

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
October 2, 2002**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., October 2, 2002, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Vice Chairman; Andy Kunasek, Max W. Wilson and Mary Rose Wilcox. Absent: Don Stapley, Chairman. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

INVOCATION

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

PLEDGE OF ALLEGIANCE

Bob Spencer, Director of Emergency Management, led the assemblage in the Pledge of Allegiance.

PET OF THE MONTH PRESENTATION

The "Pet of the Month" for October was a white, long-haired year-old spitz mix dog from Maricopa County Animal Care & Control. Friendly and curious, the dog will be up for adoption at 1:00 p.m. at the center on 35th Avenue, north of Camelback Road.

Supervisor Kunasek said he had bought a series of US postage stamps featuring the spay and neuter program in America and the use of PETS911.com. He commented that Maricopa County was one of the first counties in the country to sign-on to this program.

PROCLAMATION – OCTOBER 2002 AS HEAD START AWARENESS MONTH IN MARICOPA COUNTY

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to declare October 2002 as Head Start Awareness Month in Maricopa County. (ADM654)

Kathy Hagan, Human Services Department, introduced teachers and children from the East Valley Institute of Technology's Head Start and Early Head Start program. She said that on October 30 they would honor some of the Head Start alumni – those who started in Head Start and went on to become doctors, lawyers, politicians, college students and more – to culminate the month-long activities. On October 15, country singer Lee Ann Womack will be in town and will work with the local Head Start program to raise funds. The County's programs will be reauthorized this year as part of a five-year national reauthorization policy. Since its inception in 1965, Head Start has provided services to more than 18 million preschool children and their families and this year more than 950,000 families are involved with Head Start nationally. Maricopa County serves over 2,500 families annually at the 70 County locations and has an annual budget exceeding \$17 million. Acting Chairman Brock read the following proclamation into the record.

PROCLAMATION

WHEREAS, the National Head Start Association and its local affiliates, including the Arizona Head Start Association, have established October as a month for promoting the awareness of and advocacy for the Head Start programs, and

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WHEREAS, Maricopa County is a member in good standing with the National and State Chapter of the Head Start Associations, and

WHEREAS, the National Head Start Program has designated Maricopa County's Head Start program as a "Program of Excellence", and

WHEREAS, Maricopa County has operated Head Start programs since 1967, and

WHEREAS, Head Start's focus on families and fighting poverty in a comprehensive manner has led to the program's success in getting children ready for school, improving their literacy and numeracy skills, and giving their parents the skills needed to become their child's first and best teacher, and

WHEREAS, Head Start's results in promoting better health, literacy and language development are very demonstrable and overwhelmingly positive, and

WHEREAS, Maricopa County now serves more than 2,500 Head Start children and 2,400 families, and 134 Early Head Start children and 126 families, and

WHEREAS, Maricopa County's Head Start and Early Head Start programs operate in 84 different locations throughout Maricopa County, and

WHEREAS, the Maricopa County Board of Supervisors strongly support our local Head Start Program, and its staff, parents and volunteers, and wish to join thousands of Americans who this month are celebrating Head Start Awareness Month.

NOW, THEREFORE, BE IT RESOLVED that the Maricopa County Board of Supervisors does hereby proclaim October 2002 as Head Start Awareness Month in Maricopa County. "Head Start: Shaping Maricopa County's Future"

DATED this 2nd day of October 2002.

/s/ Don Stapley, Chairman of the Board
/s/ Fulton Brock, District 1
/s/ Andy Kunasek, District 3
/s/ Max Wilson, District 4
/s/ Mary Rose Wilcox, District 5

ATTEST:
/s/ Fran McCarroll, Clerk of the Board

PROCLAMATION CONGRATULATING THE ARIZONA DIAMONDBACKS ON WINNING THE NATIONAL LEAGUE WEST TITLE

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to issue a proclamation congratulating the Arizona Diamondbacks on winning the National League West title. (This is Addendum item A-1.) (ADM654)

PROCLAMATION

**THE BOARD OF SUPERVISORS, COUNTY OF MARICOPA, STATE OF ARIZONA,
PROCLAIMS OCTOBER 2, 2002, THROUGH OCTOBER 27, 2002, "DIAMONDBACK
DAYS IN MARICOPA COUNTY"**

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WHEREAS, the Arizona Diamondbacks are the current World Champions of baseball, and

WHEREAS, the Arizona Diamondbacks have won the National League West title for the third time in four years, and

WHEREAS, the playoffs are under way to determine the 2002 World Champions of baseball, and

WHEREAS, the Arizona Diamondbacks play their home games in Bank One Ballpark, a stadium owned by the residents of Maricopa County.

NOW, THEREFORE, BE IT RESOLVED that the Maricopa County Board of Supervisors does hereby proclaim the month of October 2002, Diamondback Days, and encourages Maricopa County employees and residents to wear purple and teal whenever possible to show their support for our Arizona Diamondbacks.

DATED this 2nd day of October 2002.

Board of Supervisors, Maricopa County, Arizona
/s/ Don Stapley, Chairman of the Board
/s/ Fulton Brock, District 1
/s/ Andy Kunasek, District 3
/s/ Max W. Wilson, District 4
/s/ Mary Rose Wilcox, District 5

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

ORGANIZATION OF THE DESERT FOOTHILLS NORTH IMPROVEMENT DISTRICT

Item: This is the time scheduled for a public hearing on the petition to organize the Desert Foothills North Improvement District. Petitions with the requisite number of signatures have been presented to the Superintendent of Streets Office requesting formation of this district. (C64030587) (ADM4302)

Letters of protest having been received, Acting Chairman Brock called for those wishing to speak on this matter to come forward. Supervisor Kunasek asked that prior to hearing from the speakers Richard Wallace, Superintendent of Street's Department, give an overview of the situation.

Mr. Wallace distributed a map showing the boundary of the district. He explained that the petitioners are asking for a paving improvement district for their subdivision, which was platted in 1973. He said that the streets were chip-sealed but had never been maintained by Maricopa County. The property owners formed a Maintenance Improvement District in 1994 and the County began to maintain the roads and property owners started paying a tax assessment. Residents now are petitioning to have the streets upgraded to the minimum County standard and to be accepted into the County's system. The special assessment would cease at that time. He stated that the estimate to upgrade the streets would cost owners approximately \$400 to \$450 per lot and there would be a five-year repayment plan. This would make the annual payment for property owners between \$89-\$90, somewhat less than the \$100 monthly assessment they paid throughout the maintenance period. The proposed area upgrade is for 24 foot wide paved streets.

Four letters of opposition have been received from property owners living along 48th Street, the west boundary of the district, stating they want to "opt out of the improvement district." Since 48th Street is now

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only 16 to 18 feet wide, some widening would be necessary for that portion and this is one of the things residents are opposed to. If they do opt-out the residents living on 48th Street would have to fund a separate maintenance district in the same way the current one is funded.

Donald E. Wyatt, a resident who lives along 48th Street, spoke in opposition to the proposal. He said that 48th street is a dead-end road and he opposes widening it. He also opposes the exemption of lots 18, 19, 20, 21 and 22, stating that to get to those lots, "they have to drive through our roads so why don't they have to help pay for the improvements?"

Steve Havon, citizen, spoke in favor of the new district and distributed handouts, including photos. He said he didn't believe that any lots except Lot #1 was exempt from paying the fee and from having the surrounding roads paved and explained that Lot #1 is in Scottsdale and it would require an IGA (Intergovernmental Agreement) for it to be included. He explained that petitioning the County for an improvement district began in 2000 and that numerous meetings and notices had been given since that time. This movement accelerated in 2002 when a petition was circulated with more than 60% of the residents signing in favor of the new district. He stated there had been ample opportunity for residents to know what was happening and to take any action that suited their position on the matter. He said that the lots in the southeast corner opted out before the petition and that the 48th Street residents had never opted out.

Supervisor Kunasek asked if the southeast lots had opted out of the current proposal or of the earlier maintenance agreement.

Mr. Havon said they opted out on the current proposal but only on the paving portion as residents had agreed to pay the assessment. Mr. Wallace clarified the position of the County and the residents of the small southeast portion saying that all of those properties will be assessed with the exception of Lot #1 and that Lots 19, 20 and 21 are all owned by one individual who wants to provide his own private drive and who will pay a portion of the assessment for the upgrade of the surrounding streets.

Supervisor Kunasek asked about the width issue on 48th Street and if it was possible to narrow that portion since it is a dead-end street.

Mr. Wallace said that under certain circumstances a two-way road could be reduced to a 22-foot road-width and still be within federal standards. He indicated that narrowing the paved portion would also lessen the land needed for the shoulders to approximately four feet. Discussion ensued.

Supervisor Wilson asked if 22 feet might not be a little narrow for safety when considering the passage of garbage trucks or a resident having to pull off to change a flat tire. Mr. Wallace responded that for this short residential street where the property owners were requesting as narrow a road as possible he believed that 22 feet would be an appropriate width.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the organization of the Desert Foothills North Improvement District with the requirements that 48th Street be paved no wider than 22 feet and that all existing vegetation be maintained without damage to the greatest extent possible.

LIQUOR LICENSE APPLICATIONS

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

- a. Application filed by William Charles Faulwetter for a Special Event Liquor License: (F22997)

Business Name: Knights of Columbus
Location: Church Hall, 9728 Pal Meras Drive, Sun City
Date and Time: Saturday, October 26, 2002; 4:00 p.m. – 11:30 p.m.

- b. Applications filed by Kimberly Meagher for Special Event Liquor Licenses: (F22997)

Business Name: Wildhorse Ranch Rescue
Location: 11811 South Lindsay Road, Gilbert
Dates: Saturday October 19, 26, and November 16, 2002
Times: 7:00 p.m. – 12:00 a.m.

Motion carried by majority vote (3-1-1) with Supervisors Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "no." (Chairman Stapley was absent.)

ROAD DECLARED (ROAD FILE NO. A224)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) that the following resolution be adopted: (C64030335) (F23064)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 4th day of September, 2002, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A 50 foot roadway, together with all appurtenances and easements of record, lying within Lots 17 and 18 of "HACIENDA PARK", a subdivision of Section Sixteen (16), in Township One (1) North, Range Seven (7) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, recorded in Book 21 of Maps, page 50, Maricopa County Records; said roadway having a centerline described as follows:

The South 25 feet of the North half (N2) of said Lots 17 and 18, lying East of the East right-of-way line of the Central Arizona Project (CAP Canal); also

The North 25 feet of the South half (S2) of said Lots 17 and 18, lying East of the East right-of-way line of the Central Arizona Project (CAP Canal);

(Said alignment is also known as Dennis Street, from Central Arizona Project (CAP Canal) to Ellsworth Road.)

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

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

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

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

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

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

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

DATED this 2nd day of October 2002.

ROAD DECLARED (ROAD FILE NO. A225)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) that the following resolution be adopted: (C64030345) (F23065)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 4th day of September, 2002, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A 50 foot roadway, together with all appurtenances and easements of record, lying within West half of the Northwest quarter of the Southeast quarter (W2NW4SE4) of Section Twenty-four (24), in Township One (1) North, Range Seven (7) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway is described as follows:

The East 25 feet of the West half of the West half of the Northwest quarter of the Southeast quarter (W2W2NW4SE4) of said Section 24; also

The West 25 feet of the East half of the West half of the Northwest quarter of the Southeast quarter (E2W2NW4SE4) of said Section 24.

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(Said alignment is also known as Elmont Drive (aka 112th Place), from 4th Avenue (aka Balsam Avenue) to Apache Boulevard.)

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

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

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

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

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

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

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

DATED this 2nd day of October 2002.

ROAD DECLARED (ROAD FILE NO. A228)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) that the following resolution be adopted: (C64030405) (F23066)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 4th day of September, 2002, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A roadway, together with all appurtenances and easements of record, lying within Northwest quarter of the Northwest quarter (NW4NW4) of Section Twenty-four (24), in Township One (1) North, Range Seven (7) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway is described as follows:

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Mattie Avenue as shown in "Buckner Addition" a subdivision of the North-half of the Northwest quarter or the Northwest quarter (N2NW4NW4), of said Section 24, recorded in Book 38 of Maps, page 36, Maricopa County Records, said Mattie Avenue is also known as Mercury Drive; also;

The North 25 feet of the South half of the Northwest quarter of the Northwest quarter (S2NW4NW4) of said Section 24.

(Said alignment is also known as Mercury Drive, from Signal Butte Road to 110th Street.)

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

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

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

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

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

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

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

DATED this 2nd day of October 2002.

ROAD DECLARED (ROAD FILE NO. A231)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) that the following resolution be adopted: (C64030415) (F23068)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 4th day of September, 2002, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

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A roadway, together with all appurtenances and easements of record, lying within the North half (N2) of Section Five (5), in Township One (1) North, Range Seven (7) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway is described as follows:

196th Street as shown in "Valley View No. 3" a subdivision of a portion of the Northwest quarter (NW4), of said Section 5, recorded in Book 81 of Maps, page 8, Maricopa County Records, said 196th Street is also known as 80th Street; and,

196th Street as shown in "Valley View No. 2" a subdivision of a portion of the Northeast quarter (NE4), of said Section 5, recorded in Book 78 of Maps, page 21, Maricopa County Records, said 196th Street is also known as 80th Street; and,

The West 40 feet of the Southeast quarter of the Northwest quarter (SE4NW4) of said Section 5; and,

The East 40 feet of the Southwest quarter of the Northeast quarter (SW4NE4), of said Section 5.

(Said alignment is also known as 80th Street, from Hermosa Vista Drive to McDowell Road.)

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

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

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

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

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

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

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

DATED this 2nd day of October 2002.

ROAD DECLARED (ROAD FILE NO. A232)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) that the following resolution be adopted:

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 4th day of September, 2002, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A roadway, together with all appurtenances and easements of record, lying within the Northeast quarter (NE4) of Section Five (5), in Township One (1) North, Range Seven (7) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway is described as follows:

198th Street as shown in "Valley View" a subdivision of a portion of the Northeast quarter (NE4), of said Section 5, recorded in Book 75 of Maps, page 28, Maricopa County Records, said 198th Street is also known as 82th Street; and,

198th Street as shown in "Valley View No. 2" a subdivision of a portion of the Northeast quarter (NE4), of said Section 5, recorded in Book 78 of Maps, page 21, Maricopa County Records, said 198th Street is also known as 82th Street; and,

82nd Street as shown in "Valley View No. 5" a subdivision of the North half of the Southeast quarter of the Northeast quarter (N2SE4NE4), of said Section 5, recorded in Book 118 of Maps, page 24, Maricopa County Records; and,

82nd Street as shown in "Valley View No. 5A" a subdivision of the South half of the Southeast quarter of the Northeast quarter (S2SE4NE4), of said Section 5, recorded in Book 123 of Maps, page 21, Maricopa County Records; and,

The East 40 feet of the Southwest quarter of the Northeast quarter (SW4NE4), of said Section 5.

(Said alignment is also known as 82nd Street, from Hermosa Vista Drive to McDowell Road.)

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

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

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

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

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

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

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

DATED this 2nd day of October 2002.

ROAD DECLARED (ROAD FILE NO. A229)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) that the following resolution be adopted: (C64030425) (F23067)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 4th day of September, 2002, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A 60 foot roadway, together with all appurtenances and easements of record, lying within the South half (S2) of Section Thirty-two (32), in Township Two (2) North, Range Seven (7) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway lies 30 feet on each side of the following described centerline:

Beginning at the Southwest corner of the Northeast quarter of the Southwest quarter (NE4SW4) of said Section 32; THENCE, easterly along the south line of said NE4SW4 to the Southwest corner of the North half of the Southeast quarter (N2SE4), of said Section 32; THENCE, continuing easterly along the south line of said N2SE4, to the terminus at the Southeast corner of said N2SE4, on the East line of said section.

(Said alignment is also known as Palm Lane, from 78th Street to Hawes Road.)

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

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

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

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

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

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

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

DATED this 2nd day of October 2002.

FORMATION OF SPECTRUM IRRIGATION WATER DELIVERY DISTRICT NO. 48

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried 4-0-1) to approve the formation of the Spectrum Irrigation Water Delivery District No. 48 pursuant to ARS §42-3425 which allows for immediate organization of the district when the petition has been signed by owners of the entire acreage in the proposed district. This district is located in the vicinity of southeast Gilbert (Williams Field Road on the north, Lindsay Road on the west, Queen Creek Road on the south, and the half-mile alignment between Val Vista and Greenfield Roads on the east). The petitioners have completed the initial steps in the creation of this district. The impact statement and the authority to proceed with the petition process was approved by the Board on April 3, 2002 The final form of the petition was delivered on September 17, 2002. Signatures and acreage have been verified by the Assessor's office. (C06030017) (ADM4387)

**ORDER ESTABLISHING SPECTRUM IRRIGATION
WATER DELIVERY DISTRICT NO. 48**

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to adopt the following order:

**BEFORE THE BOARD OF SUPERVISORS
OF**

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

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MARICOPA COUNTY, ARIZONA

IN THE MATTER OF THE ORGANIZATION)
)
of)
)
SPECTRUM IRRIGATION WATER)
DELIVERY DISTRICT NO. 48)

The petition for the organization of an irrigation water delivery district was presented for hearing at 9:00 a.m., on the 2nd day of October, 2002, before the Board of Supervisors of Maricopa County, Arizona, and it appearing that the signatures thereon represented all of the acreage in the proposed District, and no appearances, either in writing or in person, having been made in protest of such organization, the said Board being fully informed, **IT IS THEREFORE ORDERED:**

That pursuant to the provisions of A.R.S. §48-3425 an irrigation water delivery district be and the same is hereby organized, which said district shall include lands described as follows:

Spectrum Project - Property owned by Central Christian Church of the East Valley, an Arizona non-profit corporation:

The Northwest quarter of Section 8, Township 2 South, Range 6 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the South 20 feet as conveyed to Roosevelt Water Conservation District, a municipal corporation in Deed recorded in Book 205 of Deeds, page 321; and

Except Parcels A, B, and C, described following, except from said Parcels A, B, and C, that portion thereof described in easement recorded in Docket 5834, page 386;

Parcel A: The South 10 feet of the North 55 feet of the West 635.00 feet of the Northwest quarter of the Northwest quarter of said Section 8.

Parcel B: The East 15 feet of the West 55 feet of the North 660.00 feet of said Northwest quarter of the Northwest quarter of said Section 8.

Parcel C: Beginning at the Point of Intersection of the South line of the North 55 feet and the East line of the West 55 feet of said Northwest quarter of the Northwest quarter of said Section 8;

Thence easterly, 45 feet along said South line of the North 55 feet to a point;

Thence in a Southwesterly direction to a point on said East line of the West 55 feet that is 45 feet Southerly from said Point of Intersection;

Thence Northerly to the Point of Intersection, as conveyed to the County of Maricopa in Final Order of Condemnation recorded in Recording No. 97-414173.

Lamoreaux Parcel: Property owned by Vanderbilt Farms, L.L.C., an Arizona Limited Liability Company

Lots 1 through 417, inclusive, and Tracts 1 through 46, inclusive, the Estates at the Spectrum, a subdivision recorded in Book 575 of Maps, Page 8, Records of Maricopa County, Arizona.

Auto Mall: Property owned by Canyon Oaks – Val Vista, L.L.C., an Arizona Limited Liability Company

The Northeast quarter of Section 5, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except therefrom any portion lying within the property conveyed to Salt River Project Agriculture Improvement and Power District described as follows:

A portion of the Northeast quarter of Section 5, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said property more particularly described as follows:

Commencing at an iron bar at the North quarter corner of said Section 5, being the point of beginning of the parcel herein described;

Thence North 89 degrees 25 minutes 41 seconds East (basis of bearing) coincident with the North line of said Section 5 a distance of 310.00 feet to a PK nail;

Thence South 00 degrees 33 minutes 55 seconds East 33.00 feet to an iron bar at the South right-of-way line of Pecos Road;

Thence continue South 00 degrees 33 minutes 55 seconds East 312.01 feet to an iron bar;

Thence South 89 degrees 26 minutes 05 seconds West 310.00 feet to an iron bar;

Thence North 00 degrees 33 minutes 55 seconds West 311.98 to an iron bar at the South right-of-way line of Pecos Road;

Thence continue North 00 degrees 33 minutes 55 seconds West 33.00 feet to the point of beginning.

Gilbert Unified School District: Property owned by Gilbert Unified School District No. 41, a Political Subdivision of the State of Arizona

That portion of the West half of the Southeast quarter of Section 5, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the South quarter corner of said Section 5;

Thence along the North-South mid-section line of said Section 5 North 00 degrees 33 minutes 46 seconds West 268.00 feet to a point on the North line of the South 268.00

feet of the Southeast quarter of said Section 5, said point also being the point of beginning;

Thence continuing along said North-South mid-section line North 00 degrees 33 minutes 46 seconds West 1753.77 feet to a point on the Southerly proposed right-of-way for the Santan Freeway according to the preliminary plans prepared by Arizona Department of Transportation, Project No. 202L MA 000 H5382 01R, dated August 15, 2000;

Thence departing said mid-section line and along said Southerly right-of-way North 65 degrees 38 minutes 00 seconds East 513.84 feet to an angle point in said Southerly right-of-way;

Thence continuing along said Southerly right-of-way North 59 degrees 36 minutes 59 seconds East 716.79 feet to an angle point in said Southerly right-of-way;

Thence continuing along said Southerly right-of-way North 59 degrees 45 minutes 06 seconds East 101.23 feet to a point on the East-West mid-section line of said Section 5;

Thence departing said Southerly right-of-way and along said East-West mid-section line North 89 degrees 23 minutes 10 seconds East 146.22 feet to a point on the East line of the West half of the Southeast Quarter of said Section 5;

Thence departing said East-West mid-section line and along said East line South 00 degrees 50 minutes 25 seconds East 2642.38 feet to a point on the South line of the Southeast quarter of said Section 5;

Thence departing said East line and along said South line South 89 degrees 42 minutes 51 seconds West 1002.93 feet to a point on the East line of the West 336.05 feet of the Southeast quarter of said Section 5;

Thence departing said South line and along said East line North 00 degrees 33 minutes 46 seconds West 268.00 feet to a point on the North line of the South 268.00 feet of the Southeast quarter of said Section 5;

Thence South 89 degrees 42 minutes 51 seconds West 336.05 feet to the point of beginning.

Canyon Oaks Property: Canyon Oaks-Val Vista, L.L.C., an Arizona Limited Liability Company (property in the southeast quadrant Pecos/Val Vista)

Lots 3 and 4 and the South half of the Northwest quarter of Section 4, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except therefrom any portion lying within the property conveyed to Specres Inc., described as follows:

That portion of the Northwest quarter of Section 4, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

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Beginning at the West quarter corner of said Section 4, from which the Northwest corner bears North 01 degree 06 minutes 47 seconds West (an assumed bearing), along the West line of said Northwest quarter, 2625.31 feet;

Thence North 01 degree 06 minutes 47 seconds East, along the West line of said Northwest quarter, 75.00 feet;

Thence North 88 degrees 53 minutes 13 seconds East, 359.72 feet to the beginning of a curve, concave to the Northwest, the center of which bears North 01 degree 06 minutes 47 seconds West, 450.00 feet;

Thence Northeasterly, along the arc of said curve, through a central angle of 66 degrees 13 minutes 38 seconds, 520.15 feet;

Thence North 22 degrees 39 minutes 34 seconds East, tangent to said curve, 419.49 feet to the beginning of a curve, concave to the Southeast, the center of which bears South 67 degrees 20 minutes 26 seconds East, 1000.00 feet;

Thence Northeasterly, along the arc of said curve, through a central angle of 27 degrees 33 minutes 18 seconds, 480.92 feet;

Thence North 50 degrees 12 minutes 52 seconds East, tangent to said curve, 778.01 feet;

Thence North 56 degrees 13 minutes 40 seconds East, 419.04 feet;

Thence North 62 degrees 14 minutes 28 seconds East, 237.49 feet;

Thence North 88 degrees 52 minutes 20 seconds East, 237.45 feet to a point on the East line of said Northwest quarter;

Thence South 01 degree 09 minutes 36 seconds East, along said East line, 1965.58 feet to the Southeast corner of said Northwest quarter;

Thence South 89 degrees 47 minutes 21 seconds West, along the South line of said Northwest quarter, 2642.78 feet to the point of beginning.

Specres Property: Property owned by Specres Inc., an Arizona Corporation (property in the southeast quadrant of Pecos/Val Vista)

That portion of the Northwest quarter of Section 4, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning at the West quarter corner of said Section 4, from which the Northwest corner bears North 01 degree 06 minutes 47 seconds West (an assumed bearing), along the West line of said Northwest quarter, 2625.31 feet;

Thence North 01 degree 06 minutes 47 seconds East, along the West line of said Northwest quarter, 75.00 feet;

Thence North 88 degrees 53 minutes 13 seconds East, 359.72 feet to the beginning of a curve, concave to the Northwest, the center of which bears North 01 degree 06 minutes 47 seconds West, 450.00 feet;

Thence Southeasterly along the arc of said curve, through a central angle of 66 degrees 13 minutes 38 seconds, 520.15 feet;

Thence North 22 degrees 39 minutes 34 seconds East, tangent to said curve, 419.49 feet to the beginning of a curve, concave to the Southeast, the center of which bears South 67 degrees 20 minutes 26 seconds East, 1000.00 feet;

Thence Northeasterly, along the arc of said curve, through a central angle of 27 degrees 33 minutes 18 seconds, 480.92 feet;

Thence North 50 degrees 12 minutes 52 seconds East, tangent to said curve, 778.01 feet;

Thence North 56 degrees 13 minutes 40 seconds East, 419.04 feet;

Thence North 62 degrees 14 minutes 28 seconds East, 237.49 feet;

Thence North 88 degrees 52 minutes 20 seconds East, 237.45 feet to a point on the East line of said Northwest quarter;

Thence South 01 degrees 09 minutes 36 seconds East, along said East line, 1965.58 feet to the Southeast corner of said Northwest quarter;

Thence South 89 degrees 47 minutes 21 seconds West, along the South line of said Northwest quarter, 2642.78 feet to the point of beginning.

Canyon Oaks Property: Property owned by Canyon Oaks-Val Vista L.L.C., an Arizona Limited Liability Company (property in the northeast quadrant of Pecos/Val Vista)

The Southwest quarter of Section 33, Township 1 South, Range 6 East of Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except therefrom any portion lying within the property conveyed to Specres Inc., described as follows:

That portion of the Southwest quarter of Section 33, Township 1 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning at the West quarter corner of said Section 33, from which the Southwest corner bears South 00 degrees 05 minutes 26 seconds East (an assumed bearing), along the West line of said Southwest quarter, 2648.01 feet;

Thence North 89 degrees 35 minutes 24 seconds East, along said North line of said Southwest quarter, 1149.87 feet;

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Thence South 692.22 feet;

Thence West 1148.76 feet to a point on the West line of said Southwest quarter;

Thence North 00 degrees 05 minutes 26 seconds West, along said West line, 683.99 feet to the point of beginning;

And except any portion lying within the following described property;

That portion of the Southwest quarter of Section 33, Township 1 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the West quarter corner of said Section 33, from which the Southwest corner bears South 00 Degrees 05 minutes 26 seconds East (an assumed bearing), along the West line of said Southwest quarter, 2648.01 feet;

Thence North 89 degrees 35 minutes 24 seconds East, along the North line of said Southwest quarter, 1737.58 feet to the point of beginning;

Thence continuing North 89 degrees 35 minutes 24 seconds East, along said North line, 902.61 feet to the Northeast corner of said Southwest quarter;

Thence South 00 degrees 05 minutes 41 seconds East, along the East line of said Southwest quarter, 616.87 feet;

Thence South 73 degrees 45 minutes 17 seconds West, 508.18 feet to the beginning of a curve, concave to the Southeast, the center of which bears South 16 degrees 14 minutes 43 seconds East, 450.00 feet;

Thence Southwesterly, along the arc of said curve, through a central angle of 26 degrees 54 minutes 57 seconds, 211.40 feet;

Thence North 43 degrees 09 minutes 40 seconds West, along a line radial to said curve, 341.76 feet;

Thence North 607.07 feet to the point of beginning;

And except any portion lying within the following described property:

That portion of the Southwest quarter of Section 33, Township 1 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the West quarter corner of said Section 33, from which the Southwest corner bears South 00 degrees 05 minutes 26 seconds East (an assumed bearing), along the West line of said Southwest quarter, 2648.01 feet;

Thence North 89 degrees 35 minutes 24 seconds East, along the North line of said Southwest quarter, 1149.87 feet to the point of beginning;

Thence continuing North 89 degrees 35 minutes 24 seconds East, along said North line, 587.71 feet;

Thence South, 607.07 feet;

Thence South 43 degrees 09 minutes 40 seconds East, 341.76 feet to a point on a non-tangent curve, concave to the Southeast, the center of which bears South 43 degrees 09 minutes 40 seconds East, 450.00 feet;

Thence Southwesterly along the arc of a said curve, through a central angle of 42 degrees 25 minutes 30 seconds, 333.20 feet;

Thence South 04 degrees 24 minutes 50 seconds West, tangent to said curve 81.53 feet to a point on a non-tangent curve, concave to the South, the center of which bears South 09 degrees 39 minutes 25 seconds West, 1150.00 feet;

Thence Westerly along the arc of said curve, through a central angle of 24 degrees 00 minutes 35 seconds, 481.90 feet;

Thence South 75 degrees 38 minutes 51 seconds West, tangent to said curve, 202.70 feet;

Thence North, 1296.89 feet to the point of beginning.

Specres: Property owned by Specres Inc., an Arizona Corporation (3 parcels located in the northeast quadrant of Pecos/Val Vista)

Parcel A:

That portion of the Southwest quarter of Section 33, Township 1 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning at the West quarter corner of said Section 33, from which the Southwest corner bears South 00 degrees 05 minutes 26 seconds East (an assumed bearing), along the West line of said Southwest quarter, 2648.01 feet;

Thence North 89 degrees 35 minutes 24 seconds East, along said North line of said Southwest quarter, 1149.87 feet;

Thence South 692.22 feet;

Thence West 1148.76 feet to a point on the West line of said Southwest quarter;

Thence North 00 degrees 05 minutes 26 seconds West, along said West line 683.99 feet to the point of beginning.

Parcel B:

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That portion of the Southwest quarter of Section 33, Township 1 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the West quarter corner of said Section 33, from which the Southwest corner bears South 00 degrees 05 minutes 26 seconds East (an assumed bearing), along the West line of said Southwest quarter, 2648.01 feet;

Thence North 89 degrees 35 minutes 24 seconds East, along the North line of said Southwest quarter, 1737.58 feet to the point of beginning;

Thence continuing North 89 degrees 35 minutes 24 seconds East, along said North line, 902.61 feet to the Northeast corner of said Southwest quarter;

Thence South 00 degrees 05 minutes 41 seconds East, along the East line of said Southwest quarter, 616.87 feet;

Thence South 73 degrees 45 minutes 17 seconds West, 508.18 feet to the beginning of a curve, concave to the Southeast, the center of which bears South 16 degrees 14 minutes 43 seconds East, 450.00 feet;

Thence Southwesterly along the arc of said curve, through a central angle of 26 degrees 54 minutes 57 seconds, 211.40 feet;

Thence North 43 degrees 09 minutes 40 seconds West, along a line radial to said curve, 341.76 feet;

Thence North 607.07 feet to the point of beginning.

Parcel C:

That portion of the Southwest quarter of Section 33, Township 1 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the West quarter corner of said Section 33, from which the Southwest corner bears South 00 degrees 05 minutes 26 seconds East (an assumed bearing), along the West line of said Southwest quarter, 2648.01 feet;

Thence North 89 degrees 35 minutes 24 seconds East, along the North line of said Southwest quarter, 1149.87 feet to the point of beginning;

Thence continuing North 89 degrees 35 minutes 24 seconds East, along said North line, 587.71 feet;

Thence South, 607.07 feet;

Thence South 43 degrees 09 minutes 40 seconds East, 341.76 feet to a point on a non-tangent curve, concave to the Southeast, the center of which bears South 43 degrees 09 minutes 40 seconds East, 450.00 feet;

Thence Southwesterly along the arc of said curve, through a central angle of 42 degrees 25 minutes 30 seconds, 333.20 feet;

Thence South 04 degrees 24 minutes 50 seconds West, tangent to said curve, 81.53 feet to a point on a non-tangent curve, concave to the South, the center of which bears South 09 degrees 39 minutes 25 seconds West, 1150.00 feet;

Thence Westerly, along the arc of said curve, through a central angle of 24 degrees 00 minutes 35 seconds, 481.90 feet;

Thence South 75 degrees 38 minutes 51 seconds West, tangent to said curve, 202.70 feet;

Thence North, 1296.89 feet to the point of beginning.

Section 32 Property: Owned by Vanderbilt Farms, L.L.C., an Arizona Limited Liability Company

Parcel D: (Vanderbilt Farms Parcel) (Hoffman Parcel)

A portion of Section 32, Township 1 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Northeast corner of the Northwest quarter of said Section 32, from which the Northwest corner of said Section 32 bears South 89 degrees 36 minutes 18 seconds West (an assumed bearing), along the North line of the Northwest quarter of said Section 32, for a distance of 2639.46 feet;

Thence South 00 degrees 12 minutes 37 seconds East along the East line of the Northwest quarter of said Section 32, for a distance of 50.00 feet to a point on the South line of the North 50 feet of the Northwest quarter of said Section 32;

Thence South 89 degrees 36 minutes 18 seconds West, along said South line, for a distance of 38.18 feet to a point on the Southeasterly line of that 20 foot easement for waste water ditch, as recorded in Book 205 of Deeds, page 315 and Book 215 of Deeds, page 142, records of Maricopa County, Arizona, said Southeasterly line lying 20 feet Southeasterly, measured at right angles from the Easterly right-of-way of the Eastern Canal, said point being the Point of Beginning;

Thence North 89 degrees 36 minutes 18 seconds East, along the South line of the North 50 feet of the Northwest quarter of said Section 32, for a distance of 38.18 feet to a point on the South line of the North 50 feet of the Northeast quarter of said Section 32;

Thence North 89 degrees 34 minutes 23 seconds East, along said South line, for a distance of 118.25 feet;

Thence South 00 degrees 25 minutes 31 seconds East for a distance of 2599.08 feet to the North line of the Southeast quarter of said Section 32;

Thence South 89 degrees 32 minutes 47 seconds West, along said North line, for a distance of 128.00 feet to the center of Section 32;

Thence South 00 degrees 12 minutes 37 seconds East, along the West line of the Southeast quarter of said Section 32, for a distance of 82.72 feet to a point on the South line of the North 5 acres of the Southwest quarter of said Section 32;

Thence North 89 degrees 32 minutes 47 seconds West, along said South line, for a distance of 1215.75 feet to a point on the Southeasterly line of said 20 foot easement for waste water ditch;

Thence North 17 degrees 45 minutes 16 seconds East, along said Southeasterly easement line, for a distance of 1733.95 feet;

Thence North 21 degrees 36 minutes 37 seconds East, along said Southeasterly easement line, for a distance of 95.47 feet;

Thence North 30 degrees 46 minutes 15 seconds East, along said Southeasterly easement line, for a distance of 161.74 feet;

Thence North 32 degrees 40 minutes 58 seconds East, along said Southeasterly easement line, for a distance of 964.89 feet to the point of beginning.

Parcel E: (Property owned by JB Holdings, Inc., an Arizona Corporation, as to an undivided 7% interest and Vanderbilt Farms, L.L.C., an Arizona Limited Liability Company, as to an undivided 93% interest.)

Lots 1 through 72, inclusive, and Tracts 1 through 15, inclusive, The Spectrum at Val Vista Parcel 1, according to Book 573 of Maps, Page 37, Records of Maricopa County, Arizona.

Parcel F: (Property owned by Continental Gilbert L.L.C., a Wisconsin Limited Liability Company)

Parcels 2 and 3, and a portion of Parcels 4 and 5, The Spectrum at Val Vista – Phase 1, according to Book 573 of Maps, Page 36, Records of Maricopa County, Arizona, all described as follows:

Commencing at the East quarter corner of said Section 32, from which the Northeast corner bears North 00 degrees 05 minutes 09 seconds West (an assumed bearing), along the East line of the Northeast quarter of said Section 32, 2647.96 feet;

Thence North 00 degrees 05 minutes 09 seconds West, along said East line, 1305.48 feet;

Thence South 89 degrees 32 minutes 56 seconds West, 65.00 feet to a point on the West line of the East 65 feet of the Northeast quarter of said Section 32, and the East line of said Parcel 4, and the point of beginning;

Thence continuing South 89 degrees 32 minutes 56 seconds West, 782.73 feet to the East line of said Parcel 5;

Thence North 00 degrees 08 minutes 53 seconds West, along said East line, 226.13 feet to the beginning of a curve, concave to the Southwest, the center of which bears South 89 degrees 51 minutes 07 seconds West, 294.82 feet;

Thence Northwesterly along the arc of said curve, through a central angle of 90 degrees 18 minutes 20 seconds, 464.67 feet;

Thence South 89 degrees 32 minutes 47 seconds West, tangent to said curve, 95.03 feet to the beginning of a curve, concave to the Northeast, the center of which bears North 00 degrees 27 minutes 13 seconds West, 105.00 feet;

Thence Northwesterly along the arc of said curve, through a central angle of 21 degrees 16 minutes 25 seconds, 38.99 feet;

Thence North 69 degrees 10 minutes 48 seconds West, tangent to said curve, 221.51 feet to a point on the East right-of-way line of Palomino Creek Drive, as shown on said The Spectrum at Val Vista – Phase 1, and a point on a non-tangent curve, concave to the West, the center of which bears North 74 degrees 47 minutes 20 seconds West, 1021.50 feet;

Thence Northerly along the arc of said curve and said East right-of-way line, through a central angle of 15 degrees 38 minutes 17 seconds, 278.80 feet;

Thence North 00 degrees 25 minutes 37 seconds West, along said East right-of-way line, 223.42 feet to the Southwest corner of Tract 1 of said The Spectrum at Val Vista – Phase 1;

Thence South 90 degrees 00 minutes 00 seconds East, along the South line of said Tract 1, 52.33 feet to the Southeast corner of said Tract 1;

Thence North 00 degrees 00 minutes 00 seconds East, along the East line of said Tract 1, 104.05 feet;

Thence South 90 degrees 00 minutes 00 seconds East, along the East line of said Tract 1, 16.67 feet;

Thence North 00 degrees 00 minutes 00 seconds East, along the East line of said Tract 1, 65.77 feet to a point on the South line of the North 65 feet of the Northeast quarter of said Section 32;

Thence North 89 degrees 34 minutes 23 seconds East, along said South line, 1295.69 feet;

Thence South 45 degrees 15 minutes 23 seconds East along the Northeast line of said Parcel 3, 28.20 feet to a point on the West line of the East 65 feet of said Section 32;

Thence South 00 degrees 05 minutes 09 seconds East, along said West Line, 1257.51 feet to the point of beginning.

Parcel G:

Remainder of Parcels 4 and 5 Spectrum at Val Vista - Phase 1 that was not conveyed to Continental Gilbert.

Property owned by JB Holdings, Inc., an Arizona Corporation, as to an undivided 7% interest and Vanderbilt Farms, L.L.C., an Arizona Limited Liability Company, as to an undivided 93% interest.

Parcels 4 and 5, the Spectrum at Val Vista - Phase 1, according Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Except any portion lying within the following described property:

That portion of Parcels 4 and 5, The Spectrum at Val Vista – Phase 1, according to Book 573 of Maps, page 36, Records of Maricopa County, Arizona, all described as follows:

Commencing at the East quarter corner of said Section 32, from which the Northeast corner bears North 00 degrees 05 minutes 09 seconds West (an assumed bearing), along the East line of the Northeast quarter of said Section 32, 2647.96 feet;

Thence North 00 degrees 05 minutes 09 seconds West, along said East line, 1305.48 feet;

Thence South 89 degrees 32 minutes 56 seconds West, 65.00 feet to a point on the West line of the East 65 feet of the Northeast quarter of said Section 32, and the East line of said Parcel 4, and the Point of Beginning;

Thence continuing South 89 degrees 32 minutes 56 seconds West, 782.73 feet to the East line of said Parcel 5;

Thence North 00 degrees 08 minutes 53 seconds West, along said East line, 226.13 feet to the beginning of a curve, concave to the Southwest, the center of which bears South 89 degrees 51 minutes 07 seconds West, 294.82 feet;

Thence Northwesterly along the arc of said curve, through a central angle of 90 degrees 18 minutes 20 seconds, 464.67 feet;

Thence South 89 degrees 32 minutes 47 seconds West, tangent to said curve, 95.03 feet to the beginning of a curve, concave to the Northeast, the center of which bears North 00 degrees 27 minutes 13 seconds West, 105.00 feet;

Thence Northwesterly, along the arc of said curve, through a central angle of 21 degrees 16 minutes 25 seconds, 38.99 feet;

Thence North 69 degrees 10 minutes 48 seconds West, tangent to said curve, 221.51 feet to a point on the East right-of-way line of Palomino Creek Drive, as shown on said The Spectrum at Val Vista – Phase 1, and a point on a non-tangent curve, concave to the West, the center of which bears North 74 degrees 47 minutes 20 seconds West, 1021.50 feet;

Thence Northerly along the arc of said curve and said East right-of-way line, through a central angle of 15 degrees 38 minutes 17 seconds, 278.80 feet;

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Thence North 00 degrees 25 minutes 37 seconds West, along said East right-of-way line, 223.42 feet to the Southwest corner of Tract 1 of said The Spectrum at Val Vista – Phase 1;

Thence South 90 degrees 00 minutes 00 seconds East, along the South line of said Tract 1, 52.33 feet to the Southeast corner of said Tract 1;

Thence North 00 degrees 00 minutes 00 seconds East, along the East line of said Tract 1, 104.05 feet;

Thence South 90 degrees 00 minutes 00 seconds East, along the East line of said Tract 1, 16.67 feet;

Thence North 00 degrees 00 minutes 00 seconds East, along the East line of said Tract 1, 65.77 feet to a point on the South line of the North 65 feet of the Northeast quarter of said Section 32;

Thence North 89 degrees 34 minutes 23 seconds East, along said South line, 1295.69 feet;

Thence South 45 degrees 15 minutes 23 seconds East along the Northeast line of said Parcel 3, 28.20 feet to a point on the West line of the East 65 feet of said Section 32;

Thence South 00 degrees 05 minutes 09 seconds East, along said West line, 1257.51 feet to the point of beginning.

Parcel H:

Property owned by JB Holdings, Inc., an Arizona Corporation, as to an undivided 7% interest and Vanderbilt Farms, L.L.C., an Arizona Limited Liability Company, as to an undivided 93% interest.

Parcel 10, The Spectrum at Val Vista Phase 1, according to Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel I:

Property owned by JB Holdings, Inc., an Arizona Corporation, as to an undivided 7% interest and Vanderbilt Farms, L.L.C., an Arizona Limited Liability Company, as to an undivided 93% interest.

Lots 1 through 57, inclusive, and Tracts 1 through 6, inclusive, The Spectrum at Val Vista Parcel 9, according to Book 573 of Maps, Page 40, Records of Maricopa County, Arizona.

Parcel J:

Property owned by JB Holdings, Inc., an Arizona Corporation, as to an undivided 7% interest and Vanderbilt Farms, L.L.C., an Arizona Limited Liability Company, as to an undivided 93% interest.

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Lots 1 through 106, inclusive, and Tracts 1 through 11, inclusive, The Spectrum at Val Vista Parcel 6 and 7, according to Book 573 of Maps, Page 39, Records of Maricopa County, Arizona.

Parcel K:

Property owned by Gilbert Unified School District

Parcel 8, The Spectrum at Val Vista - Phase I, a subdivision recorded in Book 573 of Maps, Page 36, Records of Maricopa County, Arizona;

Parcel L:

Property owned by Specres, Inc., an Arizona Corporation

Parcel 15, The Spectrum at Val Vista – Phase I, a subdivision recorded in Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel M:

Property owned by Specres, Inc., an Arizona Corporation

Parcel 16, The Spectrum at Val Vista – Phase I, a subdivision recorded in Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel N:

Property owned by Specres, Inc., an Arizona Corporation

Parcel 17, The Spectrum at Val Vista – Phase I, a subdivision recorded in Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel O:

Property owned by Specres, Inc., an Arizona Corporation

Lots 1 through 100, inclusive, and Tracts 1 through 10, inclusive, The Spectrum at Val Vista – Parcel 18, a subdivision recorded in Book 573 of Maps, Page 41, Records of Maricopa County, Arizona.

Parcel P:

Property owned by Specres, Inc., an Arizona Corporation

Lots 1 through 92, inclusive, and Tracts 1 through 9, inclusive, The Spectrum at Val Vista – Parcel 19, a subdivision recorded in Book 573 of Maps, Page 42, Records of Maricopa County, Arizona.

Parcel Q:

Property owned by Specres, Inc., an Arizona Corporation

Lots 1 through 114, inclusive, and Tracts 1 through 25, inclusive, The Spectrum at Val Vista – Parcel 20, a subdivision recorded in Book 573 of Maps, Page 43, Records of Maricopa County, Arizona.

Parcel R:

Property owned by Specres, Inc., an Arizona Corporation

Lots 1 through 80, inclusive, and Tracts 1 through 6, inclusive, The Spectrum at Val Vista – Parcel 21, a subdivision recorded in Book 573 of Maps, Page 44, Records of Maricopa County, Arizona.

Parcel S:

Property owned by Specres, Inc., an Arizona Corporation

Parcel 22, The Spectrum at Val Vista – Phase I, a subdivision recorded in Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel T:

Property owned by Specres, Inc., an Arizona Corporation

Parcel 23, The Spectrum at Val Vista – Phase I, a subdivision recorded in Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel U:

Property owned by Specres, Inc., an Arizona Corporation

Parcel 24, The Spectrum at Val Vista – Phase I, a subdivision recorded in Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel V:

Property owned by Specres, Inc., an Arizona Corporation

Tract 3, The Spectrum at Val Vista – Phase I, a subdivision recorded in Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel W:

Property owned by Canyon Oaks-Val Vista, L.L.C., an Arizona L.L.C.

The South half of the Southeast quarter of Section 32, Township 1 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

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Except any portion lying within The Spectrum at Val Vista Phase I, according to Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel X:

Property owned by JB Holdings, Inc., an Arizona Corporation, as to an undivided 7% interest and Vanderbilt Farms, L.L.C., and Arizona Limited Liability Company, as to an undivided 93% interest.

Tract 2, The Spectrum at Val Vista – Phase I, according to Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

Parcel Y:

Property owned by JB Holdings, Inc., an Arizona Corporation, as to an undivided 7% interest and Vanderbilt Farms, L.L.C., and Arizona Limited Liability Company, as to an undivided 93% interest.

Tract 1, The Spectrum at Val Vista – Phase I, according to Book 573 of Maps, Page 36, Records of Maricopa County, Arizona.

That said irrigation water delivery district be and the same is hereby designated as **SPECTRUM IRRIGATION WATER DELIVERY DISTRICT NO. 48**.

That William S. Lund, Brandon Wolfswinkel, and Robert L. Wilson, be and they are hereby appointed trustees of said district, to serve until the first biennial election and until their successors are elected and qualify.

IT IS FURTHER ORDERED that the maps of said District submitted at this said hearing be and the same are hereby approved as the official maps designating the lands included in the boundaries of said district.

IT IS FURTHER ORDERED that prior to the installation of any pipes, ducts or other means of carrying water over, under, or across Maricopa County highways or designated streets, that a permit be obtained from the County Engineer.

Done by order of the Board of Supervisors of Maricopa County, Arizona, this 2nd day of October 2002.

/s/ Don Stapley, Chairman, Board of Supervisors

ATTEST:

/s/ Norma Risch, Deputy Clerk, Board of Supervisors

FILING OF LAWSUIT AGAINST CITY OF TEMPE

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried 4-0-1) to approve the filing of a lawsuit and any other appropriate action against the City of Tempe to seek recovery for unpaid liability associated with the costs of Tempe City Prisoners receiving health care at Maricopa Medical Center. (Discussed in Executive Session on August 19, 2002.) (C1903010M) (ADM413)

WAIVER TO MARICOPA COUNTY EMPLOYEE LEAVE PLAN

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Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried 4-0-1) to approve the following waivers to the Maricopa County Employee Leave Plan V & VI, for Sheriff personnel who were seriously injured as a result of "Acts of Violence" through no fault or negligence of their own:

- a. Detention Officer Lawrence Provencher while on duty August 23, 2002. Authorize payment of normal base salary and benefits to the employee for duration of up to one year or return to full duty, whichever is earlier, to begin August 23, 2002. (C5003031M) (ADM3320)
- b. Deputy James Borelli while on duty March 24, 2002. Authorize payment of normal base salary and benefits to the employee for duration of up to one year or return to full duty, whichever is earlier, effective March 24, 2002. (C5003034M) (ADM3320)

ADDITIONS TO FLEET

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried 4-0-1) to approve additions to fleet of the following equipment:

- a. Specialized, fully equipped mobile surveillance unit with stealth camera, valued at \$101,650, which will be purchased and maintained with RICO funds. Annual maintenance is estimated to be \$5,000. This unit will be equipped with the latest technology that includes upgraded color night vision capability which allows officers to be seen clearly and provides a safety measure during evening/night operations. This also enables Sheriff's personnel to collect improved visual records of dimly-lit target areas. The unit will also be equipped with highly sensitive microphones for improved audio surveillance and voice evidence recording. The current surveillance van has six year old technology and will be reassigned within the Sheriff's Office. (C50030320) (ADM3100)
- b. Five new detention facility vehicles for the Central Services Complex; including two vans for \$74,956 and three club car utility vehicles for \$25,471. These amounts include tax. Funding for these items was provided in the adopted FY 2002-2003 budget. The annual estimate for fuel and maintenance is \$12,000. The vans will be used to pick up book donations and to distribute books to inmates, and the transportation of inmate records and files and transportation of files and documentation designated for shredding in accordance with the Records Retention Act. The Club Cars will be used in the daily operations for the Food Factory and Laundry. (C5003033M) (ADM3100)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF TUCSON POLICE DEPARTMENT

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried 4-0-1) to approve an Intergovernmental Agreement between the Maricopa County Sheriff's Office and the Tucson Police Department which allows reimbursement of up to \$50,000 in overtime to the City of Tucson, from the Bureau of Justice Assistance, Arizona Meth Program for which the Maricopa County Sheriff's Office is the pass through agency. The term of the agreement is July 1, 2002, through December 31, 2003. This agenda coincides with C50011233, approved on September 19, 2002. No budget adjustment is required. (C50035253)

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**MEMORANDUM OF UNDERSTANDING WITH NATIONAL ASSOCIATION OF COUNTIES (NACo);
ALLOCATION AND TRANSFER OF FUNDING**

Having determined that hosting the National Association of Counties Annual Conference and Exposition constitutes economic development activity that will enhance the economic welfare of the people of Maricopa County, motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried 4-0-1) to approve a Memorandum of Understanding between Maricopa County and the National Association of Counties (NACo) which defines the responsibilities of each party when Maricopa County hosts the 2004 NACo Annual Conference and Exposition. Also, approve the allocation and transfer of not-to-exceed \$330,000 of Appropriated Fund Balance Contingency Funds to a new Appropriated Fund Balance Program – NACo 2004 Conference to fund the FY 2003 expenses, and direct the Office of Management and Budget to work with the County Administrator's Office in budgeting this program at an appropriate level in FY 2004 and FY 2005. The total project budget is currently estimated at \$1,032,000. (C20030020) (ADM652)

CREATION OF NEW COUNTY DEPARTMENT NAMED THE OFFICE OF COMMUNICATIONS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried 4-0-1) to authorize the creation of a new County department, the Office of Communications; authorize the transfer of \$287,463 from the County Administrator's Office General Fund appropriation to the Office of Communications, and transfer of \$150,490 from General Government General Fund Contingency to the Office of Communications; and authorize the transfer of \$60,661 from the Telecommunications Office's Telecom budget (fund 681) to the Office of Communications. Also authorize an increase to the Office of Communications' internal service fund (681) revenues and expenditures by \$301,876 each. The increases to the internal service fund will be offset by corresponding changes to Eliminations, resulting in a net impact of zero. By approving this item, the Board is essentially moving an existing Communications Program, three Activities, and related Services from the County Administrative Officer to a new, free-standing department, to be named the "Office of Communications". The Mission of the Office of Communications is to provide consistent and effective communication, media relations, and community relations to the residents and employees of the County so they are informed of Maricopa County's activities, services, and achievements. (This is Addendum item A-2 which replaced item 12 on the agenda.) (C20030030) (ADM1625)

OFFICE OF COMMUNICATIONS

Department Vision:

The Office of Communications will disseminate information about County services through all forms of media including but not limited to print, broadcast, and interactive web based media.

Department Mission:

The mission of the Maricopa County Office of Communications is to provide consistent, effective, and accurate communication, media relations, and community relations to the residents and employees of the County so they are informed of Maricopa County's activities, services, and achievements.

Goals:

1. By August of 2004, there will be a 3% increase in the amount of press coverage for Maricopa County (measured by our media tracking service), achieved through a dedicated, unified effort from all County PIO's to coordinate press through the Office of Communications for greater group impact.

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2. By August of 2004, Maricopa County will increase public awareness of County services and goals by at least 5% over the 2000 results in each of the next two Customer Satisfaction Surveys (as measured by the Office of Research and Reporting).

3. By January 2005, the Office of Communications will create at least four new methods of sharing information with elected leaders and employees.

Program Name:

Communications

Program Purpose:

The purpose of the Communications Program is to provide consistent and effective communication, media relations, and community relations to the residents and employees of the County so they are informed of Maricopa County's activities, services, and achievements.

Key Result Measure:

% annual increase in media coverage of county services, county news, and events. (Measured through service that places a monetary value on space and/or broadcast time allotted to the stories).

Activity Name:

Media Relations Activity

Activity Purpose:

The purpose of the Media Relations Activity is to provide accurate information about Maricopa County to the media so they can have accurate information to disseminate to the public.

Services that comprise the activity:

- Press releases
- Media facilitations
- Special media events and press conferences
- Media interviews coordination Videos
- Media Public service announcements (PSAs)
- Press Kits

Result:

% annual increase in media coverage of county services, county news, and events. (Measured through service that places a monetary value on space and/or broadcast time allotted to the stories).

Outputs:

Number of column inches of story coverage in the press, and number of broadcast minutes of coverage in the electronic media.

Demand:

Number of external media services requested.

Efficiency:

The value of the output (media coverage measured in time/column inches with a dollar value attached to the measure)---compared to the cost of activity (producing materials to encourage and support media coverage of County events and issues.)

Activity Leader: Al Macias

PERSONNEL AGENDA

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the Personnel Agenda (Judicial Branch and Maricopa County) as follows. (List on file in the Clerk of the Board's Office.)

AMENDMENT TO FY 2002 URBAN COUNTY/HOME SUBRECIPIENT AGREEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Amendment No. 1 to the FY 2002 Urban County/HOME Subrecipient Agreement, UC0107, Guadalupe/Housing Rehabilitation Project (C17020160 under C17020010ZZ) between Maricopa County and the Town of Guadalupe. This amendment rescopes the "Guadalupe Housing Rehabilitation" project (UC0107-\$165,738) to "Guadalupe Housing New Construction" project, which will involve new construction only. No change in project number or funding allocation. (C1702016001)

EXPENDITURE OF CARRYOVER FUNDS FOR FY 2003

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to authorize expenditure of carryover funds for FY 2003 for the Brooks, Hersey & Associates contract in the amount of \$260,813 for the professional services of "Estrella Mountain Regional Park Campground Design." On October 3, 2001, the Board approved and executed the consultant services contract with Brooks, Hersey & Associates for the professional services of "Estrella Mountain Regional Park Campground Design" in the amount of \$282,353. Due to Office of Management and Budget Memorandum No. 7 dated October 26, 2001, funding for the Estrella Campground Design was postponed until July 2002; thus, the expenditure authorization of carryover funds for the Brooks, Hersey & Associates design contract expired. The remaining balance of the contract is \$260,813. The funds to pay for the contracted amount for the design services of the campground are available in the Parks and Recreation Department Capital Fund monies set aside in the General Government Major Maintenance Fund in FY 2003. (C3002011501)

FUND TRANSFERS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been 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 incorporated herein by this reference.

AMENDMENT TO 1988 INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF WICKENBURG

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Amendment No. 1 to a 1988 Intergovernmental Agreement (IGA) (encumbrance CS881031) with the Town of Wickenburg and authorize the chairman to execute all required documents. The original IGA provided for development and joint use of a County-Town municipal office facility and Maricopa County Justice Court. The IGA provided for the Town to accumulate acquisition credits in exchange for a land contribution and payment of all operating expenses. The amendment stipulates that sufficient acquisition credits have been accrued by the Town to attain full ownership of the facility to be

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evidenced by a Quit Claim Deed and Bill of Sale. The Town provided land for the project and Maricopa County built the facility with 1986 bond money at a cost of \$1.2 million. The agreement required the Town to pay all costs associated with operating the facility, including repairs and utility costs. The agreement also provided that when the value of the land contribution plus the costs of operations and repairs equaled the appraised value of the entire facility the Town would acquire full ownership of the facility. The amendment provides for the existing County offices to remain as tenants in exchange for payment of a prorated share of operating costs based on the actual area occupied by the Justice Court, the Constable and Sheriff. (C1803003201)

THREE YEAR EXTENSION TO LEASE WITH HOLLIE TOPPEL

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve a three year extension to the existing lease with Hollie Toppel as owner operator of the Take Five Snack Shop located in the lobby of the county owned Security Center building at 234 North Central, Phoenix. This lease originally acquired with acquisition of the Security Center Building. The leased premises are described as Suite 110, consisting of approximately 504 square feet and include 70 square feet of storage space located on the first floor lobby. The term of the extension is from December 1, 2002, to November 31, 2005, and includes a renegotiated rent schedule, which reduces the base rent to \$800 per month until December 2004, when it shall increase to \$850 per month. The new rent schedule also now includes a formula for additional rent based on net income, which shall be 2% of the income reported on the tenant's City of Phoenix Privilege (Sales) Tax Return filed monthly. These provisions are retroactive to November 2001. (C1803004201)

RESOLUTION – REAL PROPERTY ACQUISITION

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to adopt a resolution authorizing real property acquisition by dedication, donation, purchase or under the power of eminent domain and authorizing payment of relocation benefits for fee title to or any necessary interest in property located 160 feet East of 16th Street and South of Roosevelt Street, for purposes of facilitating construction of a Public Health Clinic and Environmental Services building (Project No. 2001202342) and other County structures, utilities, roads, parking structures and areas, and other improvements necessary for the full use of such facilities as a matter of public use and necessity. (C1803005B01) (ADM811-006)

RESOLUTION

RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THAT FEE TITLE TO OR ANY NECESSARY INTEREST IN CERTAIN REAL PROPERTY BE ACQUIRED BY MARICOPA COUNTY BY DEDICATION, DONATION, PURCHASE OR UNDER THE POWER OF EMINENT DOMAIN AND IF NECESSARY PROVIDE RELOCATION ASSISTANCE FOR PURPOSES OF FACILITATING CONSTRUCTION OF A PUBLIC HEALTH AND ENVIRONMENTAL SERVICES BUILDING, UTILITIES, ROADS, PARKING STRUCTURES, AND OTHER IMPROVEMENTS NECESSARY FOR THE FULL USE OF SUCH FACILITIES, AS A MATTER OF PUBLIC USE AND NECESSITY.

BE IT RESOLVED by the Board of Supervisors of Maricopa County, Arizona, as follows;

SECTION 1. PUBLIC NECESSITY. We find it necessary and essential as a matter of public welfare that Maricopa County acquire certain real property hereinafter described for purposes of facilitating

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construction of a Public Health and Environmental Services Building, utilities, roads, parking structures, and other improvements necessary for the full use of such facilities. Further, we find that the acquisition is for a public use of the County, will enable the County more fully to carry out its obligation to provide public health care and environmental services

SECTION 2. ACQUISITION AUTHORIZATION. Pursuant to A.R.S. § 12-1111, the acquisition of fee title to or any necessary real property interest in those certain real properties described as follows:

See Exhibit "A" attached hereto and incorporated herein

To include full-width perimeter streets and all alleys, including the relocation of any associated easements and utility improvements thereon, and including the acquisition of any remainder(s) to said parcels which, if not acquired, would constitute uneconomic remnant(s), as illustrated on Exhibit "B".

Said acquisition is hereby authorized by eminent domain in the event that said real property is not acquired by dedication, donation or purchase; and the appropriate Maricopa County officials are authorized and directed to take all legal action necessary to acquire fee title to or any necessary real property interest in and possession of, said property under the power of eminent domain.

SECTION 3. EXPENDITURES. The duly authorized disbursing agents of Maricopa County shall be the Chief Financial Officer, and he is hereby, authorized and directed to pay all sums necessary to acquire the property and interests described above, including temporary construction easements with respect thereto, and to pay for all title reports, appraisals, title insurance charges, escrow fees and all other costs necessary for the acquisition of said property and interests.

SECTION 4. AUTHORIZATION. The duly authorized disbursing and relocation agents of Maricopa County shall be the Chief Financial Officer, and he is hereby, authorized and directed to provide relocation benefits and assistance for displaced businesses in those circumstances where displacement results from the acquisition of real property by Maricopa County in furtherance of construction of a Public Health and Environmental Services Building, utilities, roads, parking structures, and other improvements.

SECTION 5. RELOCATION GUIDELINES. The Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs, 49 C.F.R. Part 24, shall be followed by Maricopa County, unless some provision therein conflicts with Arizona law, in which case the laws of the State of Arizona shall govern.

SECTION 6. ARIZONA STATUTES. Maricopa County shall comply with, and provide relocation benefits assistance consistent with, the provisions of A.R.S. § 11-961 et seq.

SECTION 7. DELEGATION OF AUTHORITY TO ADOPT PROCEDURES FOR APPEAL.

The Chief Administrative Officer of Maricopa County is hereby authorized to adopt procedures for an administrative appeal process for relocation benefits and assistance provided to businesses displaced as a result of a real property acquisition in furtherance of construction of a Public Health and Environmental Services Building and other county structures, utilities, roads, parking structures and areas, and other improvements necessary for the full use of such facility.

SECTION 8. EFFECTIVENESS. The authorizations set forth herein, including the authorization to exercise the power of eminent domain and the relocation benefits and assistance program established shall become effective immediately.

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DATED this 2nd day of October 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

INTERGOVERNMENTAL AGREEMENT WITH CITY OF AVONDALE

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve an Intergovernmental Agreement with the City of Avondale that establishes the method of valuation of land designated to be acquired by Maricopa County and defines the County's responsibilities for infrastructure costs pursuant to the recommendations of a master plan study recently completed. The calculated value of the land totals \$690,909.50 and the infrastructure costs are to be paid in three payments due on June 30, 2003, September 30, 2003, and December 31, 2003, and shall not exceed a cumulative total of \$2,000,000. And, authorize funding for the project total of not-to-exceed \$2,700,000 from the Five-Year CIP Project Reserve which will be reimbursed from the proceeds of the sale of surplus properties as recommended by the Facilities Review Committee. Also, approve amending the West (Avondale) Regional Center project in the Five-Year CIP to reallocate the payments due per the IGA for infrastructure costs, by decreasing the FY 2002-2003 amount by \$1,333,333, and increasing the FY 2003-2004 amount by \$1,333,333. This reallocation results in a net zero impact to the West (Avondale) Regional Center project. (C18030062) (ADM1820)

SOLICITATION SERIALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the following solicitation serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

The execution of an Intergovernmental Cooperative Purchasing Agreement with Marana Unified School District. (C73030052)

NON-FINANCIAL INTERGOVERNMENTAL AGREEMENT WITH STATE OF ARIZONA

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve a non-financial Intergovernmental Agreement (IGA) between the State of Arizona and Maricopa County regarding the use of County owned motor vehicles from time to time by State of Arizona employees. Either party may terminate this agreement by delivering written notice of termination to the other party, and termination will be effective thirty (30) days after delivery of the notice of termination. A.R.S. §11-952 authorizes Maricopa County and the State of Arizona to enter into agreements with one another for joint cooperative action. The State of Arizona and Maricopa County agree that any loss or claim of loss that arise out of the operation of a County owned motor vehicle by an employee or other agent of the State shall be the exclusive responsibility of the State, but only to the extent that such a loss or claim of loss is attributable to the negligence, in whole or in part. Such loss or claim of loss shall be adjusted by the State and the State shall be responsible for all costs of defense. (C75030032) (ADM3100)

WAIVER TO MARICOPA COUNTY COMPENSATION PLAN

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Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve a waiver to the Maricopa County Compensation Plan, Section VI.A. to allow a retroactive executive compensation payment for Risk Manager Peter Crowley, from \$39.90 per hour to \$64.90 per hour, with an effective date of September 30, 2002, and an end date of October 13, 2002. The retroactive pay will come from budgeted funds and will not exceed \$2,000. In September 2001, the Chief Financial Officer made an offer to Peter Crowley to become the County's Risk Manager. During final negotiations, an annual salary of \$89,000 was agreed upon subject to approval by the County Administrative Officer. Because of the critical nature of this position, the CAO suggested and the CFO agreed that a portion of Mr. Crowley's compensation be tied to the accomplishment of specific goals. Mr. Crowley agreed to this structure and we documented our understanding in a written memorandum. The specific goals negotiated with Peter Crowley for his third (final) incentive payment for FY 2001-2002 have been accomplished and the CFO feels compelled to comply with the terms of the incentive compensation agreement. If the incentive payment is not approved, Mr. Crowley would be justified in exploring other career alternatives, which would leave the department without a manager to oversee the accomplishment of the goals established under the Managing for Results initiative. The appropriate executive compensation paperwork was intended to be submitted prior to June 21, 2002, but failed to do so. The oversight needs to be corrected and therefore the appropriate documentation is being submitted to implement Mr. Crowley's incentive payment that was due on or around June 24, 2002. (C75030048) (ADM3308)

DONATIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the acceptance of donations made by citizens of Maricopa County through the Business Office of Animal Care & Control (AC&C) in the amount of \$10,255.06 and \$17,107.50 in donations that were made through the licensing process for the month of July 2002. Additionally approve an increase in Animal Care & Control's FY 2003 Agency 792, Fund 572 Expenditure budget in the amount of \$27,362.56. Donations were received and deposited in FY 2002-2003. (C7903014C) (ADM2300)

KENNEL PERMIT

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the issuance of a following kennel permit for Christine Sutton, dba Love & Fluff Kennels, 8591 West Oregon Avenue, Glendale, for the term of October 2, 2002, through October 1, 2003. (C7903015C) (ADM2304)

AMENDMENT TO CHILD CARE PROVIDER REGISTRATION AGREEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve Amendment No. 1 to the Child Care Provider Registration Agreement with the Arizona Department of Economic Security, Child Care Administration to reimburse the Maricopa County Human Services Department, Head Start Program for child care services provided before and after Head Start classes as specified in Arizona Revised Statue § 41-1954.1. The purpose of the amendment is to add the East Valley Institute of Technology classroom as a delivery site for child care services. All other terms and conditions remain unchanged. This amendment is effective upon the date of the last signature and shall terminate on June 30, 2003. This agreement does not include any County general funds. (C2201106201)

AMENDMENT TO NON-FINANCIAL INTERGOVERNMENTAL AGREEMENT WITH KYRENE ELEMENTARY SCHOOL DISTRICT

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Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve Amendment No. 1 to the non-financial Intergovernmental Agreement with the Kyrene Elementary School District and Maricopa County Human Services Department to collaboratively provide the Maricopa County Head Start Program with services to preschool children with disabilities who are enrolled in the Head Start program, as specified in ARS §15-761. Kyrene Elementary School District will provide classroom and playground facilities for the Maricopa County Head Start program. This amendment extends the agreement from August 15, 2002, through June 30, 2003. (C2202019201)

NON-FINANCIAL AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY/EMPLOYMENT SECURITY ADMINISTRATION

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve a non-financial amendment to the intergovernmental agreement with Arizona Department of Economic Security/Employment Security Administration (ADES/ESA) which relates to the co-location of staff in the Maricopa Workforce Connection Career Development Center located at 9770 West Peoria Avenue, Peoria, Arizona. This amendment corrects the State Executive Order number in the contract terms and conditions, page 5, part XV compliance with Civil Rights Act. The contract term remains the same, beginning November 1, 2001, and through October 31, 2006. (C2202167201)

REVENUE CONTRACTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to grant approval to the Human Services Department's (HSD) Workforce Development Division (WDD) to enter into multiple revenue contracts with non-governmental agencies and Intergovernmental Agreements (IGA) with governmental agencies for the provision of soft-skills assessments and supervisory training; and authorize the Chairman to sign all agreements/contracts on behalf of the Board. The Department will provide assessment and training services to agencies and companies interested in utilizing the Alignmark AccuVision assessment system with their employees and applicants. The cost per assessed individual will be \$22.00 with the value of each contract based on the cost per student multiplied by the number of students. Additional post-assessment supervisory training will be offered at \$200 per training session. The total revenue amount for all contracts and IGAs entered into under this approval will not exceed \$50,000 per fiscal year. The term of this approval is for FY 2003, FY 2004, and FY 2005. Indirect costs will be allowed at the standard rate in place during the FY in which the contracts are approved. However, the rate applied in any given fiscal year will be the actual rate approved for that fiscal year. In accordance with ARS § 11-251.08, the fees being charged do not exceed our costs in providing the service. (C2203092MLI)

CONTRACT WITH CENTRAL ARIZONA SHELTER SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to award a contract to the Central Arizona Shelter Services (CASS) in the amount of \$180,000 to provide shelter and comprehensive supportive services for homeless individuals and families during FY 2003. The agreement is effective on July 1, 2002, and shall terminate on June 30, 2003. The funding for this contract was approved at the request of the Board on July 22, 2002, as part of the Board's role in establishing the County's overall FY 2002-2003 budget. (C22030961)

CONTRACT WITH SUN HEALTH/OLIVE BRANCH SENIOR CENTER

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to award a contract to the Sun Health/Olive Branch Senior Center in the amount of \$20,000 to provide comprehensive support services to elderly individuals during FY 2003. The agreement is effective on July

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1, 2002, and shall terminate on June 30, 2003. The funding for this contract was approved at the request of the Board on July 22, 2002, as part of the Board's role in establishing the County's overall FY 2002-2003 budget. (C22030971)

NEW LIMITED SERVICE LEASE WITH FIRST EVANGELICAL LUTHERAN CHURCH

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve and execute a new limited service lease (No. L7325) with First Evangelical Lutheran Church of Mesa, Arizona, an Arizona corporation, Lessor, for a Head Start classroom and playground facility located at 142 North Date Street, Mesa Arizona. The lease term is for 5 years commencing upon Board of Supervisor approval and expiring 60 months thereafter. The annual cost will be \$7,800.00 as County's share of operating expenses. Head Start will contribute a one-time amount of not-to-exceed \$12,000 to assist in the renovation of classrooms and the playground facility to meet Arizona Department of Health Services day care licensing requirements. This agreement contains a 90-day termination clause and does not include any county general funds. (C22031034)

AMENDMENT TO CONTRACT WITH MEDICAL PROFESSIONAL ASSOCIATES OF ARIZONA, P.C. (MedPro)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Amendment No. 1 to the contract with Medical Professional Associates of Arizona, P.C., ("MedPro") for the provision of professional medical services to the Maricopa County Department of Public Health and its clientele. The amendment increases the not-to-exceed amount by \$294,505, for a new not-to-exceed amount of \$589,010, and extends the term of the contract from October 1, 2002, to September 30, 2003. (C8602084101)

AMENDMENT TO CONTRACT WITH AIDS PROJECT ARIZONA, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Amendment No. 2 to the contract with AIDS Project Arizona, Inc., for the provision of HIV wellness services to individuals affected by HIV/AIDS. The amendment increases the contract dollar amount by \$30,956 and replaces the budget narrative. Total funding for the period ending February 28, 2003, will increase from \$95,000 to \$125,956. (C8602605102)

AMENDMENT TO CONTRACT WITH CATHOLIC SOCIAL SERVICES OF PHOENIX, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Amendment No. 1 to the contract with the Catholic Social Services of Phoenix, Inc., for the provision of HIV family support services to individuals and families affected by HIV/AIDS. The amendment decreases the contract dollar amount by \$20,002 and replaces the budget narrative. Total funding for the period ending February 28, 2003, will decrease from \$61,000 to \$40,998. (C8602608101)

INTERGOVERNMENTAL AGREEMENTS WITH PINAL COUNTY

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Intergovernmental Agreements with Pinal County, by and through the Pinal County Health Department for the provision of HIV services. The terms of the contracts are August 1, 2002, to February 28, 2003,

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- a. HIV counseling & testing services for a contract amount not-to-exceed \$10,000. (C86026302)
- b. HIV service coordination services, for a contract amount not-to-exceed \$5,000. (C86026312)

GRANT FUNDING FROM THE DAIRY COUNCIL OF ARIZONA, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve and accept not-to-exceed \$10,000 in grant funding from the Dairy Council of Arizona, Inc., for calcium nutrition education services. The term of the grant will be from Board approval to August 31, 2003. By approving this agenda item, the Board will be authorizing the Chairman to sign all applications, contracts and subsequent administrative amendments related to this grant. By approving this item, the Board is authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels for FY 2003 by \$10,000. (C86030513)

DONATION OF VACCINES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the donation of various vaccines, at no cost to Maricopa County, from the Arizona Department of Health Services (ADHS) for use in the Maricopa County Department of Public Health's (MCDPH) Immunization Program. The value of the vaccines are estimated at \$4,000,000. This grant-like item is awarded in kind and the value of which will be booked as a revenue and expenditure in the Finance System. Also, approve a corresponding adjustment to the Department of Public Health's FY03 revenue and expenditure budget of \$4,000,000. (C8603054M) (ADM2150)

DONATION OF HIV/AIDS PHARMACEUTICALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the donation of HIV/AIDS pharmaceuticals, at no cost to Maricopa County, from the Arizona Department of Health Services (ADHS) during FY 2003 for use in the Maricopa County Department of Public Health's (MCDPH) HIV/AIDS Consortia Program. The value of the pharmaceuticals are estimated at \$5,000,000. This grant-like item is awarded in kind and the value of which will be booked as a revenue and expenditure in the Finance System. In addition, approve a corresponding \$5,000,000 adjustment to the Department of Public Health's FY 2003 revenue and expenditure budget. (C8603055M) (ADM2150)

LEASE WITH CITY OF PHOENIX

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Lease No. L7322 (City Lease No. 103050) with the City of Phoenix as Lessor and Maricopa County as Lessee. The County leases a parcel of land adjacent to Maricopa County's Seventh Avenue Family Health Center on which a County owned modular WIC office is located. This is a limited service lease with the County paying for all utilities and repairs. This Lease shall be for an initial term of five years commencing on January 1, 2002, and expiring on December 31, 2006. The County shall pay the sum of \$1.00 per year. This lease may be terminated pursuant to the provisions of A.R.S. §38-511. (C86030664)

NON-FINANCIAL AGREEMENT WITH PHOENIX ELEMENTARY SCHOOL DISTRICT NO. 1

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Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve and sign a non-financial agreement between Maricopa County, through its Department of Public Health, and Phoenix Elementary School District No. 1 to provide nutritional experience for graduate students in the Department's Dietetic Internship Program. The agreement term is from Board of Supervisors approval through June 30, 2007. C86030670)

TRANSFER OF FUNDING

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the transfer of not-to-exceed \$10,000,000 from the appropriated Fund Balance-Contingency (100-480-4811) to a new Appropriated Fund Balance Program: Human Resources System Replacement (100-480-4814) for the implementation of a new Human Resources System. This project represents a necessary cost of doing business in the continuing operations of Human Resources. The new functionality and/or results expected from such a significant investment include the following: (1) A fully-integrated Human Resources System that will support the full lifecycle of HR operations from employee recruiting through the end of employment; (2) Electronic workflow will be available to minimize current paper-based processing; (3) Employee self-service and Manager self-service centers will be available; (4) An automated time-keeping process with a rigorous approval process; (5) A process to facilitate the allocation of MfR PAS codes; and (6) electronic updates/transfers from large, stand-alone agency HR systems. (C41030038) (ADM2705) (ADM3300)

CHANGE ORDER TO CONTRACT WITH D.L. WITHERS

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Change Order No. 5 to Contract JE01-01 with D.L. Withers in the amount of \$356,644. This contract provides for the construction of the Maricopa County Forensic Science Center and Parking Structure. This change order includes the installation of a fiber-optic ductbank from Jackson Street and the installation of a RO/DI pure water system. The increase is within the project budget. (C4001009101)

EASEMENT AGREEMENT WITH CITY OF PHOENIX

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve and authorize the execution of an easement agreement in consideration of \$1.00 with the City of Phoenix, a municipal corporation of the State of Arizona. This is a permanent easement for access, street maintenance and construction, and public utilities purposes over, under and within that certain real property situated in Maricopa County, Arizona known as the Maricopa County Forensic Science Center and Parking Structure located between 7th Avenue and 8th Avenue and Jefferson Street and Madison Street. (C40030030) (ADM418)

CALL FOR BIDS AND AWARD – RENOVATE BOARD OF SUPERVISORS' AUDITORIUM

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to adopt plans and specifications, authorize a call for bids, and award a construction contract to the lowest responsible bidder provided that the bid is not more than 10% over the architect's estimate for "Renovate BOS Auditorium". Project #2002305083 is funded in the FY 2002-2003 Major Maintenance Program budget, Fund 100, Agency 480, Org. 4832, Object Code 0915.01. The scope of the work for building number 3304 includes upgrading an outdated audio-visual system, interior lighting improvements, replacement of countertops containing environmentally hazardous material, replacement of the audio-visual lectern, and remodeling of the audio-visual equipment control booth. (C70030235)

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CALL FOR BIDS AND AWARD – ABATEMENT AND DEMOLITION OF THE OLD COUNTY MORGUE

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to adopt plans and specifications, authorize a call for bids, and award a construction contract to the lowest responsible bidder provided that the bid is not more than 10% over the engineer's estimate for the "Abatement and Demolition of the Old County Morgue", Project No. 1998937402. This project is funded as part of the FY 2002-2003 Capital Improvement Program project "New Admin Services Facility", Fund 435, Agency 478, Org. 4713, Object Code 0915.01, Function Code 7402. After the County Medical Examiner's operations are relocated into the new Forensic Science Center, the current facility (building number 4013) should be environmentally abated and razed. It has been determined that the facility has no further usefulness. Also approve the removal of building number 4013 from the County's Fixed Asset System. (C70030225)

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. (ADM2007)

- DD-9394 (TS) R/W Dedication - Easement and Agreement for Highway Purposes – Parcel No. 218-48-004B - Mesa Evangel Assembly of God, an Arizona corporation - for the sum of \$10.00.
- DD-9394 (TS) R/W Dedication - Purchase Agreement and Escrow Instructions – Parcel No. 218-48-004B - Mesa Evangel Assembly of God, an Arizona corporation.
- DD-9395 (TS) R/W Dedication - Warranty Deed – Parcel No. 219-22-028 - Wade A. Guthrie and Danette R. Guthrie - for the sum of \$10.00.
- DD-9395 (TS) R/W Dedication - Purchase Agreement and Escrow Instructions – Parcel No. 219-22-028 - Wade A. Guthrie and Danette R. Guthrie.
- X-0297 (LJS) Project No: 68840 - Estrella Roadway, Phase 2 - Right-of-Way Grant/Temporary Use Permit – Parcel No. 201-21-N/A - United States Department of the Interior Bureau of Land Management.

REIMBURSEMENT TO SALT RIVER PROJECT

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve reimbursement to Salt River Project in the amount of \$14,672 for costs incurred for the relocation and installation of their electrical facilities that are in conflict with the Maricopa County Department of Transportation (McDOT) Project No. 16212, PM10 Roads (Phase 2) in SW Area. McDOT acknowledges that SRP has prior rights for these facilities. The cost may not exceed the current estimated amount of \$14,672 by more than 10%. SRP will relocate two electric poles and associated underground facilities in conflict with the roadway project. (C64030625) (ADM2000-006)

AGREEMENT WITH SALT RIVER PROJECT

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve and execute an agreement with Salt River Project for the granting of an easement to allow for the relocation of their irrigation facilities with the same prior rights as existed in the previous location.

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SRP's facilities are in conflict with McDOT Project 68956 – Gilbert Road from Williams Field Road to Ray Road. The irrigation facility consist of 40' of 24" RGRCP and one check structure. The utility through its existing facility has prior rights and will retain the same rights in the new location. (C64030645) (ADM2013)

ADD PROJECT TO FY 2003 TIP (CIP) BUDGET, AND TRANSFER OF FUNDING

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the addition of Project No. 12565, 90th Street from McDowell to Quentin, to the Department of Transportation's FY 2003 TIP (CIP) budget, and establish the project budget at \$300,000. Also approve the transfer of FY 2003 budgeted funds from Project No. 16200, PM 10 Program, in the amount of \$300,000 to offset for this added project. This reduces the budget for No. 16200 from \$500,000 to \$200,000, and resulting in a zero impact reallocation of the Department's TIP (CIP) FY 2003 budget. (C64030655) (ADM2000)

ADD PROJECT TO FY 2003 TIP (CIP) BUDGET AND TRANSFER OF FUNDING

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the addition of Project No. 30910, Union Hills Drive at 107th Avenue, a Traffic Safety Improvement Project, to the Department of Transportation's FY 2003 TIP (CIP) budget, and establish the project budget at \$350,000. Also approve the transfer of FY 2003 budgeted funds from Project No. 68890, Warranted Traffic Improvements, in the amount of \$350,000 to offset for this added project. This reduces the budget for No. 68890 from \$650,000 to \$300,000, and resulting in a zero impact reallocation of the Department's TIP (CIP) FY 2003 budget. (C64030665) (ADM2000)

DATA RECOVERY AGREEMENT FOR WATER TRANSMISSION PROJECT

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Memorandum of Agreement with Environmental Protection Agency; Bureau of Indian Affairs, Pima Agency; Maricopa Department of Transportation; Gila River Indian Community; and Arizona State Historic Preservation Office regarding a data recovery plan for the water transmission main project in Districts 6 and 7 of the Gila River Indian Community. The MOA provides for compliance with the Code of Federal Regulations, Title 36, Part 800.6(b)(1) for the Data Recovery Plan. The provisions of the agreement are intended to address the good faith efforts of all parties to take into account the effects of this project on historic properties. (This is Addendum item A-3) (C640306001)

MARICOPA INTEGRATED HEALTH SYSTEM PERSONNEL AGENDA

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Maricopa Integrated Health Systems Personnel Agenda. (List on file in the Clerk of the Board's Office.)

AMENDMENT TO ATTENDANT CARE SERVICES CONTRACT

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Amendment No. 3 to the Attendant Care Services Contract with Arizona Bridge to Independent Living (ABIL) to extend the Contract term by two years, from November 1, 2002, through October 31, 2004, making the aggregate term November 1, 2000, through October 31, 2004. Increase the not to exceed (NTE) amount by \$15,300,000, from \$9,045,022, to \$24,345,022. The rates are

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unchanged. The Contract may be extended up to a total term of five years and may be terminated by either party with ninety days written notice. (C6001139103)

AMENDMENT TO CONTRACT WITH ARIZONA AGENCY ON AGING, REGION I, INC.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Amendment No. 1 with Area Agency on Aging, Region I, Inc. (AAA), extending the contract two years for an aggregate term from October 1, 2001 to September 30, 2004, and increasing the not-to-exceed amount by \$1,000,000, for a new aggregate not-to-exceed amount of \$3,000,000. AAA provides home delivered meals to MIHS-HP Members residing in Maricopa County. There is no increase in rates. Either party may terminate this contract with 90-days written notice. (C6002043101)

AMENDMENT TO INCREASE NOT-TO-EXCEED AMOUNT FOR POOL OF FUNDS FOR HOSPITAL SERVICES

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Amendment No. 1 to Agenda Item C60020671 to increase the not-to-exceed amount for the pool of funds for hospital services by \$59,262,000, increasing the not-to-exceed amount to ~~\$121,636,000~~ \$121,272,000 (correction was announced by the Clerk, Fran McCarroll) and to extend the term of the pool through September 30, 2003, making the aggregate term of the pool January 1, 2002, through September 30, 2003. (C6002067101)

AMENDMENT TO REVENUE CONTRACT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Amendment No. 7 to the revenue contract with the Arizona Department of Health Services (ADHS No. 056020) for medical and dental primary care services to update language in the contract work statement. Term of this contract is July 1, 2000, through June 30, 2003, and may be renewed for two additional one year periods. There is no change in the contract rates or contract not-to-exceed amount. This contract may be terminated by MIHS with mutual consent of both parties with 60-days written notice. ADHS may terminate this contract for cause with 10-days written notice. This amendment will update contract scope of work, specifically reporting requirements and contract special terms and conditions to comply with updated Arizona Revised Statutes. (C9000062307)

AMENDMENT TO REVENUE CONTRACT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve Amendment No. 5 to the revenue contract with the Arizona Department of Health Services (ADHS No. 156007) for medical and dental primary care services to update language in the contract work statement. Term of this contract is July 1, 2000, through June 30, 2003, and may be renewed for two additional one year periods. There is no change in the contract rates or contract not-to-exceed amount. This contract may be terminated by MIHS with mutual consent of both parties with 60-days written notice. ADHS may terminate this contract for cause with 10-days written notice. This amendment will update contract scope of work, specifically reporting requirements and contract special terms and conditions to comply with updated Arizona Revised Statutes. (C9001005106)

AGREEMENT TO PROVIDE MEDICAL CARE TO INCARCERATED/COMMITTED PATIENTS

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve a new Intergovernmental revenue agreement (IGA) between Arizona State Hospital (ASH)

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and Maricopa Integrated Health System (MIHS) for the provision of inpatient and outpatient services to incarcerated/committed mental health patients at ASH who need medical care. The agreement is effective February 13, 2002, for an initial period of one year. Anticipated revenue for this agreement is \$750,000 annually. (This is Addendum item A-4.) (C90030182)

HEARING SET - CODE ENFORCEMENT REVIEW - CONTINUED

Item: Determine if oral argument will be permitted in the review of Hearing Officer's Order of Judgement in the zoning code violation case of Bonnie Wilt (in the Buckeye area), Case No. V2002-00062, and schedule a public hearing for 9:00 a.m., Wednesday, October 16 2002. (ADM3417-14)

Supervisor Wilcox said that this case is similar to the last code enforcement action and that she had read the transcript and, as it is in her district, would like to ask for a similar resolution. She suggested that this item also be continued for three months with an interim plan devised to remove two cars a month to facilitate the property owner's compliance with the order.

David Benton, County Council, asked for clarification and if what she wanted was to, "Accept the Hearing Officer's order, with 'so much time out,' and work with code enforcement to arrive at a compliance date at the time of the (extended) hearing?"

Supervisor Wilcox said that since the Board was the final decision maker, and since compliance would present a problem for Ms. Wilt, who is an older woman, she believed that to extend the hearing for three months with such conditions would demonstrate whether Ms. Wilt had made her best effort to comply. She asked legal council whether the Board could take this kind of preemptive action.

Mr. Benton said, "I have no problem with that...you want to set the hearing so much time out so that you have a (set) date to work with code enforcement...basically what you're setting is a compliance date, an interim compliance date, before the hearing."

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson and unanimously carried (4-0-1) to continue this item and set the hearing date to the first appropriate, available meeting in January 2003, where oral arguments will be allowed. Supervisor Wilcox instructed Code Enforcement to advise the applicant that it would be prudent for her to craft a plan of compliance to bring the property into compliance with code and that at least two junk cars per month should be removed from the site so that reasonable progress will have been made prior to the January 2003 public hearing date.

HEARING SET - ENVIRONMENTAL SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek and unanimously carried (4-0-1) to schedule a public hearing for 9:00 a.m., Wednesday, November 6, 2002, as required by ARS §49-479(b), to solicit comments and consider approval of proposed revisions to Maricopa County Air Pollution Control Regulations Rule 100 (General Provisions and Definitions) and to solicit comments on submitting the rule as a revision to the (Arizona) State Implementation Plan (SIP). (C88030067) (ADM2123)

HEARING SET - FRANCHISE (QUEEN CREEK WATER COMPANY)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek and unanimously carried (4-0-1) to schedule a public hearing for 9:00 a.m., Wednesday, November 6, 2002, on an application for expansion filed by Queen Creek Water Company for a public service franchise to construct, maintain and operate a domestic water distribution system, consisting of pipe lines, meters, connections, and all

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necessary equipment, and an irrigation water distribution system consisting of pipe lines, ditches, gates, and all necessary equipment. (F22461)

HEARING SET - MATERIALS MANAGEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek and unanimously carried (4-0-1) to schedule a public hearing for 9:00 a.m., Wednesday, November 6, 2002, to authorize and approve a Vendor Registration System Fee pursuant to the authority granted in A.R.S. §11.251.08 in an amount not-to-exceed \$40 annually to be assessed upon the initial registration or subsequent payment activity effective January 1, 2003. The recommended fee recognizes that the vendor registration service currently provided by the County at no cost has value to those individual, corporations, partnerships, or business entities, organizations, or agencies utilizing this service. Although the recommended \$40 fee does not capture all actual costs incurred in providing vendor registration services, it attempts to offset a portion of those costs. The fee can be assessed on individuals, corporations, partnerships, or business entities, organizations or agencies that request registration as a County vendor in accordance with procedures to be developed by the Director of Materials Management. The fee is to be collected and deposited by Materials Management into the County General Fund. Materials Management will be given preferential consideration for use of these funds for upcoming and ongoing enhancements to procurement e-procurement technology and implementation requests. Also, authorize the transfer of \$60,000 from General Fund Appropriated Fund Balance Contingency Funds – Materials Management E-Procurement to General Fund Appropriated Fund Balance – Technology Projects. Authorize Materials Management to expend up to \$60,000 in FY 2002-2003 for vendor registration software and implementation costs from the General Fund Appropriated Fund Balance – Technology Projects. Ongoing (though not yet budgeted) operating expenditures in FY 2003-2004 and succeeding years are estimated to be approximately \$120,000. (C73030031) (ADM3007)

HEARING SET - PLANNING AND DEVELOPMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek and unanimously carried (4-0-1) to schedule a public hearing for 9:00 a.m., Wednesday, November 6, 2002, to change a street name from South 31st Street to South Cactus Wren Street, said alignment beginning at the intersection of East Cactus Wren Street and South 31st Street, continuing south to Warner Road in the plat of El Dorado Ranchos Unit 2, Maricopa County, Arizona. The request is made to correct a platting error. (C44030050) (ADM2018)

HEARING SET - ROAD FILE DECLARATION

Petition has been filed for declaration of the following road into the County highway system. Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to schedule a hearing for 9:00 a.m., Wednesday, November 6, 2002:

Road File A095-R: General vicinity of Daley Lane from 89th Avenue to 83rd Avenue. (C6401213B01) (F23079)

HEARING SCHEDULED - PLANNING AND ZONING CASES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to schedule a public hearing on any Zoning and Building Code cases in the unincorporated areas of Maricopa County for October 16, 2002, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows.

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(List retained in accordance with the Arizona State Department of Library Archives and Public Records retention schedule.)

Z2001-092; Z2002-021; Z2002-054

MINUTES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve minutes of the Board of Supervisors meeting held May 6, August 5, August 19, August 21, and September 4, 2002.

PRECINCT COMMITTEEMEN

There were no requests to approve the appointment or removal of precinct committeemen pursuant to A.R.S. 16-231.B. (ADM1701)

SECURED TAX ROLLS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

Tax Roll	From Resolution No.	To Resolution No.	Net Result
1999	6904	6945	\$51,522.22
2000	9317	9394	-\$81,726.48
2001	33598	33655	-\$54,726.48

DUPLICATE WARRANTS

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve a request to issue duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

COUNTY

Name	Warrant	Fund	Amount
Tom Candevanu	AD00330507279	Expense	\$357.16
Diana Carrasco	C008767	Payroll	\$391.10
Culver/Chaparral City Water	AD00330508386	Expense	\$1,307.28
Facilities Inc	320553820	Expense	\$352.90
E J Office Furniture	330500333	Expense	\$2,756.85
Ann Pearson	00320536218	Expense	\$160.00
Rebecca Willey	430004152	533	\$891.55

SCHOOL

Name	School	Warrant	Amount
Delores Abrahamson	Mesa	73-8285	\$197.05
Eric T. Alvis	Mesa	73-0009393	\$47.82
Steven D. Bakos	Laveen #59	130011697	\$424.62

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Jose Beltran	Mesa	72-0005425	\$298.76
Heather R. Bowman	Mesa	72-93467	\$942.54
Sara Calvillo	Saddle Mountain #90	13-0034037	\$301.44
Olivia S. Carrasco	Pendergast	13-0036888	\$278.20
Melissa Carrington	Madison	13-35311	\$897.15
Pearl Arts & Crafts	Supt. of Schools	42-0147519	\$196.58
Patricia Etchnerria	Mesa	72-0089107	\$112.12
Cissy LaPorte	Balsz #31	42-0108874	\$603.95
Cissy LaPorte	Balsz #31	43-0025873	\$565.34
Vaunee Ann Lewis	Mesa	72-97903	\$1022.06
Grace L. Martinez	Litchfield #79	13-0030655	\$129.91
Penny P. Pearson	Nadaburg #81	13-0019484	\$237.23
Norma J. Ranson	Nadaburg #81	13-0030886	\$1,206.92
Gloria Christine Salmon	Mesa	73-0010418	\$335.25
Az Gold Restoration Serv	Phoenix #1	43-0013867	\$25,000.00
Phoenix Theatre	Agua Fria	43-0005276	\$127.00
Stacey L. Turnage	Pendergast	13-0019871	\$924.15
Beverly A. Whitley	Roosevelt #66	13-0039585	\$432.89

STALE DATED WARRANTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

Monique Lucero	\$1,281.67
Lynda & Thomas Lyons	\$255.54
Dale Medders	\$50.70
Joyce Nelson-Gonzales	\$931.16
Rose S. Newsome	\$15.46
Otilia Perez	\$25.00
Alma Delia Sanchez	\$300.00
Keith Saunders	\$320.00
Hilda Soto	\$29.10
Hilda Soto	\$29.10
Hilda Soto	\$49.10
Heather Steiner	\$12.00
Matias Valle	\$34.00
Gary D. Black	\$52.30
Jacqueline Braig	\$85.49
Yvonne Carrizoza	\$120.00
Karen Eggen	\$35.00
Berne Fleming	\$260.00
Patricia Viray (Foos)	\$50.00
Lynn Gawan	\$99.97
Voichita Ghisoiu	\$379.88
Fredette Goebel	\$178.75
Linda Hartford	\$145.71
Synthia L. Hunter	\$142.50

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Judy Irwin	\$100.00
Timothy W. Jager	\$26.00
Jean Kohn	\$51.42
Lawrence E. Lerdahl	\$30.00

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the settlement of tax cases, list dated October 2, 2002. (ADM704)

1999	TX 01-000511
TX 1998-000543	TX 01-000572
2000	TX 01-000592
2000/2001	TX 01-000600
2001	TX 01-000633
CV 00-022062	TX 01-000674
TX 01-000071	2002/2003
TX 2000-000694	CV 02-012197
2001/2002	TX 01-000463
TX 01-000464	TX 02-000218
2002	2003
TX 01-00396	CV 00-022173
TX 01-000412	CV 02-000251
TX 01-000430	

CLASSIFICATION CHANGES

Pursuant to A.R.S. §42-12054, Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the Assessor's recommendation to change classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

PARCEL NO.	YEAR	OWNER	FROM	TO
117-24-061	2002	Gnacio A Acosta	LC/4	LC/3
117-24-061	2001	Gnacio A Acosta	LC/4	LC/3
117-24-061	2000	Gnacio A Acosta	LC/4	LC/3
135-57-049	2002	Jesus Vasquez	LC/4	LC/3
135-57-049	2001	Jesus Vasquez	LC/4	LC/3
135-57-049	2000	Jesus Vasquez	LC/4	LC/3
140-07-035	2002	Sharon Adamski	LC/4	LC/3
140-07-035	2001	Sharon Adamski	LC/4	LC/3
140-07-035	2000	Sharon Adamski	LC/4	LC/3
141-52-282	2002	James E Ault	LC/4	LC/3
145-08-441	2002	Wendy Walter	LC/4	LC/3
145-08-441	2001	Wendy Walter	LC/4	LC/3
145-08-441	2000	Wendy Walter	LC/4	LC/3
159-49-006	2002	Bray Louis	LC/4	LC/3
162-22-026	2002	Anderson, Bruce	LC/3	LC/6
219-29-019	2002	Myriam Camillo	LC/4	LC/3
219-29-019	2001	Myriam Camillo	LC/4	LC/3
219-29-019	2000	Myriam Camillo	LC/4	LC/3

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COMPROMISES

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held September 16, 2002.) (ADM407)

Anthony Bruno	\$ 6,600.00
Gary Cohen	1,500.00
Noemy Flores Jimenez	3,500.00
Emilee Moore	3,000.00
Juanita Ozuna	7,500.00
Brent Richardson	1,800.00
Luis Armando Vasquez	5,000.00
Margarito Villezcas	3,000.00
Mahmoued Zoubi	1,850.00

WRITE-OFFS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the requested write-offs as payment in full for the following cases: (Discussed in Executive Session held September 16, 2002.) (ADM407)

Kenneth B. Boetticher	\$ 617.00
Chas. Burton Fall	2,597.00
Michael Powell	585.30
Mark Andrew Trujillo	673.13
Steve Valenzuela	2,827.67

PUBLIC COMMENTS

No member of the public came forward to comment at this time. (ADM605)

SUPERVISORS' COMMENTS

Supervisor Kunasek clarified that the contract in agenda item #10 was between the County and the City of Tucson and not between the Sheriff's Office and Tucson Police Department as stated in the agenda. Mr. Golab responded that it was between the City and the County. (ADM606)

Supervisor Wilcox thanked the Flood Control District for their help with three of the City of Guadalupe's flood control projects by helping to develop two basins that can now be used for recreational purposes. She added that the Diamondback Charities had dedicated the Todd Stottlemeyer Little League Field on one of the parcels and that this transformation couldn't have happened without the Flood Control District's help and guidance.

Supervisor Wilson said he was impressed with the article on the Jail Tax extension that Supervisor Brock wrote for the Tribune and thanked him for his efforts in the matter.

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Acting Chairman Brock said that a new Justice Court would be dedicated today in Tempe. He stated that it will be in a rented facility, as are 18 of the 23 Justice Courts in the County, but that it would be most welcome by those working for that precinct as the old court facility had gotten very crowded.

He also mentioned a chorale event that he had attended in the Chandler Center for the Arts to celebrate the firemen and policemen involved in the September 2001 tragedies. He advised the public that this center is a beautiful facility and he hoped they would take advantage of it's many features.

He encouraged everyone to vote in the upcoming election. He said there are some very important issues on this ballot that will affect all areas of the County and residents should honor their citizenship by voting.

Finally, Acting Chairman Brock touted the Diamondbacks for their achievement as Western Divisional Champions and wished them luck in the finals.

PLANNING AND ZONING

David Smith left the dais at the end of this portion of the Board meeting. Members, as given above, remained in session. Joy Rich, Director of Planning and Development, Darren Gerard, Principal Planner, and David Benton, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

CONSENT AGENDA DETAIL:

- 1. **S2001-102** **District 4**
 Applicant: Fulton Homes
 Location: East of the northeast corner of Indian School Road and Dysart Road (in the Litchfield Park area)
 Request: Final Plat in the R-3 R.U.P.D. zoning district for Wigwam Creek South Parcel 12 (approximately 18.78 acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve this final plat.

- 2. **S2002-015** **District 4**
 Applicant: Standard Pacific Homes
 Location: East of the northeast corner of Indian School Road and Dysart Road (in the Litchfield Park area)
 Request: Final Plat in the R-3 R.U.P.D. zoning district for Wigwam Creek South Parcel 11 (in the Litchfield Park area)

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve this final plat.

REGULAR AGENDA DETAIL:

- 3. **Z2002-063** **District 3**
 Applicant: The Plaza Companies for Anthem Arizona, L.L.C. and John C. Lincoln Health Network
 Location: Near the northwest corner of Anthem Way and Gavilan Peak Parkway (in the Anthem area)

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Request: Plan of Development for a medical plaza in the C-2 C.U.P.D. zoning district for Anthem Medical Plaza (6.09 acres)

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2002-063, subject to the following stipulations "a" through "k". Commissioner Harris seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall be in conformance with the site plan consisting of two full-size sheets entitled "Anthem Medical Plaza Precise Plan of Development" (includes Plan of Development and Elevations) prepared by The Orcutt/Winslow Partnership, dated revised August 5, 2002 (Elevations dated May 20, 2002) and stamped received August 14, 2002, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the preliminary landscape plan consisting of one full-size sheet prepared by Urban Graphite dated revised July 22, 2002 and stamped received July 22, 2002, except as modified by the following stipulations.
- c. Development of the site shall be in conformance with the narrative report entitled "Narrative Report" prepared by The Plaza Companies consisting of three pages, undated but stamped received July 23, 2002. except as modified by the following stipulations.
- d. Prior to construction, a drainage clearance must be obtained from the Flood Control District. A grading and drainage plan showing existing contours, proposed grades, and finished floor elevations needs to be included with the application for building activity permits. The proposed project must include retention of one-half inch of runoff from the project site, or if the retention is provided in the previously developed portions of the site, this needs to be documented. This could be accomplished with an amended letter from the engineer. The letter should also revisit the statement that flow velocity in the adjacent wash is "nearly 0 ft/s due to the detention basin." The velocity may approach 0 f/s at the moment of peak storage in the detention basin, but water will be moving at some velocity before and after this time and possibly during peak storage.
- e. Any landscaping in County right-of-way will require a permit from the Maricopa County Department of Transportation, and must comply with Chapter 9 of the MCDOT Roadway Design Manuel.
- f. Screen walls for all parking areas shall be a minimum of 4' high.
- g. All outdoor lighting fixtures must comply with Section 1112 of the Maricopa County Zoning Ordinance.
- h. All transformers, back-flow prevention devices, utility boxes and all other utility-related ground equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- i. Major changes to this site plan will require review and approval by the Board of Supervisors, upon recommendation of the Planning and Zoning Commission. Staff of the Planning and Development Department, Project Management Division may administratively approve minor changes.

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- j. A C.U.P.D. overlay is applied to the site that allows:
- k. The location of two monument signs within the designated landscape easement along Anthem Way and Gavilan Peak Parkway.
- l. Relief from the screen wall requirements adjacent to residential zoning districts.
- m. Parking lot lights shall be limited to a maximum overall height of 18'.
- n. Monument signs shall be limited to an overall height of ten feet (10') including all attachments and architectural treatments.

Joy Rich, Director of Planning and Development, said this plan of development was in the Anthem Master Plan and indicated the only reason it was not on the Consent Agenda is that one stipulation had been changed by the Planning Commission, who now recommends approval, as does the staff.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the Planning Commission's recommendation for approval subject to stipulations "a" through "n."

- 4. TA2002-006 All Districts**
Applicant: Commission Initiative
Request: Text Amendment to the Maricopa County Planning and Development Department Local Additions and Addenda to amend Section 208 to change the permit fee charged for Commercial Manufactured Building from "\$3 per lineal foot" to "Based on installation values and table 1-A", to change the flat rate permit fee for Manufactured/Mobile Home Set Up/Installation from "\$90" to "\$120", to add a flat rate permit fee of \$300 for Subdivision Infrastructure Permit; add Section 209 to add noise reduction requirements for buildings within the vicinity of a military airport; add Section 210 Barriers for Swimming Pools, Spas and Hot Tubs; add Section 211 Residential Wood Burning restrictions; and add Chapter 5 to list all construction codes adopted by Maricopa County and to formally adopt the 2000 International Building Code, 2000 International Residential Code and 2000 International Mechanical Code with any MAG/AZBO amendments.

COMMISSION ACTION: Commissioner Smith moved to recommend approval of TA2002-006. Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 6-0.

Joy Rich, Director of Planning and Development, said this item, a text amendment to the building code, (see above) would impact all districts.

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve this text amendment.

- 5. TA2002-008 All Districts**
Applicant: Commission Initiative
Request: Text Amendment to the Maricopa County Subdivision Regulations to delete obsolete text, update references to County agencies, codify minor administrative processes, and make other minor revisions.

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COMMISSION ACTION: Commissioner Harris moved to recommend approval of TA2002-008. Commissioner Smith seconded the motion, which passed with a unanimous vote of 6-0.

Joy Rich, Director of Planning and Development, said that both agenda items 5 and 6 would be explained together but voted on separately. They both address some very minor amendments to the County's subdivision regulations that have accumulated since they were last updated eleven years ago. The Homebuilders Association has reviewed these changes and support them as does the Planning Commission. (A copy of the Text Amendment changes are on file in the Office of the Clerk of the Board.)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve this text amendment.

- 6. TA2002-009 All Districts**
Applicant: Commission Initiative
Request: Text Amendment to the Maricopa County Subdivision Regulations Administrative Guidelines to delete obsolete text, update references to County agencies, codify minor administrative processes, and make other minor revisions.

COMMISSION ACTION: Commissioner Harris moved to recommend approval of TA2002-009. Commissioner Smith seconded the motion, which passed with a unanimous vote of 6-0.

Joy Rich, Director of Planning and Development, said that both agenda items 5 and 6 would be explained together but voted on separately. They both address some very minor amendments to the County's subdivision regulations that have accumulated since they were last updated eleven years ago. The Homebuilders Association has reviewed these changes and support them as does the Planning Commission. (A copy of the Text Amendment changes are on file in the Office of the Clerk of the Board.)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve this text amendment.

MEETING ADJOURNED

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

Fulton Brock, Vice Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board