Corporation for the issuance of not-to-exceed \$100,600,000 Pollution Control Revenue Refunding Bonds (El Paso Electric Company Palo Verde Project) to be issued in one or more series. (ADM5134) (C-06-09-334-4-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

70. CANVASS OF ELECTIONS

Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's Office. (C-06-09-339-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

71. DUPLICATE WARRANTS

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-09-340-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

72. MARKET RANGES

Pursuant to A.R.S §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-343-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson

Absent: Stapley

73. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors' meetings held October 1, 2008; November 6, 2008; November 24, 2008; December 1, 2008; December 3, 2008; December 17, 2008; December 18, 2008; January 5, 2009; January 14, 2009; and January 28, 2009. (C-06-09-322-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

74. PRECINCT COMMITTEEMEN

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-09-344-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

75. SECURED TAX ROLL CORRECTIONS

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-345-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

76. SETTLEMENT OF PROPERTY TAX CASES

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated March 18, 2009. List is on file in the Clerk of the Board's Office. (C-06-09-347-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

77. TAX ABATEMENTS

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-346-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

BOARD OF SUPERVISORS ADDENDUM

SETTING OF PUBLIC HEARING

~The following hearing will be held at 9:00 am, 205 W. Jefferson, Phoenix, Arizona~

Clerk of the Board

A-1. PUBLIC SERVICE FRANCHISE - NEWPATH NETWORKS

Pursuant to A.R.S. §40-283, set a public hearing for Wednesday, April 15, 2009, to solicit comments and consider the application by Newpath Networks, for a public service franchise for a residential wireless communications system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C-06-09-330-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

County Attorney

A-2. MARICOPA COUNTY V. GATEWAY AIRPARK DEVELOPMENT, L.L.C, TX2008-000363

Authorize dismissal of the appeal of the State Board of Equalization decision in Maricopa County v. Gateway Airpark Development, L.L.C., TX2008-000363, as discussed in Executive Session on March 16, 2009. (C-19-09-044-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

A-3. MITCHELL AND LYDIA SWEET BANKRUPTCY CASE NO. 2-08-BK-12520-GBN; AND MSA SOLUTIONS I, INC. AND MSA SOLUTIONS, LLC

Authorize a private sale of certain personal property of MSA Solutions I, Inc. and MSA Solutions, LLC, located at 1401 S. 52nd St. Ste. 150, Tempe, Arizona, pursuant to A.R.S. §42-19114 to be conducted following the Sheriff's sale of this property. The authorization for the private sale is contingent upon the County taking title to this property at the Sheriff's sale. The private sale is to be conducted by Sierra Auctions, consistent with the terms of its contract with Maricopa County. This matter was discussed in Executive Session on March 16, 2009. (C-19-09-045-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Management and Budget

A-4. AMEND POST EMPLOYMENT HEALTH PLAN ENHANCEMENT PROGRAM

Amend Agenda C-49-09-050-6-00 to modify the following in the attachment:

FROM:

Eligibility:

4. The employee must be a contributing member under ASRS, PSPRS, EORP or CORP.

TO:

Eligibility:

4. The employee must be a contributing member under ASRS, PSPRS, EORP, CORP or PORP.

PORP was inadvertently left off as an eligible retirement system in the attachment. (C-49-09-050-6-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Sheriff

A-5. AMENDMENT TO INTERAGENCY AGREEMENT WITH CENTRAL ARIZONA WATER CONSERVATION DISTRICT FOR HELICOPTER FLIGHT SERVICES AND HELICOPTER FACILITY USE LICENSE

Approve Amendment No. 2 to the interagency agreement with Central Arizona Water Conservation District (CAWD) that extends the term for a period of six months, beginning April 2, 2009 through October 1, 2009.

This agreement exchanges 150 hours of Sheriff's helicopter flight service for a helicopter facility use license that entails 3.3 acres with office and hangar space located at 23636 N. 7th Avenue. All other terms and conditions remain the same. (C-50-99-108-2-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

Superintendent of Schools

A-6. SOLE SOURCE CONTRACT WITH WINDSOR MANAGEMENT

Approve the Sole Source Contract (Contract #09028-SS) with Windsor Management for support, maintenance and licensing of the Infinite Visions Edition applications. Infinite Visions Enterprise Edition is the application provided by the Superintendent of Schools Department for 38 school districts within Maricopa County to manage their individual districts' finances. This is a renewal of the original five (5) year contract (Contract #09028) which expires on March 31, 2009. This sole source is estimated at \$776,874.

Funding for the five (5) year renewal contract amount of \$776,874 was approved at the Board of Supervisors' (BOS) meeting held on January 14, 2009. Pricing of the five (5) year contract is based on the original ADM (in 2004) with a five (5) percent discount for pre-paying the entire contract period.

The support, maintenance and licensing of the Infinite Visions Enterprise Edition is a sole source, which has been approved by the Superintendent of Schools (SOS), Office of Management and Budget (OMB), and Office of Enterprise Technology (OET). The contract was prepared by Materials Management. The term of the contract is for five (5) years beginning the 1st day of April, 2009 and ending the 31st day of March, 2014. This sole source procurement was publicly advertised from February 12, 2009 through February 26, 2009, and was conducted in accordance with the Maricopa County Procurement Code and the County's Sole Source Procedure. (C-37-09-011-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

MEETING RECESSED

Chairman Wilson recessed the Board of Supervisors to convene as the Board of Directors of various special districts.

IMPROVEMENT DISTRICT AGENDA

The Board of Directors of the Improvement District convened in Formal Session at 9:00 AM on Wednesday, March 18, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Don Stapley, District 2. Also present: Lupe Lerma, Assistant Deputy Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Deputy County Manager; and Victoria Mangiapane, Deputy County Attorney.

I-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Goldfield Preserve Improvement District Board of Directors' meeting held December 17, 2008. (C-06-09-337-7-00)

Motion to approve by: Director Brock, Seconded by: Director Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

MEETING ADJOURNED

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

Max W. Wilson, Chairman of the Board

Attest:

Lupe Lerma, Assistant Deputy Clerk of the Board

FLOOD CONTROL DISTRICT AGENDA

The Board of Directors of the Flood Control District convened in Formal Session at 9:00 AM on Wednesday, March 18, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Don Stapley, District 2. Also present: Lupe Lerma, Assistant Deputy Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Deputy County Manager; and Victoria Mangiapane, Deputy County Attorney.

F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-348-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

F-2. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held October 1, 2008; November 6, 2008; December 3, 2008; December 17, 2008; January 14, 2009; and January 28, 2009. (C-06-09-323-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

F-3. IGA WITH THE BOARD OF REGENTS, NEVADA SYSTEM OF HIGHER EDUCATION ON BEHALF OF DESERT RESEARCH INSTITUTE FOR THE DESERT SOIL HYDRAULIC CHARACTERIZATION PROJECT

Approve Intergovernmental Agreement (IGA) FCD 2008A014, between the Board of Regents, Nevada System of Higher Education on behalf of Desert Research Institute (DRI) and the Flood Control District of Maricopa County (District) for the Desert Soil Hydraulic Characterization Project (Project). The total cost of the Project is \$150,000. The District costs under this Agreement will be \$30,000, with the DRI contributing the remaining \$120,000 from funding by the U.S. Army Corps of Engineers. Payments are to be made monthly. The IGA is in effect from execution by all parties and shall be terminated on October 31, 2009.

The DRI will be responsible for completion of all work items under this IGA. The purpose is 1) to evaluate runoff potential and physically measure infiltration rates on a test watershed in Maricopa County, 2) to develop Green and Ampt parameters using the measured data and compare the results with the District's current method and a new method for estimating Green and Ampt parameters developed by the USDA Agricultural Research Service, and 3) to apply the developed parameters to the test watershed and two (2) other similar watersheds for which the District has developed rainfall-runoff data and simulation models

for storms of record. The results are expected to be published and may be used in refining the District's Drainage Design Manual.

This item impacts all Supervisor Districts 1, 2, 3, 4, and 5. (C-69-09-050-3-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

F-4. RESOLUTION FOR DELEGATION AUTHORITY ON GRANT APPLICATIONS - FLOOD CONTROL DISTRICT

Approve a Resolution which delegates to the Chairman of the Board of Directors of the Flood Control District the authority to sign grant applications in compliance with grant policy guidelines in which the grantor requires the Chairman's signature.

If awarded, prior to accepting grant funds, Board of Directors approval is required. All other grant procedures outlined in the Policy for Administering Grants (A2505) remain in full force and effect. (C-06-09-307-6-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

F-5. SELL EXCESS LAND TO THE TOWN OF GILBERT

Pursuant to A.R.S. Section 48-3603, approve the Purchase Agreement and authorize the Chairman to sign all necessary documents to convey the following described excess properties from the District to the Town of Gilbert for a total payment of \$24,498,962.

A) A021-001-EX 9.8455 ac Special Warranty Deed \$2,100,000.00

B) M-2153-EX 47.2934 ac Quit Claim Deed \$11,294,757.00

C) 9907-Road 11.1375 ac Special Warranty Deed \$1,455,447.00

D) 9907-RHMB 147.6791 ac (Perpetual) Recreational Use Easement \$9,648,758.00

Authorize the District's Chief Engineer and General Manager to approve and sign the escrow documents due to the nature of this sale.

These properties were declared excess by the Board of Directors in previous Board actions on August 22, 2007 (C-69-08-009-B), November 18, 2008 (C-69-09-019-8), and October 4, 2006 (C-69-07-017-2).

These properties will be used by the Town of Gilbert for future public purposes per Intergovernmental Agreement FCD 2004A007 (C-69-07-017-2-00) and Arizona Revised State Statues. This item impacts Supervisor District 1. (C-69-09-051-8-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

F-6. RESOLUTION FOR ACQUISITION OF LAND RIGHTS FOR IMPROVED ACCESS TO EXISTING STRUCTURES AND PROJECT AREA PROPERTIES

Adopt Resolution FCD 2009R002 for Acquisition of Land Rights for Improved Access to Existing Structures and Project Area Properties for the Flood Control District of Maricopa County (District). This Resolution will improve access to various District properties for inspections, repairs, and maintenance activities

District staff has identified structures located in various Maricopa County areas that require improved access for operation and maintenance activities, they including McMicken Dam, White Tanks Flood Retarding Structures (FRS) 3 and 4, Cave Buttes Dam, Sunnycove Pipeline, Sunset FRS, Sunnycove FRS and New River Dam. By approving this Resolution, the District can move forward and acquire sufficient land rights to improve access to project properties. This item impacts Supervisor Districts 1,2,3,4, and 5. (C-69-09-052-6-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

F-7. RESOLUTION FOR SOSSAMAN ROAD CHANNEL IMPROVEMENTS

Adopt Resolution FCD 2009R005 for Sossaman Road Channel Improvements authorizing the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to advertise, select, negotiate, and award contracts for engineering services for the implementation of improvements to the Sossaman Channel and include funding in the District's Five-Year Capital Improvement Program.

Approve the following associated adjustments to the District (690) FY 2009-2013 Five-Year Capital Improvement Program (CIP), which result in a net change of \$0: (1) Decrease Flood Control Capital Projects Fund (990) Year 1 (FY 2008-09) project expenditure budget for the project reserve (FCPR) by \$100,000; (2) Increase the Flood Control Capital Projects Fund (990) Year 1 (FY 2008-09) project expenditure budget for the Sossaman Road Project (F108) by \$100,000.

The segment of Sossaman Channel from Baseline Road to Guadalupe Road is a one-mile long earthen channel with six concrete grade-control structures. The District has conducted a study of the problems and associated solution options of repair and upgrade. The implementation of the Sossaman Channel Improvements will enhance its flood control functions and increase its life span. This project as been accelerated to utilize available funding. This item impacts Supervisor District 1. (C-69-09-053-6-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

F-8. IGA FOR DURANGO REGIONAL CONVEYANCE CHANNEL 75TH AVENUE TO 107TH AVENUE DETENTION BASIN

Approve Intergovernmental Agreement (IGA) FCD 2008A010, Durango Regional Conveyance Channel (DRCC) 75th Avenue to 107th Avenue Channel Detention Basin (Project [#565]), between the City of Phoenix (City) and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the rights-of-way for the future basin site(s). Responsibilities for the design, utility relocations, construction, construction management, operation and maintenance, and additional rights-of-way requirements of the DRCC between 75th Avenue and 107th Avenue will be defined under one or more

subsequent Agreements. The estimated cost under this IGA is \$4,250,000 and will be shared equally by the City and the District with the District's share estimated to be \$2,125,000. The IGA shall become effective when executed by both parties and shall expire ten (10) years and ninety (90) days from date of recording by the Maricopa County Recorder or upon completion of the Project and after all funding obligations and reimbursements have been satisfied in accordance with this IGA.

The District, in partnership with the City and other agencies, developed the Durango Area Drainage Master Plan (ADMP). The ADMP identifies existing and future drainage and flooding problems in the area bounded by I-10 on the north, the Salt/Gila Rivers on the south, the Agua Fria River on the west, and the Cave Creek floodplain on the east. The ADMP identifies the DRCC as necessary drainage infrastructure to provide citizens of Maricopa County with 100-year flood protection. This Project is located in District 4. (C-69-09-054-3-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

F-9. IGA AMONG THE CITY OF PEORIA, MARICOPA COUNTY, AND THE FLOOD CONTROL DISTRICT FOR PINNACLE PEAK ROAD CHANNEL 99TH AVENUE TO THE AQUA FRIA RIVER PROJECT

Approve Intergovernmental Agreement (IGA) FCD 2008A013, Pinnacle Peak Road and Channel – 99th Avenue to the Agua Fria River Project (Project [#450]), among the City of Peoria (City), Maricopa County Department of Transportation (MCDOT), and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the Project design, rights-of-way acquisition, and utilities relocation. The estimated total Project cost is \$6,800,000, with \$2,400,000 being the cost to the District and \$4,400,000 being the cost to Peoria. This Agreement will become effective as of the date it has been executed by all parties. This Agreement expires ten (10) years from the date of recording with the County Recorder or upon completion of the Project.

The Glendale/Peoria Area Drainage Master Plan Update (ADMPU) identified flooding problems in the northwest Peoria area and recommended solutions to provide flood protection to properties west and south of 99th Avenue and Pinnacle Peak Road and safely convey the 100-year flood flows to the Agua Fria River. This Project was among these recommended solutions. A corresponding agenda item is listed on the Board of Supervisors' Agenda under C-91-09-142-M-00. This Project is located in Supervisorial District 4. (C-69-09-055-3-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

MEETING ADJOURNED

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

Max W. Wilson, Chairman of the Board

Attest:

Lupe Lerma, Assistant Deputy Clerk of the Board

LIBRARY DISTRICT AGENDA

The Board of Directors of the Library District convened in Formal Session at 9:00 AM on Wednesday, March 18, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Don Stapley, District 2. Also present: Lupe Lerma, Assistant Deputy Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Deputy County Manager; and Victoria Mangiapane, Deputy County Attorney.

L-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held October 1, 2008; November 6, 2008; December 3, 2008; December 17, 2008; January 14, 2009; and January 28, 2009. (C-06-09-324-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

L-2. DONATIONS

In accordance with County Policy A2805, accept the monthly donation report received from Library District for February 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-341-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

L-3. 05111-RFP, LIBRARY MATERIALS AND RELATED SERVICES

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: March 18, 2009

Serial: 05111-RFP

Item: Library Materials And Related Services (\$4,500,000 estimate/one year) Contract renewal for library materials and related services for the Maricopa County Library District.

Baker & Taylor, Inc

Brodart Co. (C-73-09-056-7-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

L-4. RESOLUTION FOR DELEGATION AUTHORITY ON GRANT APPLICATIONS - LIBRARY DISTRICT

Approve a Resolution which delegates to the Chairman of the Board of Directors of the Library District the authority to sign grant applications in compliance with grant policy

guidelines in which the grantor requires the Chairman's signature.

If awarded, prior to accepting grant funds, Board of Directors approval is required. All other grant procedures outlined in the Policy for Administering Grants (A2505) remain in full force and effect. (C-06-09-308-6-00)

Motion to approve by: Director Wilcox, Seconded by: Director Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

MEETING ADJOURNED

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

Max W. Wilson, Chairman of the Board

Attest:

Lupe Lerma, Assistant Deputy Clerk of the Board

STADIUM DISTRICT AGENDA

The Board of Directors of the Stadium District convened in Formal Session at 9:00 AM on Wednesday, March 18, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Absent: Don Stapley, District 2. Also present: Lupe Lerma, Assistant Deputy Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Deputy County Manager; and Victoria Mangiapane, Deputy County Attorney.

S-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held October 1, 2008; December 3, 2008; December 17, 2008; and January 14, 2009. (C-06-09-325-7-00)

Motion to approve by: Director Kunasek, Seconded by: Director Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

S-2. RESOLUTION FOR DELEGATION AUTHORITY ON GRANT APPLICATIONS - STADIUM DISTRICT

Approve a Resolution which delegates to the Chairman of the Board of Directors of the Stadium District the authority to sign grant applications in compliance with grant policy guidelines in which the grantor requires the Chairman's signature.

If awarded, prior to accepting grant funds, Board of Directors approval is required. All other grant procedures outlined in the Policy for Administering Grants (A2505) remain in full force and effect. (C-06-09-309-6-00)

Motion to approve by: Director Kunasek, Seconded by: Director Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

MEETING ADJOURNED

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

Max W. Wilson, Chairman of the Board

Attest:

Lupe Lerma, Assistant Deputy Official Record Keeper

MEETING RECONVENED

Chairman Wilson reconvened the Board of Supervisors.

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

78. **PUBLIC COMMENT:** On matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

Kathryn Kobor, thanked the Board for the work that is done with animals. She addressed her further comments to Supervisor Wilcox, as an elected official, asking about her understanding and adherence to the laws pertaining to immigration and questioning her active support to groups who favor illegal aliens crossing the border in defiance of the law.

Kate Goodhart addressed a code enforcement violation that was continued at the beginning of the meeting, saying the property owner had received no previous notice it would be continued and had come to the meeting at her great inconvenience. Ms. Goodhart charged the Planning Department with unethical practices with today's respondent, similar to the transgressions she has charged the department with regarding her own violation.

Joy Rich, Assistant County Manager and Director of Planning and Development, responded that this item was not taken off today's agenda at the request of the Planning Department but at the request of the respondent's friends who said they would help her fill out the proper forms if they had more time. Ms. Rich said she plans to ask for a 30-day continuation when this item is heard.

Ms. Mulligan was invited to come to the podium so the remarks she was making from the audience could be heard and recorded in the record.

Supervisor Kunasek said the hearing had been on a zoning code violation. He said he has spoken with Catherine Mulligan and reviewed the issues and felt they are resolvable.

A portable microphone was taken to Ms. Mulligan in the audience and her friends were asked to come inside to help her as Ms. Mulligan began her testimony. Board Attorney Mangiapane asked the Chairman to halt the testimony as it was not appropriate in the Public Comment section of the agenda.

Joy Rich and the planning staff asked to confer privately with Ms. Mulligan and those friends who requested the continuance, so today's meeting could move forward with Public Comment. Ms. Mangiapane asked for contact information on Ms. Mulligan's friends, William Steinmetz and John M. Stout, to record that they had asked for the continuance.

Martha Payan, citizen, spoke on a newspaper article of the Board's action to establish legal representation in the face of the number of conflicts with Board actions that have been charged by the County Attorney's Office. She questioned the legality of this action.

Ms. Payan also noted a different newspaper article showing a photo in which Supervisor Wilcox was shown in front of a group protesting Sheriff Joe Arpaio. She felt it was a conflict of interest whether Supervisor Wilcox appeared there, "on company (County) time or on her own time." She felt it should be investigated.

Raquel Teran, Maricopa Citizens for Safety and Accountability (MCSA), thanked Chairman Wilson for his openness to discussions with their group and said these meetings and meeting with County Consultant Rick Romley has been very productive in helping them understand the dynamics with the Board of Supervisors and the issues in Maricopa County. She lauded Supervisor Wilcox for having the courage to stand up against a Sheriff who is now being investigated by federal officials for civil rights violations and for patterns of discrimination. She said her group will continue to search out this type of malfeasance in the Sheriff's Office.

Gus Loeffelholz, MCSA, stated their group is "pleased that the Department of Justice has called for an investigation of Sheriff Arpaio." He believed Sheriff Arpaio should step down so the community can focus on fighting "real" crime and real criminals. He said, "Sheriff Arpaio needs to know that there are consequences for him not doing his job. That is why we ask that he step aside. That is why we ask for his resignation."

Jason Lopez, MCSA, felt the Board Members were wrong to support the Sheriff but conceded that all members have the right to state their opinions as elected officials. He cited alleged illegalities because of the misplaced priorities of the Maricopa County Sheriff's Office. He noted the recent escape of a convicted sex offender while in Sheriff's custody and said the man has molested several other young girls prior to his escape. He said that MCSA mothers demand the Sheriff's resignation and want a sheriff who will take responsibility for upholding the law and who will prioritize public safety before his political gain.

Luis Avila, MCSA, invited Board Members to several events they are holding. He and a group will fast for a week beginning March 29th to call national attention to what is happening in Maricopa County.

Anna Gaines criticized Supervisor Wilcox's involvement with many of the recent events. She stated, "They brought people here from other states. They are fighting a battle that is not their own." She added that this is a battle for Maricopa County voters, "not Los Angeles, not Chicago goons who come in with Communist flags and swear at American citizens holding American flags." She felt Supervisor Wilcox was acting with a lack of ethics and professionalism and is aiding and abetting illegal aliens and their supporters. She added that those who come here illegally "will never, ever see America as their country."

Katherine Kobor spoke a second time to say she supports 'Sheriff Joe' and feels he is being discriminated against by people who are open border, open immigration zealots because he is good at what he does. She added, "If you are in this country illegally, it is a violation of our laws, nothing less."

79. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS

Supervisor Brock commented on the tons of trash, litter, debris and old appliances recently gathered in San Tan Park and adjoining areas in both Maricopa and Pinal Counties. He thanked the citizens who worked and the County's Solid Waste Management Department, who always arrives early and well prepared. Boy Scout and Girl Scout troops, church organizations, community organizations and many others

turned out for this, the eleventh cleanup effort.

Supervisor Wilcox spoke on the recent NACo meeting she attended, along with Supervisor Stapley, NACo president, and Supervisor Kunasek. She said they obtained a great deal of very good information that will benefit Maricopa County from Senators McCain and Kyl and other participants.

Chairman Wilson reported on progress made at a recent local government meeting on stimulus funds and how these could be used to benefit the County.

PLANNING AND DEVELOPMENT ITEMS

Sandi Wilson left the dais and Victoria Mangiapane left the meeting at the end of this portion of the Board of Supervisors' meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Wayne J. Peck, Deputy County Attorney, came forward to present the following planning and zoning cases.

The Board of Supervisors will now consider Code Enforcement Reviews

Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.

CODE ENFORCEMENT REVIEW

PZ-1. ANDRUS - V200702370

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200702370, Andrus (Supervisor District 2). (C-44-09-100-M-00)

Darren Gerard reported on the Andrus Code Enforcement violation for unpermitted construction that continued after a stop-work order had been issued. On January 27, 2009, the Hearing Officer found Mr. Andrus to be responsible and issued a \$300 fine plus a per diem fine of \$30. Mr. Andrus was present at the hearing but contested the need of a permit for work that he considered "finish work." Mr. Gerard asked the Order of Judgment be upheld and the accruing fines of approximately \$1,800 to date be assessed.

Mr. Andrus said the write-up on the hearing omitted a very major point and distorted another one. He said this property is in a Family Trust and he has been the Trustee for ten years but some mail goes to a former trustee, now living in a different state. He said that their work was termed "construction" at the hearing and no details were given. He testified at the hearing that what was being done did not require a permit. He said he never received any stop work order and had not received any notices until the notice of the hearing.

He reported that he read from the Code books at the hearing to show that certain repairs to an old building and the finish work he was doing did not require any permit. He alleged the Hearing Officer mentioned his statement on Code but misrepresented what he had said.

Two things he felt the Hearing Officer did not treat properly were: 1) since the hearing is quasi-legal he felt he should have received written notification of the investigation and outcome done on him: and, 2) the definition in the Code book on finish work should have been honored. He did not feel it had been represented properly in the judgment issued by the Hearing Officer.

Supervisor Kunasek asked attorney, Wayne Peck about the language in the Code as referenced by Mr. Andrus.

Mr. Peck said the Hearing Officer made the judgment that a permit was required, that a permit was not obtained and therefore the property was in violation. He said the Board cannot "second guess" the Hearing Officer on that determination, according to Ordinance. As to proper notice, he said the stop work order was posted on the property and staff has a signed acknowledgement from Mr. Andrus on the receipt of this. He added that the law states, "once you attend a hearing and participate you waive the fact that you may not have received proper notice."

Motion to uphold Hearing Officer's Order of Judgment by: Supervisor Brock, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

PZ-2. MULLIGAN - V200602481

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200602481, Mulligan (Supervisor District 3). (C-44-09-101-M-00)

Motion to continue to the May 6, 2009, Board meeting, by: Supervisor Kunasek, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

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

PLANNING AND ZONING AGENDA

CONSENT AGENDA

1. REPLAT - VENTURE COURT PROFESSIONAL PLAZA

Case Number: S2009003
Supervisorial District: 3
Applicant: Venture Court Professional Plaza, LLC
Location: South of Anthem Way on the southwest side of Venture Drive (in the Anthem area).
Request: Replat in the C-2 CUPD zoning district in order to convert thirty-two (32) condominiums into five (5) condominiums within five (5) medical office buildings.
Commission Action: N/A (C-44-09-103-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

REGULAR AGENDA

2. SPECIAL USE PERMIT - BRITT FARM WCF

Case Number: Z2006083
Supervisorial District: 5
Applicant: Quinn United Services on behalf of AT&T Mobility for Kendall and Elizabeth Britt
Location: East of Avondale Blvd. and south of Southern Avenue at 6247 S. Avondale Blvd. (in the Avondale area)
Request: Special Use Permit (SUP) for a Wireless Communication Facility in the Rural-43 zoning district and in Wireless Communication Facility Use District 1 (approx. 1,279 sq. ft.)
Commission Action: Recommended approval by a vote of 5-1 subject o staff recommended stipulations "a" through "t".

A super-majority vote of the Board is required.

Opposition has triggered a super-majority vote of the BOS for SUP approval - with 51.7% of surrounding acreage and 37% of the property owners by number having registered written opposition to the request. (see attached opposition map and calculations.) (C-44-09-105-7-00)

Darren Gerard gave background on this item for a wireless communication facility. Eight letters in opposition and one in support have been received. The level of opposition has triggered a unanimous vote of the Board.

Supervisor Wilcox asked for a 30-day continuance saying the opposition is mainly because of the current overabundance of mono-poles in the area. She wanted to find out if any of these could be combined.

Motion to continue to the May 6, 2009, meeting date, by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

3. ZONE CHANGE - TONOPAH MARKET PLACE

Case Number: Z2006061
Supervisorial District: 5
Applicant: Earl, Curley, and Lagarde, PC
Location: West of 379th Avenue on the south side of Osborn Road (in the Tonopah area)
Request: Zone Change from Rural-43 to C-S CUPD, with a Precise Plan of Development for a commercial shopping center
Commission Action: Approve subject to stipulations 'a' - 'aa' by a unanimous vote of 6-0.

Staff's original recommendation was to continue to a date certain of March 19, 2009 due to lack of technical sign-off. The applicant was able to obtain technical sign-off prior to the

hearing, thus staff was able to support a recommendation for approval of the request, subject to modified stipulations that included revised language to stipulation 'g' and a new stipulation 'aa' as reflected in the attached minutes. (C-44-09-106-7-00)

Darren Gerard said this is requesting a zone change to allow construction of a planned shopping center. There is no known opposition. The recommendation is for approval with stipulations "a" through "aa," however, Mr. Gerard reported that stipulation "u" has a requirement for construction to begin within a time period, in this case five years. He discussed this "standard stipulation" the department has started to add to these projects. Supervisor Wilcox said building in the area has slowed because of the economy and she would like to get this approved today.

Steven Earl spoke for the property owner and compared stipulations "u" and "w" from that point of view. He did later agree to the stipulations as they are written.

Motion to concur with Planning and Zoning recommendation for approval by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

4. SPECIAL USE PERMIT - PHO WITTMANN

Case Number: Z2008102
Supervisorial District: 4
Applicant: WFI on behalf of Verizon Wireless
Location: Northwest of US 60 & 211th Avenue (in the Wittmann area)
Request: Special Use Permit (SUP) for a Wireless Communication Facility – a new 80' monopole with potential for three cellular carriers, to replace an existing approx. 59' high wooden pole with a single carrier - in the C-2 zoning district, Wireless Communication Facility (WCF) Use District 1A
Commission Action: Approve by a unanimous vote of 6-0 subject to modified stipulations 'a' – 'u' as reflected in the attached minutes. (C-44-09-104-7-00)

Darren Gerard reported on the background of this requested SUP for a 80' monopole and said there is no known opposition. The recommendation is for approval with stipulations "a" through "u."

Daniel Dean, for Verizon, was present to answer any questions, but there were none.

Motion to concur with Planning and Zoning recommendation for approval by: Supervisor Wilcox, Seconded by: Supervisor Brock
Ayes: Kunasek, Brock, Wilcox, Wilson
Absent: Stapley

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned at 10:45 a.m.

Attest:

Max W. Wilson, Chairman of the Board

Lupe Lerma, Assistant Deputy Clerk of the Board