

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., November 6, 2002, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman; Andy Kunasek, Max W. Wilson, and Mary Rose Wilcox. Also present: Norma Risch, Deputy 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**

Harry Courtright, Library District, delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Joy Rich, Director of Planning and Development, led the assemblage in the Pledge of Allegiance.

**PET OF THE MONTH - CONTINUED**

Introduction of the "Pet of the Month" from Maricopa County Animal Care & Control.

This item was continued as there was no one in attendance from the Animal Control Department.

**NANCY SANTOS HONORED WITH AWARD**

Chairman Stapley recognized the many different ways that Nancy Santos, Maricopa County Human Resources, contributes to the clean air campaign in Maricopa County through various activities designed to encourage County employees to preserve and protect the environment. He presented her with the Leadership Award from the Clean Air Campaign. (ADM650)

**PARKS AND RECREATION DEPARTMENT RECOGNIZED WITH TWO AWARDS**

Bill Scalzo, Chief Community Services Officer and Parks and Recreation Director, reported that he was introducing two prominent Valley organizations who have recognized Maricopa County for contributions to the public's quality of life through efforts made by the Parks and Recreation Department, and will present two prestigious awards to the Chairman. He indicated that his department could not have achieved what they have done without the support of the Board of Supervisors and citizens of the County.

Diane Brosert, of Valley Forward, said that the first Environmental Excellence Award was presented by Valley Forward 22 years ago and indicated that this past year had been the most competitive year in their history with 33 different environmental categories being recognized. She said that Maricopa County's Desert Outdoor Center at Lake Pleasant won the Crescordia first place award and also the Best of Show award in the competition. She thanked Mr. Scalzo and the Supervisors for all their efforts to enhance recreational facilities at Lake Pleasant in recent years. Lori Singleton of Salt River Project (SRP), a founding member of Valley Forward, said that SRP is celebrating its 100-year anniversary, and had been founded on principles of environmental stewardship in the building of Roosevelt Dam. She recognized Maricopa County for also having an outstanding record when it comes to environmental stewardship of the land. She congratulated the County on the awards received in this year's campaign and commended the Board for their historic efforts to build an environmentally sustainable and friendly community.

Diane McCarthy, Executive Director of Westmark, said that the Chambers of Commerce of the six West Valley towns that make-up that organization, had decided on a special promotion to spotlight the huge

**FORMAL SESSION  
November 6, 2002**

variety of special attractions available to visitors and new residents in the West Valley. She indicated that six out of every ten people, now living in the West Valley, lived somewhere else as little as five years ago and may not yet be aware of all that the area has to offer to their quality of life. A list of 62 "treasures" in the West Valley were identified by popular vote. This list was then narrowed to the top 15 most desirable sites with more than 15,000 votes cast to make the determination. She informed the Board that the 15 selected sites contain two Maricopa County parks, the White Tanks Regional Park and Lake Pleasant Regional Park. Ms. McCarthy stated that the two parks provide a wonderful service, not only to residents of the West Valley but also to the County as a whole. The 15 locations have been mapped and printouts made available for distribution by the towns and their Chambers of Commerce. She indicated that all 15 "treasures" would have an identifying pedestal with appropriate recognition placed at their entrance. She said that the first would be dedicated at the upcoming NASCAR races at Phoenix International Raceway. (C30030059) (ADM3200) (ADM650)

**PRESENTATION OF CHAIRMAN'S AWARD**

Presentation of Maricopa County Board of Supervisors' Chairman's Award was given by Chairman Stapley to Donald and Patricia Morris for their many years of outstanding contributions to public health in Arizona. Dr. Jonathan Weisbuch introduced the couple and said that this award was originated to honor individuals who, in the opinion of the Chairman, had served the State through personal efforts in the field of public health for the betterment of mankind. Those who have extended service to the less fortunate and have met the moral test of government. He reported that Mr. and Mrs. Morris have visited schools, clubs and organizations and spent countless hours during the last 25-30 years in efforts to reduce the amount of smoking and use of tobacco in the state. He indicated that Arizona now has one of the lowest per-capita rates of smoking in the country and is moving forward on a daily basis to continue reducing that rate. Chairman Stapley and Dr. Weisbuch presented the award to Mr. and Mrs. Morris, both of whom expressed their appreciation and determination to continue their efforts to rid the country of the "addictive poisonous-fumes from cigarettes and second-hand smoke." Mr. Morris recognized several others in attendance who have also worked diligently in the same cause. (C8603068M) (ADM650)

**CODE ENFORCEMENT REVIEW – CHARLOTTE AND VERNON NEWTON - CONTINUED**

This is the time scheduled for oral argument in the review of the Hearing Officer's Orders of Judgement in the zoning code violation case of Charlotte Newton and Vernon Newton (in the Tonopah area), Case No. V2000-01027. (ADM3417.15)

Chairman Stapley called for the speakers in this case to come forward. Robert Bass, Charlotte Newton's pro-bono attorney, spoke on her behalf at this time. He said he had only recently become involved in her case and that it is a very grave matter to Mrs. Newton as she is working to save her land and only legacy to her children. He explained that Mr. Newton, divorced from Charlotte Newton for approximately eight years, does not contribute his share towards payment on the property and, while Mrs. Newton has paid her share, she is now threatened with eviction. He said there had been no money to hire an attorney for their divorce and that the title to the land had not been divided at that time. Both names remained on the deed for the total parcel, which includes flatlands and a hill. Mrs. Newton lives at the top of the hill and her ex-husband lives at the bottom of the hill in various mobile homes that he hauls in and installs. He has turned his portion of the property into a junk-yard and when Mrs. Newton tries to resolve the problems that have arisen over this, he threatens her and she has a continuing fear of what he may do to her. Mr. Bass explained that there is only one mailbox on the property and Mr. Newton often intercepts Mrs. Newton's mail and because of this she inadvertently missed learning about the hearing set by the Planning Commission. He indicated that she had no idea of the fines that were imposed by the Hearing Officer's Order of Judgment until she saw a notice that \$15,000 in fines had accrued. Since learning of

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

the situation she has made some progress towards resolution through an intermediary who is friendly with Mr. Newton. Mr. Bass asked the Board to exercise discretion and, if possible, to waive the penalty phase with regard to Mrs. Newton and to also give her additional time to comply with the clean up of the property.

Mrs. Newton spoke briefly and said she and her husband had bought the property in 1988 and made improvements by using monies collected from the wrongful death of one of their children. Since the divorce she has been the sole support of their five children, one of whom is mentally disabled and has been hospitalized several times. She said she has had no child support from Mr. Newton. She stated that she and her 12 year-old child are making efforts to clean the property up and have filled a dumpster holding 20 tons of debris that has already been hauled away. She reported that she had no money to pay for labor and she is trying to do all she can to clear the land with the help of a few friends and her children. In an emotional and tearful release, Mrs. Newton explained that she has had several jobs but she has no real work-skills and no way to raise the amount of money she has been fined by the Hearing Officer. She asked the Supervisors for their help and to please give her some additional time.

Joy Rich, Director of Planning and Development, said that at the Board's discretion the matter could be remanded back to the Hearing Officer for reconsideration or the matter could be continued and the fines forgiven if the property is cleaned up. She indicated that this matter has been ongoing for several years and efforts have already been made by the Planning Department but they are more than willing to work with Mrs. Newton and with Mr. Bass from this time forward. Her recommendation was to continue the matter for 60 days while meetings take place in an effort to find a method for compliance. She speculated on the possibility of obtaining a legal split of the land with separate deeds for Mr. and Mrs. Newton now that Mrs. Newton has some legal help and advice. Ms. Rich said, "Had that been done at the time of the divorce the violation would not be on her property and we wouldn't be dealing with Mrs. Newton here at this time."

Supervisor Kunasek cautioned them to consider the County's Hillside Ordinance as they make their plans. He asked County Counsel if one party could contract to have the other's property hauled away and disposed of or if that required the consent of both parties. Mr. Benton replied that he didn't know the answer to that and Mr. Bass replied that since both are on the title she may have the legal right to do so but she is afraid of repercussions and retribution from Mr. Newton if she takes such steps.

Supervisor Wilcox indicated that this was obviously not the typical case of someone trying to abuse the system and that the County's intention is to get the property cleaned up rather than to collect any money from a fine. She advised that she would support Ms. Rich's recommendation.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to extend the Hearing Officer's Order of Judgment for approximately 60 days to give Ms. Newton time to work out a solution with the Planning Department to attain compliance.

**PUBLIC HEARING - AIR POLLUTION CONTROL REGULATIONS**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve 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) (ADM2354)

FORMAL SESSION  
November 6, 2002

**ORGANIZE FALCON HILL WARD STREET LIGHTING IMPROVEMENT DISTRICT**

Item: Organize the Falcon Hill Ward Street Lighting Improvement District located in the vicinity of McDowell Road and 78<sup>th</sup> Street and appoint the Superintendent of Streets as District Engineer. The district's purpose is establishing street lighting facilities and purchasing electric service for the lighting of the public streets and parks within the area. A petition representing 100% of the property owners of Falcon Hill Ward has been presented. (C64031137) (ADM4302)

**ORDER ESTABLISHING  
FALCON HILL WARD STREET LIGHTING IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, praying for the establishment of Falcon Hill Ward Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 20<sup>th</sup> day of November, 2002 at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows:

The East 470 feet of the Southeast quarter of the Southwest quarter of the Southwest quarter of Section 32, Township 2 North, Range 7 East, Gila and Salt River Meridian, Maricopa County, Arizona

EXCEPT the North 205 feet thereof;

and EXCEPT the South 40 feet thereof.

And further declares that said district is now established under the name of Falcon Hill Ward Street Lighting Improvement District, by which name it shall be known in all proceedings hereafter.

**DATED** this 20th of November 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

Supervisor Kunasek pointed out that this area is one of the few areas of pristine, upper sonoran desert still remaining in the County and requested sensitivity to the type of lights and shielding that are installed.

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to organize the Falcon Hill Ward Street Lighting Improvement District.

**QUEEN CREEK WATER COMPANY PUBLIC UTILITY FRANCHISE**

This was the time scheduled for hearing on the application filed by Queen Creek Water Company, for extension of a public utility franchise to construct, maintain and operate a domestic water distribution system

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

consisting of pipe lines, meters, connections, and all necessary equipment, and an irrigation water distribution system consisting of pipe lines, ditches, gates, and all necessary equipment, for a period of 25 years or for a period of one year after the franchised area or a portion thereof is annexed by a municipality, whichever is shorter, for the transmission and delivery of water for domestic use and irrigation water distribution along, upon, under and across public highways, roads, alleys and thoroughfares (excepting State highways) within that portion of Maricopa County, Arizona, known and described as follows, to-wit: (F22461)

Those portions of Sections 6 and 25, Township 2 South, Range 7 East, G&SRB&M, Maricopa County, Arizona, lying South and West of the Arizona Eastern Railroad right-of-way;

The NW ¼ of Section 11, the N ½ of Section 26, and the S ½ of the S ½ of Section 36, Township 2 South, Range 7 East, G&SRB&M, Maricopa County; Arizona; and

The NW ¼ and the N ½ of the SW ¼ of Section 24, Township 2 South, Range 6 East, G&SRB&M, Maricopa County, Arizona.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox and unanimously carried (5-0) to grant the said franchise as applied for and to impose such restrictions and limitations upon said applicant as to the use of such public highways, roads, alleys and thoroughfares as may be deemed best for the public safety and welfare and to include in such franchise the statutory provisions set forth in Title 40, Chapter 2, Article 4, A.R.S., 1956, requiring the grantee of said franchise to pay such expenses, damages and compensations, if any, as may result from the use and operation of said franchise and as in said statute specified.

**LIQUOR LICENSE APPLICATIONS**

No protests having been received and no speakers coming forth at the 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 Jacinta Muñoz Sandoval for an Original, Series 10 Liquor License: (F23078)

Business Name: Eagle Eye Mart  
Location: 51445 US Highway 60, Aguila

- b. Application filed by Jason Barclay Morris for an Original, Series 10 Liquor License: (F23080)

Business Name: CVS Pharmacy No. 3491  
Location: 9546 East Riggs Road, Sun Lakes

- c. Application filed by Kim Kenneth Kwiatkowski for an Original, Series 10 Liquor License: (F23082)

Business Name: Circle K Store No. 4311  
Location: 10249 NW Grand Avenue, Sun City

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

- d. Application filed by Nick Tsontakis for a Special Event Liquor License Application: (F22997)

Business Name: Pancretan Association of America, AZ Chapter  
Location: 2716 North Dobson Road, Chandler  
Date and Time: Saturday, November 16, 2002; 6:00 p.m. – 1:00 a.m.

- e. Application filed by Emmett J. FitzPatrick for a Special Event Liquor License: (F22997)

Business Name: St. Steven's Catholic Church  
Location: 24827 South Dobson Road, Sun Lakes  
Date and Time: Friday, January 31, 2003; 5:00 p.m. – 12:00 midnight

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "no."

**PUBLIC HEARING - VENDOR REGISTRATION SYSTEM FEE**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize and approve a Vendor Registration System Fee pursuant to the authority granted in ARS §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. (As currently envisioned, vendors are not required to register and pay a fee if they want to submit a solicitation. However, if they want to be placed on the vendor list and receive automatic notices of solicitation opportunities or if they are awarded a contract, they must register and they must pay the fee.) 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)

**PUBLIC HEARING – STREET NAME CHANGE**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) approve a change in a street name from South 31<sup>st</sup> Street to South Cactus Wren Street, said alignment beginning at the intersection of East Cactus Wren Street and South 31<sup>st</sup> 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)

FORMAL SESSION  
November 6, 2002

**ROAD DECLARED (ROAD FILE NO. A095-R)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) that the following resolution be adopted: (C6401213B01) (F23079)

**WHEREAS**, pursuant to A.R.S. §18-201 through 18-203, on the 2<sup>nd</sup> day of October, 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 of a width of 50 feet, together with all appurtenances and easements of record, said roadway lying within the Northeast quarter of Section Fifteen (15), Township Four (4) North, Range One (1) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and is described as follows:

The North 25 feet of the South half of the South half of the Northeast quarter (S2 S2 NE4) and the South 25 feet of the North half of the South half of the Northeast quarter (N2 S2 NE4) of said Section Fifteen (15); also,

The North 25 feet of the South half of the Southeast quarter of the Northwest quarter (S2 SE4 NW4) and the South 25 feet of the North half of the Southeast quarter of the Northwest quarter (N2 SE4 NW4) of said Section Fifteen (15).

(Said roadway also known as Daley Lane from 89th Avenue to 83rd Avenue in Supervisorial District 4 and in an unincorporated area.)

**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.

FORMAL SESSION  
November 6, 2002

**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 6<sup>th</sup> day of November 2002.

**SPOUSAL MAINTENANCE ENFORCEMENT FUND AND EXPENDITURE APPROPRIATION TRANSFER**

Pursuant to ARS §12-289.B, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the establishment of a special revenue Spousal Maintenance Enforcement Fund to collect a \$5.00 surcharge on each filing of a petition or an answer for annulment, dissolution of marriage or legal separation fee. The Clerk of the Superior Court will collect the surcharges and deposit them into a special revenue fund with the Maricopa County Treasurer for disbursement by the Clerk of the Court. Monies collected will be used to enhance enforcement of spousal maintenance orders. Also approve an Expenditure Appropriation transfer for FY 2002-2003 from the Clerk of the Superior Court Child Support Enhancement Fund to this new Spousal Maintenance Enforcement Fund in an amount not-to-exceed \$65,000. (C16030010) (ADM1005)

**INTERGOVERNMENTAL AGREEMENT WITH DEPARTMENT OF ECONOMIC SECURITY – DIVISION OF CHILD SUPPORT ENFORCEMENT**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Intergovernmental Agreement between Department of Economic Security - Division of Child Support Enforcement (DCSE) and the Clerk of the Superior Court for an amount not-to-exceed \$1,275,045 for the period of October 1, 2002, through September 30, 2003. Maricopa County cost contribution is \$433,515 with matching funds from Department of Economic Security – Division of Child Support Enforcement of \$841,530 for the continuation of this Child Support Enforcement program. (C16030023)

**FILING OF CROSS APPEAL**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize filing of a cross appeal on the trial court decision entered in 4501 Northpoint L.P.V. Maricopa County, TX 1999-000408. (Discussed in Executive Session on November 4, 2002.) (C1903017M) (ADM409)

**TRANSFER FROM GENERAL FUND APPROPRIATED FUND BALANCE–GENERAL CONTINGENCY**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a transfer of \$173,558 from the FY 2002-2003 General Fund Appropriated Fund Balance - General Contingency to a new General Fund Appropriated Fund Balance Program - Election Pamphlet Printing, to fund the printing cost associated with the Proposition 411 - Jail Tax Extension pamphlet. (C21030070) (ADM1700)

**AMENDMENTS TO INTERGOVERNMENTAL AGREEMENT WITH TOWN OF CAVE CREEK**

**FORMAL SESSION  
November 6, 2002**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following amendments to Intergovernmental Agreement with the Town of Cave Creek beginning on July 1, 2002:

- a. Amendment No. 1 to address additional indemnification stipulations protecting the City from liability arising from inappropriate officer action and additional personnel performance standards. There is no financial impact. (C5002079201)
- b. Amendment No. 2 to address a reduction of \$103,295 in the contract cost to Cave Creek from \$323,352 to \$220,057. On May 1, 2002, the Board approved the current IGA. It was later determined that the rent calculation was too high based on the number of FTE and percent of use by the Town. In addition, the Town employed its own Town Marshall, resulting in the elimination of this service by the Sheriff's Office. The substation used in delivering this service to Cave Creek also covers Carefree and unincorporated areas in the District. The total number of FTE using the substation is 35.5 and the total amount of rent is \$73,335. On a pro rata basis, Cave Creek's portion would be \$7,168 based on its number of 3.47 FTE. This represents a reduction of \$35,146 from the original rental charge. Employment of a Town Marshall by Cave Creek represents a reduction of \$68,149 in FTE, supplies and service. (C5002079202)

**AMENDMENTS TO INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF CAREFREE**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following amendments to Intergovernmental Agreement with the Town of Carefree beginning on July 1, 2002:

- a. Amendment No. 1 to address additional indemnification stipulations protecting the City from liability arising from inappropriate officer action and additional personnel performance standards. There is no financial impact. (C5002080201)
- b. Amendment No. 2 to address a reduction of \$21,766 in the contract cost to Carefree from \$296,609 to \$274,843. On May 1, 2002, the Board approved the current IGA. It was later determined that the rent calculation was too high based on the number of FTE and percent of use by the Town. The substation also covers Cave Creek and unincorporated areas in the District. The total number of FTE using the substation is 35.5 and the total amount of rent is \$73,335. On a pro rata basis, Carefree's portion is 12.62% of the rent, or \$9,255, based on its number of 4.48 FTE. (C5002080202)

**NEW PROVISION FOR CAREER PATH FOR SWORN/DETENTION OFFICERS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a new provision for the Career Path for Sworn/Detention Officers to allow non-competitive movement within the career path by incremental increases in compensation for deputy sheriffs, detention officers and telecommunication operators during the initial probationary period, effective July 1, 2002. Compensation is based upon successful completion of the MCSO Training Academy and the prescribed Field/Facility Training Officer programs established to determine competency in their respective classifications. This action is in accordance with Section 6.D. of the Maricopa County Employee Compensation Plan, which will be revised for clarification. (C5003043M) (ADM3321)

**MARKET SALARY INCREASE FOR TELECOMMUNICATIONS OPERATOR POSITIONS**

**FORMAL SESSION  
November 6, 2002**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve critical market salary increases for Telecommunications Operator positions in the Sheriff's Office, retroactive to August 5, 2002 (from \$14.80 per hour to \$15.55 per hour). The critical market salary increase in the amount of \$2,855 will come from FY 2003 budgeted funds. (C5003038M) (ADM3900)

**RETAIN 25 SERVICEABLE VEHICLES SCHEDULED TO BE REDLINED**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve authorization for Equipment Services to retain 25 serviceable vehicles scheduled to be redlined out of the Sheriff's Office fleet and allow them to remain as part of a temporary addition to the Sheriff's Office fleet to be used from November 29, 2002, through January 1, 2003, as enforcement vehicles to patrol 11 valley malls during the holiday season. Fuel costs are estimated to be \$5,000 and will come from Sheriff's Office budgeted funds. (C5003039M) (ADM3100)

**TEMPORARY ADDITION TO FLEET AND EXEMPT FROM MARKINGS OF ONE RICO FORFEITED SEDAN**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a temporary addition to the Sheriff's Office fleet of one RICO forfeited sedan. The vehicle will be exempt from governmental markings, including non-governmental license plates, pursuant to ARS §38-538.03. This vehicle has been forfeited through the County Attorney and is Sheriff's Office property. RICO funds will support its operation, maintenance, and fuel costs. No vehicle replacement cost is associated with this vehicle since it is a temporary addition to the County fleet and will automatically be removed from MCSO fleet when its useful life has expired. Vehicle information will be provided to the Clerk of the Board's Office. (C5003040M) (ADM3100V)

**GRANT FUNDING FROM ATTORNEY GENERAL'S OFFICE BULLETPROOF VEST PROGRAM**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve acceptance of grant funding from the Attorney General's Office Bulletproof Vest Program in the amount of \$1,525. This amount is included in the Sheriff's Office FY 2002-2003 budget. Acceptance of this grant funding will allow the Sheriff's Office to be reimbursed for the purchase of two bullet-proof vests. (C50035263)

**CONTINUED GRANT FUNDING FROM MARICOPA COUNTY REGIONAL SCHOOL DISTRICT NO. 509**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve acceptance of \$52,746.39 in continued funding from Maricopa County Regional School District No. 509, grant administrator for the Department of Education, Title 1, Part D funding for the "Hard Knocks High Program" to fund Cognitive Restructuring, Anger Management Services, Psychological Services and funding for a .5 FTE certified special education teacher. The term of funding is July 1, 2002, through June 30, 2003. This amount is included in the FY 2002-2003 Sheriff's Office Budget request. (C50035273)

**GRANT FUNDING FROM ARIZONA DUI ABATEMENT COUNCIL**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the application and acceptance of up to \$46,022 in grant funding from the Arizona DUI

FORMAL SESSION  
November 6, 2002

Abatement Council for DUI Enforcement to purchase DUI law enforcement equipment and to fund overtime. (C50035283)

**FY 2002-2003 GRANTS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the FY 2002-2003 grants for the Adult Probation Department of the Judicial Branch. Most of the grants for FY 2002-2003 do not allow for indirect cost recovery, as reflected in the funding agreements. The status of indirect costs for each grant is noted on the summary sheets. For FY 2002-2003 Adult Probation anticipates accepting 25 new grant awards for \$33,116,583 and carrying over balances of \$1,331,574 on eleven previously accepted awards. Accepting these grants will necessitate an increase to Adult Probation's grant agency revenue and expenditures in the amount of \$1,162,429. (C11030013)

**FY 2002-2003 GRANTS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the FY 2002-2003 grants for the Juvenile Probation Department of the Judicial Branch and increase the Juvenile Probation Department's FY 2002-2003 budget by \$225,161 (Agency 271). Most of the grants for FY 2002-2003 do not allow for indirect cost recovery, as reflected in the funding agreements. The status of the indirect costs for each grant is noted on the summary sheets. (C27030033)

**MARKET SALARY INCREASE FOR COURT SECURITY SUPERVISOR POSITIONS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve critical market salary increases (from \$14.08 per hour to \$15.42 per hour) for Court Security Supervisor positions in Superior Court, retroactive to September 2, 2002. These increases are budgeted and will be funded through utilization of funds available by vacancy and other savings. (C38030040) (ADM1002)

**APPOINTMENT OF EL MIRAGE MUNICIPAL COURT JUDGE MICHAEL A. LESTER AS JUDGE PRO TEMPORE IN THE SUPERIOR COURT**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the appointment of El Mirage Municipal Court Judge Michael A. Lester as a Judge Pro Tempore in the Superior Court for the period from October 21, 2002, through December 31, 2002, to assist the presiding judge of the Superior Court in administering the limited jurisdiction courts in Maricopa County. (C38030067) (ADM1001)

**APPOINTMENT OF COURT COMMISSIONERS AS SUPERIOR COURT JUDGES PRO TEMPORE**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the appointment of Court Commissioners as Superior Court Judges Pro Tempore for the period from January 1, 2003, through December 31, 2003, to serve in the various programs in the Superior Court to reduce trial delay. (C38030077) (ADM1001)

**Commissioner Candidates for Judge Pro Tem Appointment  
Superior Court of Arizona - Maricopa County  
January 1, 2003 - December 31, 2003**

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

<b>Last Name</b>	<b>First Name</b>	<b>Bar Number</b>
Anderson	William David	004527
Arriola	Elizabeth P.	004814
Arrow	David P.	006648
Bassett	Edward W.	010551
Bayham-Lesselyong	Jane	005223
Chavez	Harriett E.	005399
Colosi	Robert A.	004181
Cunanan	David O.	014382
Davis	Jay L.	013512
Eckhardt, Jr.	Carl W.	010853
Ellexson	Randy L.	003656
Ellis	Lindsay	004968
Faust	Amiee B.	011965
Foster, Jr.	George H.	009090
Gerst	Toby Maureen	001966
Hamner	Barbara A.	014799
Harris	Myra A.	004562
Hoffman	Kristin Carson	004414
Holding	Steven K.	012496
Lee	Raymond P.	006088
Lester	Michael	002908
Lewis	Nancy K.	004583
Madden	Shelia A.	012905
Nothwehr	Richard L.	011644
Owens	Bernard C.	009791
Parks	Eve	012797
Passamonte	Carolyn K.	014589
Peterson	Wesley E.	012311
Richter	Virginia L.	006437
Smith	Shellie	012714
Vatz	Benjamin E.	005513
Woodburn	R. Jeffrey	005050
Wotruba	Chris E.	004084

**APPOINTMENT OF ATTORNEYS AS SUPERIOR COURT JUDGES PRO TEMPORE**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the appointment of attorneys as Superior Court Judges Pro Tempore for the period from January 1, 2003, through December 31, 2003, to serve in the various programs in the Superior Court to reduce trial delay. (C38030087) (ADM1001)

**Attorney Candidates for Judge Pro Tem Appointment  
Superior Court of Arizona - Maricopa County  
January 1, 2003 - December 31,**

<b>Last Name</b>	<b>First Name</b>	<b>Bar</b>	<b>Last Name</b>	<b>First Name</b>	<b>Bar</b>
Abraham	Andrew	007322	Boyer-Wells	Valerye Lynn	010785
Abramsohn	Judith E.	006285	Boyle	Joesph M.	005155
Adelman	Bette O.	010544	Bradshaw	Mark Davis	007170

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

Ahern	Kevin Timothy	004949	Brody	Barry L.	005227
Alston	Gerald W.	002170	Bronnenkant	Anna C.	004172
Appel	Marlene	005153	Brown	Warren R.	002565
Arnold	Charles L.	002561	Brownlee	Joseph L.	003766
Atonna	Arthur C.	003363	Burger	Gary H.	005367
Balitis, Jr.	John J.	011801	Buri	Charles E.	003691
Batts	Linda Sue	009609	Buric	John A.	012074
Bauer	Robert R.	005154	Burns	Annette T.	009871
Baumann	Robert L.	010154	Burt	Sandra	012475
Beale	Michael A.	002173	Butler	Jeremy E.	001138
Belknap	Douglas A.	012629	Callahan	Christopher Lee	009635
Beltz	Robert R.	006297	Cannata, Jr.	F. Richard	011420
Bendheim	Alice L.	003376	Cantelme	David J.	006313
Berk	Robert R.	010162	Cantor	Alena	000641
Berman	Michael P.	005861	Cantor	Michael Lee	004803
Bernstein	Irwin L.	001576	Capra	Shari M.	004174
Berry, Jr.	Frederick Curtis	003244	Causey	Joseph F.	005398
Bishop	William D.	012971	Cavaletto	Dean Michael	013789
Blake, III	Ralph J.	003029	Cavness	Marc Cleburne	002349
Bluff	Guy William	010778	Chambliss	Richard E.	004957
Bohlman	Herbert M.	001759	Chester	Charles L.	002571
Bonn	Jeffrey D.	002031	Ching	Anthony B.	016144
Clarke	Diana Lynn	013497	Fairbourn	William G.	003399
Clary	Mark W.	010189	Feder	Bruce	004832
Cohen	Bruce R.	006838	Feeney	Michele Marie	009343
Cohen	Larry J.	010192	Feinstein	Allen L.	001165
Cohen	Michael J.	002178	Feldman	Elizabeth	012702
Collett	Ronald W.	003772	Finnegan	Linda A.	006682
Coulter	Lisa Marie	010199	Fitch	Elizabeth Savoini	010442
Cracchiolo	Daniel	000624	Fleming	Edwin Donald	009685
Crotty	John T.	010588	Flynn	John Foster	003988
Cuccurullo	Josephine	013804	Foote	Roger Robert	011483
Cullan	Dr. Gene M.	012991	Frank	Gary J.	006684
Cummings	Frederick M.	010589	Franks	Todd Howard	006343
Cure	Carol N.	005702	Frey	M. Jacqueline	006077
Curran	James P.	09064	Friedeman	John	003607
Damron	David J.	004185	Friedl	William J.	002700
Davis	Lesley C.	016841	Friedman	Steven M.	001879
Davis	Glenn M.	005706	Fromm	Sandra J.	006865
Dawson	Barb	012104	Fuller	Donald Orin	002942
Derickson	David G.	002450	Gabel	Dawn R.	012719
Dickerson	Barry C.	004189	Gadow	Jennifer G.	016186
Dodge	Franklin	009076	Gaines	Howard R.	014170
Edwards	J. Stanley	004190	Gallagher	Michael L.	002581
Eldridge	Patrick Eugene	001404	Gallios	Aris J.	010619
Ellsworth	Steven Mark	012698	Gibson	Scott Franklin	010884
Iwell	Jerome K.	012699	Gilbride	Eileen Dennis	009220
Evans	James W.	004195	Goldman	Suzanna	015442
Evans	Booker T.	009970	Goldman	Alan	001882
Everts	Steven Henry	004831	Goldsmith	Richard N.	003409

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

Fadell	Gary Allen	005879	Goodnow, Jr.	Gordon J.	004558
Goodwin	Brian Michael	002487	Hopkins	Stephen	010286
Grant	Jolyon	002797	Huffman	Lyle R	002801
Greer	Robert L.	005372	Iafrate	Michele Marie	015115
Griggs	Thomas J.	006690	Jacobowitz	Henry	000904
Grimwood	Helen Perry	006355	Jacobs	Thomas A.	002954
Guerin, Jr.	T. H.	004837	Jantsch	Daniel P.	004924
Guttell	Steven M.	007189	Jardine	Bradley Ray	005657
Guttilla	Nicholas C	001884	Johnsen	Diane M.	007634
Hadley, Jr.	David	002325	Johnson	Rosann	006367
Halpern	Barry D.	005441	Jones	Fredrick Martin	006368
Hammond	Kent Jeffrey	015100	Jones, Jr.	William R.	001481
Harmer	Sheila E.	007406	Joseph	Judith A.	005727
Harris	Irwin	001722	Kahn	James F.	003063
Harris	John David	003634	Kalish	Marc	006371
Hart, II	James R.	004050	Kassmann	Kathleen Marie	013894
Hash	Edgar	000793	Keenan	Ileen K.	013282
Heap	David Norman	012181	Keist	Steven D.	011251
Hegy	Hugh E.	009473	Kelly, Jr.	Joseph S.	004992
Hendricks	Ed	016539	Kennedy	Michael K.	004224
Hendrickson	Deborah S.	013655	Keogh	Brad Kevin	010321
Hennessy	Susan M.	011229	Kiley	Daniel J.	012228
Henze	Tom	003262	Kimerer	Michael D.	002492
Herf	Charles W.	002950	Klausner	Jack D.	004139
Herzog	Michael W.	005892	Kolsrud	Russell A.	004578
Hildebrand	Christopher S.	016208	Koopman	Francis	006087
Hintze	Michael D.	011233	LaMar	Steven A.	
Hirsch	Iva S.	006607	LaSota, Jr.	John A.	001893
Hofmann	Leroy Will	001080	Langerman	Amy G.	009174
Hoopes	John R.	005893	Leshner	Stephen I.	004754
Levy	Dana	016249	Micuda	Kip Michael	011921
Lewin	Barry E.	005905	Miles	Robert Ewell	003822
Leyton	Jeffrey Allen	007441	Miller	Judy M.	007458
Lieberman	Amy Lynn	009820	Miller, Jr.	Michael D.	006929
Lieberman	Martin	007442	Mooney	Paul	006708
Lightford	Denise	013932	Moore	Keith Alan	013064
Littler	Thomas E.	006917	Moore	Kerry B.	004589
Lowenthal	Gary	330003	Morse	Judith A.	011015
MacEachern	Kimberly W.	013311	Moulton	Timothy Lee	010066
Mahrle	Richard K.	005166	Mroz	Rosa Peng	015208
Mann	Jay M.	005823	Mucerino	Kathleen M.	015504
Margolis	Roger Todd	017356	Muchmore	Charles J.	004593
Marks	Stanley J.	001833	Natoli	Jay	003123
Marks	Lawrence J.	002050	Neale	Ian	005201
Martin	James C.	002714	Nelson	Elmo Miles	002501
Mathers	Martin H.	011917	Newcomb	Casey John	013350
Mattern	Paul J.	015487	Norris	Raymond M.	006466
Matz	Theodore	001176	Novak	Thomas J.	002130
McDonald	Mary C.	007205	Novak	Edward F.	006092
McDonald	Mary C.	007205	O'Connor	Daniel J.	010081

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

McEachern	Janelle A.	016652	Paine	Dorothy Q.	010691
McGoldrick	Paul J.	010383	Pallin-Hill	Leah	012297
McMurry	Charles S.	005552	Palumbo	Michael R.	006938
Mehrens	Craig B.	001778	Patterson	Daniel B.	005743
Meiser	Rita A.	004587	Pearlstein	Susan V.	004598
Merkow	Harold	003084	Perez	Gloria Sermino	009799
Mertens	Kim A. Cantor	007240	Petroff	Kathryn L.	015963
Messing	Jeffrey	009768	Pidgeon	Kathryn	012315
Meyer	Ronald W.	002299	Pilch	Caroline A.	011041
Pillinger	Terry H.	004371	Segal	Richard A.	000877
Plattner	Richard S.	005019	Serrano	Steven M.	014648
Pohlman	Robert J.	004601	Shively	Sharon Brook	009292
Polk	Jay M.	014605	Siesco, Jr.	Robert Ernst	005203
Pollitt	Jeffrey G.	015249	Sifferman	Mark S.	006600
Pollitt	Jeffrey G.	015249	Silver	Leon B.	012884
Poulos	Alexander	012319	Silverman	Louis A.	006150
Powers	Frank I.	013369	Simpson	Alan M.	006203
Price	Sandra E.	015254	Skiff	Kenneth	002221
Quigley	Daniel P.	009809	Smith	Laine B.	004260
Rea	John C.	005024	Smith	Roger D.	005037
Rees	Brian	009546	Smith	Terry Bays	012894
Richard	Leonce A.	010427	Smith	Gary Michael	016307
Robberson	Foster	005939	Smith	Donald Herbert	010462
Roberts	Edwin	005750	Smith	Michael John	011105
Rose	David L.	014020	Smith	Stephen R.	016030
Ross	Jeffrey	004762	Smock	Timothy R.	005755
Rowley	Paul S.	011071	Snyder	Howard M.	006206
Rudolph	Paul B.	014027	Soland	Craig W.	005953
Ryan	John Geoffrey	004607	Sorensen	Peter W.	007506
Scanlon	David Walter	006097	Southern	E. Reid	002382
Scarduzio, Jr.	Thomas A.	005752	Spaw	Peter Scott	005336
Schade, Jr.	George A.	003289	Staudenmaier	Heidi McNeil	010387
Schenk	Joseph A.	009260	Stein	Maria P.	009568
Schexnayder	Chad Lee	009832	Sternberg	Melvin	001310
Schlosser	Robert H.	001910	Stevens, II	Don C.	004265
Schneider	Jonathan D.	009834	Strong	Brian Dale	013423
Schwartz	Robert L.	003689	Swartz	Bridget	016783
Scott	Stephen H.	002378	Sweeney	Kevin B.	011737
Swenson	Ruth M.	010731	Yares-Poulos	Shelli	012425
Swick	Susan Marie	004623	Zarzynski	John	005525
Tellier	John R.	005959	Zukowski	Mark D.	006734
Terrell	Daniel J.	012382	Zweig	Jay Alan	011153
Thomason	Timothy J.	009869	Tolman	Reed C.	006502
Toone	Thomas L.	004432	Trombino	John	001920
Turk	Andrew B.	014912	Tuskai	Leslie Steven	012582
Van Wyck	Robert Brewster	007800	Verdier	Mary	006104
Victor	Marc Jeffrey	016064	Vose	William G.	005961
Waugh	Richard M.	003868	Webb	Louis Cone	002304
Weiner	Gilbert B.	013707	Westover	Karen	013150
Wieneke	Kathleen L.	011139	Williams	Anne M.	012414

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

Wilson	Mary B.	009266	Wilson, Jr.	Donald	005205
Wilson, Jr.	Wendell G.	010527	Winter	Elizabeth A.	011360
Wirken	Charles W.	004276	Wolcott	Dean M.	002980
Wolf	Judith	010529	Wolfson	Steven G.	014101
Woods	Grant	006106			

**DATA ACCESS AGREEMENT**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a Data Access Agreement with the Arizona Department of Transportation. This agreement will enable Constables Administration to access the vehicle title and registration database of the Motor Vehicle Division, so that ownership information may be verified prior to the seizure of vehicles during the service of writs of execution. ADOT recommends this agreement, since that agency will no longer be able to provide this service directly to Constables. (C20030040)

**TRANSFER FROM GENERAL GOVERNMENT GENERAL FUND CONTINGENCY**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize a transfer of \$43,397 from General Government General Fund Contingency to the Office of the Legal Advocate Department (Fund 100) for FY 2002-2003. Also approve a corresponding increase in the Office of the Legal Advocate expenditure budget to be used to support the creation of 1.0 FTE Mitigation Specialist position, starting on approximately November 1, 2002. The cost for FY 2002-2003 is \$36,668 base salary and \$6,729 for benefits. The annualized cost for the 1.0 Mitigation Specialist position will be \$65,093 (\$55,000 base salary and \$10,093 benefits) for FY 2003-2004. (C3303002M) (ADM503)

**REJECT CLAIM DEMANDS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to reject claim demands (September 2002) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to A.R.S. §11-629 (not a proper charge against the County) and A.R.S §11-622 (claims not having been filed within six-months after the last item of the account accrues). (ARS §11-629 \$532,662.87 and ARS §11-622 \$-0-) (C39030057) (ADM1804)

**Monthly Summary Report  
September 2002**

<b>Vendor</b>	<b>Amb., Doctors, Hosp. Ars 11-629</b>	<b>Over Six Months Ars 11-622</b>
Advanced Cardiac Specialists	425.00	0.00
City Of Phoenix Ambulance	710.37	0.00
Clinical Diagnostic Radiology	1,555.00	0.00
Emergency Assoc Of Arizona	166.00	0.00
Emergency Professional Svcs Pc	143.00	0.00
Gila Bend Fire Rescue	772.26	0.00
Maricopa Health Systems	50,150.99	0.00
Medical Diagnostic Imaging Grp	22.00	0.00
Medpro	487.10	0.00
Phoenix Cardiac Surgery Pc	4,000.00	0.00
Phoenix Memorial Hospital	88,609.05	0.00

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

Prebil, Kenneth J. Md	400.00	0.00
Professional Medical Transport	7,328.93	0.00
Sjh Trauma Billing	933.00	0.00
Smith, Shirley S. Md Pllc	700.00	0.00
Southwest Ambulance	9,561.94	0.00
Southwest Neuro-Imaging	522.00	0.00
St Josephs Hosp Arizona	344,533.63	0.00
Thunderbird Sam Med Ctr	20,600.60	0.00
Valley Radiologists Ltd	1,042.00	0.00
Grand Totals:	532,662.87	0.00
Restitution	0.00	
Totals Denials:	532,662.87	

**PERSONNEL AGENDA**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Personnel Agenda (Judicial Branch and Maricopa County). (List on file in the Clerk of the Board's Office.)

**CHANGES TO LEAVE PLAN AND EMPLOYEE MERIT SYSTEM RULE 12**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve changes to the Maricopa County Leave Plan [Section VIII (D)] and the Maricopa County Employee Merit System Rule 12 [Section 12.07 (D)] pertaining to administrative leave, as recommended by the Merit Commission. These amendments were requested by the Equal Employment Opportunity Commission to clarify the language, removing language that may be unclear regarding the circumstances under which the Appointing Authority may place an employee on administrative leave. (C31030037) (ADM3320) (ADM3330)

**MANAGEMENT INCENTIVE POLICY**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Management Incentive Policy (HR2421). This policy is to provide a procedure under which Management Incentive Plans may be adopted by the Board for members of the County's and Elected Official's executive management team, as authorized by the Employee Compensation Plan. This policy is meant to reward these individuals through performance incentives if greater performance levels are achieved and results are obtained. (C35030036) (ADM3308)

**MANAGEMENT INCENTIVE POLICY**

**I. PURPOSE**

The purpose of the Management Incentive Policy is to provide a procedure under which Management Incentive Plans may be adopted by the Board of Supervisors for members of the County's and Elected Official's executive management team, as authorized by the Employee Compensation Plan. This policy is meant to reward these individuals through performance incentives if greater performance levels are achieved and results are obtained.

**II. PROGRAM**

**FORMAL SESSION  
November 6, 2002**

Members of the Board of Supervisors, the County Administrative Officer or Elected Officials may request the approval of a Management Incentive Plan for limited members of their staff. Requests must be made in writing to the Chairman of the Board of Supervisors. The Office of Management and Budget will review such requests on behalf of the Chairman's Office to determine if the plan is beneficial to the County. A recommendation will then be forwarded to the Board of Supervisors for action. Individual incentive awards may not exceed \$10,000 in a fiscal year, but can be given periodically throughout the year as a temporary salary increase in the form of cash, deferred compensation, or a combination of both, as specified in the individual Management Incentive Plan.

**EXPENDITURE BUDGET TRANSFER**

Having determined that the transfer is in the public interest and based on a demonstrated need, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an expenditure budget transfer of \$43,300 from the FY 2002-2003 General Government-Contingency: Total Compensation Base Level CY 2003 Fixed Benefit Increases line item to the Total Compensation – Employee Benefits Division (3561) budget to support the creation of a Database Analyst Position. The FY 2003-2004 Total Compensation – Employee Benefits Division budget will be increased by \$65,000 to accommodate the full-year impact of this additional position. (C35030048) (ADM3345)

**INTERGOVERNMENTAL AGREEMENT WITH THE STATE OFFICE OF MANUFACTURED HOUSING**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the Intergovernmental Agreement with the State Office of Manufactured Housing (OMH), which is within the Arizona Department of Building and Fire Safety, for the purpose of enforcing installation standards of manufactured and mobile homes. The term of the agreement will be for five years from the approval date. In 1997, an agreement was entered into with the Arizona Department of Building and Fire Safety. This IGA allows County Building Inspectors to issue permits and inspect the installation of all modular buildings (manufactured housing factory building buildings and mobile homes) in the unincorporated areas of the County. (C44030060)

**OPPOSITION TO CITY OF PHOENIX ANNEXATION**

Item: Adopt a resolution of opposition to the City of Phoenix annexation request number A-00-01, that would affect the Lake Pleasant Regional Park and Regional Open Space protection, and the City of Phoenix General Plan Amendment request number NWPA-1-02-1, that would extensively change the planning concepts and land uses identified in the New River Area Plan by allowing higher intensity uses in areas best suited for rural development, and may significantly change the future of the New River area. (C44030080) (ADM3227)

**RESOLUTION OF OPPOSITION  
Maricopa County Board of Supervisors**

**Resolution of opposition to the following:**

- 1. City of Phoenix Annexation Request Number A-00-01**
- 2. City of Phoenix General Plan Amendment Request NWPA-1-02-1**

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

FORMAL SESSION  
November 6, 2002

**WHEREAS**, Title 11, Section 821 of the Arizona Revised Statutes directs Maricopa County to develop an open space plan which identifies and implements a regional system of integrated open space and recreational resources; and

**WHEREAS**, Maricopa County continues its long tradition of being a regional leader in the preservation of interconnected open space and amenities to enhance the quality of life of current and future residents; and

**WHEREAS**, during development of Maricopa County's New River Area Plan, important efforts were made to coordinate with many stakeholders, including the City of Phoenix, to establish appropriate future land uses in the planning area, and to identify and preserve areas suitable for interconnected open space and low-intensity development; and

**WHEREAS**, Maricopa County has requested that 14,446.08 acres of Bureau of Land Management land be provided as a Recreation and Public Purpose lease to enhance Lake Pleasant Regional Park; and

**WHEREAS**, the proposed general plan amendment would extensively change the planning concepts and land uses identified in the New River Area Plan by allowing significantly higher intensity uses in areas best suited for rural development, and may significantly change the future of the New River area; and

**WHEREAS**, in August, 2001 the chairman of the Maricopa County Board of Supervisors distributed a letter of concern regarding this proposed annexation to the commissioner of the Arizona State Land Department and to the mayor of the City of Phoenix, with copies also distributed to the state director of the United States Department of Interior-Bureau of Land Management, and the area manager for the United States Department of Interior-Bureau of Reclamation; and

**WHEREAS**, this letter of concern stated that Maricopa County opposed the proposed annexation due to the affect it would have on the Lake Pleasant Regional Park and the adverse impact on regional open space protection, and could only support proceeding with the annexation if it were subject to the following stipulations:

1. That all property within the Lake Pleasant Regional Park boundary be excluded from the annexation;
2. That provisions be made to allow a future regional trail connection from Lake Pleasant Regional Park to Cave Creek Recreation Area; and,
3. That the 14,446.08 acres of Bureau of Land Management land that the Parks Department has requested as a Recreation and Public Purposes lease be excluded from the annexation.

**THEREFORE, BE IT RESOLVED**, that the Maricopa County Board of Supervisors maintains its opposition to the annexation request, as identified in the August 20, 2001 letter to the Arizona State Land Commissioner and to the City of Phoenix Mayor, unless the stipulations identified above are recognized, as well as the following stipulation be included:

1. That all property north of the east-west alignment of the New River Road/Interstate 17 interchange, including the existing or proposed property within the Lake Pleasant Regional Park boundary, be excluded from the annexation; and,

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

**RESOLVED FURTHER**, that the Maricopa County Board of Supervisors opposes this general plan amendment as currently proposed, and could only support this general plan amendment if the following stipulations are included:

1. That the land uses, intensities, and densities identified in Maricopa County's New River Area Plan, adopted April 7, 1999, be maintained.
2. That the Interstate 17 Scenic Corridor, including the accompanying development standards identified in the New River Area Plan, be maintained.
3. That the approved Maricopa Regional Trail alignment from Lake Pleasant Regional Park to the Cave Creek Recreation Area be recognized.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

Supervisor Kunasek said that the resolution contains a position that he encourages the Supervisors to continue to hold. He said a similar resolution was adopted a year ago stating the County's efforts to preserve areas near the New River Road interchange and concern that the annexations of various state, federal and private lands by the City of Phoenix would hinder efforts in that preservation of scenic open spaces near Lake Pleasant. He said that Mayor Rimsza had indicated support but asked him to speak with Councilman Dave Seibert from that district. This was done and Supervisor Kunasek said that Mr. Seibert told him that he would take necessary steps to back off annexation on everything north of the New River Road alignment. This is not being done and Supervisor Kunasek said he feels he could have been "intentionally misled for the purpose of getting me off the center, off the issue, until enough time could go by that we couldn't take any action to stop this. If that's the case I'm deeply disappointed in the City of Phoenix and Councilman Seibert." He added, "I hope that's not the case." He asked for the Board's support of this item and their continued support as efforts to avoid a conflict move forward.

Chairman Stapley gave his support in this action and "in any future action, including any legal action that may be necessary to stop the annexation of that much land in an area where they City of Phoenix has continually complained about the traffic on I-17. For Phoenix to encourage additional densities and development in that area now just doesn't make any sense to me."

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) to adopt a resolution of opposition to the City of Phoenix annexation request number A-00-01

**FUND TRANSFERS**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) 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.

**SOLICITATION SERIALS**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) 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)

FORMAL SESSION  
November 6, 2002

**Solicitation Serials:**

- 02073-RFP SMART CARD FOR LIBRARY DISTRICT (\$360,000 est 2 years w/3 one year renewal options)**  
Two (2) year pricing agreement for a Smart Card system for the Library District to allow print-cost recovery and PC time management for the various county libraries.
- Guardianet Systems, Inc.
- 02090-C PORTABLE AND TRUCK MOUNTED VARIABLE MESSAGE SIGNS AND PORTABLE RADAR SPEED SIGNS (\$520,000 est 2 years w/3 one year renewal options.)**  
Pricing agreement to purchase portable and truck mounted variable message signs and portable radar speed signs for use by the Transportation Department.
- Decatur Electronics
  - 3M Company
  - US Traffic Corp.
  - Ver-Mac Inc.
- 00234-RFP RECORDS MANAGEMENT SYSTEM-SHERIFF'S OFFICE (\$1,900,000 est/5 years)**  
Pricing agreement for a Records Management System to be used by the Sheriff's Office for an enterprise-wide data repository and to help reduce redundant data entry.
- New World Systems Corporation

**Increase in the contract amount for the following contract(s).** This request is due to an increased usage by County departments:

- 99174-RFP ELECTIONS BALLOT PRINTING**  
Increase pricing agreement by \$500,000. This contract increase is due to additional printing requirements. This additional printing includes Jail Election Publicity Pamphlet. Increase in the number of ballots needed for the Primary, General and Jurisdictional Elections, and increase in the Early Voting Packet needed for Primary, General and Jurisdictional Elections. The contracted vendor has requested no rate increase. New contract amount is \$3,050,000.
- Runbeck Graphics, Inc.

**Sole Source**

The award of a sole source procurement to MCM Technology, Inc. for radio shop management software application, MCM RealTime. This software application combines detailed inventory control, tracking of mobile and portable assets by work orders/repair orders, and billing both for parts and radio network usage. The software interfaces with the County's proprietary Motorola SmartZone radio system to extract usage statistics and integrate those data directly into monthly billings. Value of this sole source procurement will not exceed the Department of Telecommunications budgetary authorization. This sole source has been advertised in accordance with the County's sole source procedures. (C73030061)

**SETTLEMENT OF BARNES v. MARICOPA COUNTY**

**FORMAL SESSION  
November 6, 2002**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Settlement of Barnes v. Maricopa County, et. al., CIV00-11399 for \$200,000. (Discussed in Executive Session on October 15, 2002.) (C75030051) (ADM409)

**NON-FINANCIAL EDUCATIONAL SERVICE AGREEMENT WITH MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the Non-Financial Educational Service Agreement between Maricopa County, Risk Management Department, Safety Division and the Maricopa County Community College District, on behalf of Gateway Community College regarding the Educational Services Agreement for college credit for OSHA/Awareness Training for County employees. (C75030060)

**SETTLEMENT OF FLANDERS v. MARICOPA COUNTY**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve settlement of Flanders v. Maricopa County, et. al., GL5419012555 in the amount of \$797,887.40. (Discussed in Executive Session on October 15, 2002.) (C75030071) (ADM409)

**NON-FINANCIAL AFFILIATION AGREEMENT WITH CITY OF PEORIA**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the non-financial agreement with the City of Peoria to provide the Animal Care & Control (AC&C) Scratch & Sniff Petmobile at the Oldtown Holiday Event, December 6, 2002, from 5:00 PM to 9:00 PM at Osuna Park, 10510 North 83<sup>rd</sup> Avenue, Peoria, and to provide dogs and cats for adoption that are housed in the Scratch & Sniff Petmobile during the Oldtown Holiday Event. (C79030190)

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH RESOURCES AND SERVICES ADMINISTRATION GRANT**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the acceptance of United States Department of Health and Human Services, Health Resources and Services Administration, grant (Grant Number: 1 D1B TM 00065-01) for \$947,630. Acceptance would provide necessary funding for Correctional Health Services to enter into an Interagency Service Agreement with the Arizona Board of Regents, acting on behalf of The University of Arizona College of Medicine, Arizona Telemedicine Program (Agenda Item C26030070). Grant period is from September 1, 2002, through February 29, 2004. (C26030060)

**INTERAGENCY SERVICE AGREEMENT WITH ARIZONA BOARD OF REGENTS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Interagency Service Agreement between the Arizona Board of Regents, acting on behalf of The University of Arizona College of Medicine, Arizona Telemedicine Program and Maricopa County Correctional Health Services for telemedicine support, a cost-effective alternative to current correctional health care delivery. Also, approval of the Interagency Service Agreement, based upon previous approval to accept a U.S. Department of Health and Human Services, Health Resources and Services Administration, grant (Grant Number: 1 D1B TM 00065-01) for \$947,630 (Agenda Item: C26030060), would authorize Correctional Health Services to enter into a formal Interagency Service Agreement to purchase the required equipment, install necessary equipment, and obtain required training in order to participate in

**FORMAL SESSION  
November 6, 2002**

the Arizona Telemedicine Program. Period of the initial agreement will be from September 1, 2002, through February 29, 2004, which correlates to the grant budget/project period. Correctional Health Services would retain the equipment at the conclusion of the budget grant/project period, e.g. February 29, 2004. Thereafter, the agreement shall be automatically renewed and extended each year dependent upon funding. Financial impact would be \$947,630 for the agreement period (\$910,974 for FY 2003; \$36,656 for FY 2004) of which total funding comes from Grant Number: 1 D1B TM 00065-01 (Agenda Item: C26030060). (C26030070)

**AMENDMENT TO AGREEMENT WITH MARICOPA ASSOCIATION OF GOVERNMENTS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 3 to Agreement No. 0098 between Maricopa County and the Maricopa Association of Governments (MAG). This amendment increases the total funding by \$910,000. Total program funding will be \$3,640,000. The agreement states that the scope of work to be accomplished by the parties pursuant to the agreement will be set forth annually by MAG in the Unified Planning Work Program. This agreement becomes effective upon approval by both parties and remains in effect for a period not-to-exceed June 30, 2003. County matching funds are not required. It is County Counsel's opinion that Maricopa County can accept additional grant funding. This action authorizes the acceptance of grant funding that is not budgeted, thus causing a budget amendment to be authorized. This amendment will increase Environmental Services Department revenue and expenditure levels for FY 2003 by \$910,000. (C8800013303)

**GRANT FROM U.S. FOOD & DRUG ADMINISTRATION**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept grant No. FD-R-002298-01 for \$3,096 from the U.S. Food & Drug Administration. The grant funds will be used to perform a time study to provide a range of times that may be utilized in assessing the FDA Recommended National Retail Food Program Standard. The grant funding will be for the period starting September 30, 2002, through September 29, 2003. It is County Counsel's opinion that Maricopa County can accept additional grant funding. By approving this agenda item, the Board will be authorizing the acceptance of grant funding that is not budgeted, thus causing a budget amendment to be authorized. This amendment will increase Environmental Services Department revenue and expenditure levels for FY 2003 by \$3,096. (C88030093)

**MEMORANDUM OF UNDERSTANDING WITH ARIZONA DEPARTMENT OF TRANSPORTATION**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a memorandum of understanding (MOU) with the Arizona Department of Transportation (ADOT). The MOU will authorize electronic access to ADOT Motor Vehicle Division database for the sole purpose of Title and Registration inquiries. The \$60 monthly access and \$3 transaction fees will be waived by ADOT. The duration of this MOU shall begin upon ADOT approval until canceled in writing by either the County or ADOT. (C88030122)

**INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF PUBLIC SAFETY**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an Intergovernmental agreement (IGA) with the Arizona Department of Public Safety (ADPS). The IGA will commit the Department to participating in the ADPS Media Alert System for the sole purpose of disseminating public information of all types, especially of a public safety nature, to news media agencies. This system shall be known as the Media Alert System. The County will be responsible for

**FORMAL SESSION  
November 6, 2002**

maintaining an operational telephone in order to participate. The duration of this IGA shall begin upon Board approval and remain in effect until canceled by either the County or ADPS with a 30-day written notice. (C88030132)

**AMENDMENT TO CONTRACT WITH GET FRAMED, INC., dba DRIVERS ONLY**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 2 to the contract between the Human Services Department and Get Framed, Inc., dba Drivers Only, to provide driver services for the Department's Special Transportation Services (STS) Program. The changes made in the amendment are administrative in nature and correct an ambiguity in the work statement regarding the payment of drivers in connection with County and/or National holidays. The total contract value remains unchanged. The period of performance also remains unchanged and is from July 1, 2002, through June 30, 2003. There are no County general funds in this contract. (C2203071102)

**INTERGOVERNMENTAL AGREEMENT WITH TOWN OF WICKENBURG**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an Intergovernmental Agreement with Town of Wickenburg for space at the County's Yarnell Hill communications facility. The agreement provides site access, tower space, and building space, in return for which Town of Wickenburg pays the County \$50 a month per transmitter and \$25 a month per receiver located at the site. This agreement is for a period of one year from the date of approval with automatic renewal unless canceled by either party. (C76030062)

**CHANGE ORDERS TO CONTRACT WITH HAYDON BUILDING CORP.**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Change Orders No. 9 and No. 10 to Contract JE01-03 with Haydon Building Corp. in the amount of \$(2,031) and \$34,816 respectively. This contract is for the construction of the Durango Parking Structure. Change Orders No. 9 and No. 10 incorporate various changes required to complete construction and allow occupancy. The increase is within the project budget. Change Order No. 9 is a credit for additional architectural and civil design costs due to contractor errors, and Change Order No. 10 is for various changes required for construction completion and occupancy, with primary changes including revisions to the building emergency systems. The original contract amount was for \$8,007,000, awarded by the Board on May 16, 2001. (C4001028104)

**CONTRACT WITH ARRINGTON WATKINS ARCHITECTS OF PHOENIX**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and authorize the execution of Contract CFD02-02, with Arrington Watkins Architects of Phoenix, Arizona, in substantially the form when approved by County Counsel, in the amount not-to-exceed \$250,000. This contract is to provide MCSO Property and Evidence Storage Facility Architectural Design Services. The contract is scheduled to take six-months for design services. The total approved budget for the project is \$5,000,000, with \$320,000 identified as programming and design. (C40030055)

**WAIVER TO THE MARICOPA COUNTY COMPENSATION PLAN**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a waiver to the Maricopa County Compensation Plan, and approve a salary advancement for employee Vernon Turner, Preventive Maintenance Technician, effective June 10, 2002 – increase pay from

FORMAL SESSION  
November 6, 2002

\$11.85 to \$12.61. The retroactive pay will come from overtime pay and will not exceed \$1,200. (C74030018) (ADM3308)

**AMENDMENTS TO FIVE-YEAR CAPITAL IMPROVEMENT PLAN**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the following amendments to the five-year Capital Improvement Plan approved by the Board on June 17, 2002. The requested action has a net impact of -0- on the approved project budgets. (C70030268) (ADM800)

- a. Increase the year 1 (FY 2002-2003) Forensic Science Center (Fund 435) project budget by \$1,118,000 from \$3,328,298 to \$4,446,298 and decrease the year 1 (FY 2002-2003) Project Reserve budget by \$1,118,000 from \$7,300,000 to \$6,182,000
- b. Increase the year 1 (FY 2002-2003) New Administration Building Parking Garage (Fund 435) project budget by \$244,322 from \$1,881,261 to \$2,125,583 and decrease the year 1 (FY 2002-2003) Project Reserve budget by \$244,322 from \$6,182,000 to \$5,937,678.

**REALLOCATIONS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following reallocations: (C70030278) (ADM800)

- a. \$168,951 from FY 2002-2003 General Fund Major Maintenance Project No. 2002228902, "Justice Courts Infrastructure Improvements", Fund 100, Agency 480, Org 4832 to Project No. 2002301407, "Security Center Infrastructure Improvements"
- b. \$47,049 from FY 2002-2003 General Fund Major Maintenance Project No. 2001202035, "911 Building Infrastructure Improvements", Fund 100, Agency 480, Org 4832, to Project No. 2002301407, "Security Center Infrastructure Improvements".

**EASEMENTS AND RIGHT-OF-WAY DOCUMENTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. (ADM2007)

A095.017      Project No: 69010 - Daley Lane (89th Avenue - 87th Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 200-08-19Y - Leo M. O'Brien and Anne M. O'Brien, as Trustees - for the sum of \$3,563.00.

A095.017      Project No: 69010 - Daley Lane (89th Avenue - 87th Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 200-08-19Y - Leo M. O'Brien and Anne M. O'Brien, as Trustees.

A095.020      Project No: 69010 - Daley Lane (89th Avenue - 87th Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 200-08-053B - Larry A. Beaty and Joan L. Beaty, as Trustees - for the sum of \$4,126.00.

A095.020      Project No: 69010 - Daley Lane (89th Avenue - 87th Avenue) - Purchase Agreement and

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

- (AC) Escrow Instructions – Parcel No. 200-08-053B - Larry A. Beaty and Joan L. Beaty, as Trustees.
- A138.005 & A138.007 (TS) Project No: 68991 - Intersection Williams Field Road & Higley Road – Agreement for Right of Entry – Parcel No. 304-39-007B & 15C - Williamsfield Higley Limited Partnership - for the sum of \$100.00.
- A195.001 (AC) Project No: 69010 - Circle Mountain Road (13th Avenue - New River Road) – Easement and Agreement for Highway Purposes - Parcel No. 202-21-007A - Hare Investments, Limited Partnership - for the sum of \$8,485.00.
- A195.001 (AC) Project No: 69010 - Circle Mountain Road (13th Avenue - New River Road) – Purchase Agreement and Escrow Instructions - Parcel No. 202-21-007A - Hare Investments, Limited Partnership.
- A210.005 (HH) Project No: 69010 - Willis Road (McQueen Road to Conso. Canal) - Easement – Parcel No. 303-29-023B - State of Arizona, by and through its Department of Transportation.
- A250.006 (AC) Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) - Easement and Agreement for Highway Purposes - Parcel No. 503-30-029E - Scott Bushman and Myla Bushman - for the sum of \$7,714.00.
- A250.006 (AC) Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) - Purchase Agreement and Escrow Instructions - Parcel No. 503-30-029E - Scott Bushman and Myla Bushman.
- A250.012 (AC) Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) - Easement and Agreement for Highway Purposes - Parcel No. 503-30-026N - Joseph F. Corcoran - for the sum of \$6,188.00.
- A250.012 (AC) Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) - Purchase Agreement and Escrow Instructions - Parcel No. 503-30-026N - Joseph F. Corcoran.
- A250.018 (AC) Project No: 69010 -239th Avenue (Jomas Road - Patton Road) - Easement and Agreement for Highway Purposes - Parcel No. 503-30-043 - Gilbert B. Vargas – for the sum of \$3,333.00.
- A250.018 (AC) Project No: 69010 -239th Avenue (Jomas Road - Patton Road) - Purchase Agreement and Escrow Instructions - Parcel No. 503-30-043 - Gilbert B. Vargas.
- A250.021 (AC) Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) - Easement and Agreement for Highway Purposes - Parcel No. 503-30-024W - Sebuo N. Mpinja and Ayi Mpinja - for the sum of \$6,061.00.
- A250.021 (AC) Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) - Purchase Agreement and Escrow Instructions - Parcel No. 503-30-024W - Sebuo N. Mpinja and Ayi Mpinja.
- A250.022 (AC) Project No: 69010 – 239th Avenue (Jomax Road - Patton Road) - Easement and Agreement for Highway Purposes - Parcel No. 503-30-024V - Daryl K. Nobbyley & Kerridee L. Nobbyley and Jerry Burce Nobbyley - for the sum of \$6,061.00.

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

- A250.022 (AC) Project No: 69010 – 239th Avenue (Jomax Road - Patton Road) - Purchase Agreement and Escrow Instructions - Parcel No. 503-30-024V - Daryl K. Nobbley & Kerridee L. Nobbley and Jerry Burce Nobbley.
- DD-9385 (TS) Project No: 69010 – Zoning Dedication (89th Avenue & Oranewood Avenue Alignment) – Warranty Deed - Parcel No. 142-30-001E and 1C - Peoria Unified School District No. 11 of Maricopa County - for the sum of \$10.00.
- DD-9385 (TS) Project No: 69010 – Zoning Dedication (89th Avenue & Oranewood Avenue Alignment) – Purchase Agreement and Escrow Instructions - Parcel No. 142-30-001E and 1C - Peoria Unified School District No. 11 of Maricopa County.
- DD-9398 (TS) R/W Dedication - Quitclaim Deed - Parcel No. 211-23-021E - Bradley C. Morton and Nancy E. Morton - for the sum of \$10.00.
- SRP RD -12292 (MDW) Project No: Vestar Development - Irrigation Easement - Section 16, T2N, R1E - Salt River Project Agricultural Improvement and Power District - for the sum of \$850.00.
- X-0914 (LJS) Project No: 68960 - MC-85 (Cotton Lane to Estrella Parkway) - Warranty Deed – Parcel No. 500-43-025C, 025F and 502-49-020K - Rubbermaid Incorporated, an Ohio Corporation - for the sum of \$39,130.00.
- X-0914 (LJS) Project No: 68960 - MC-85 (Cotton Lane to Estrella Parkway) - Purchase Agreement and Escrow Instructions - Parcel No. 500-43-025C, 025F and 502-49-020K – Rubbermaid Incorporated, an Ohio Corporation.
- X-0929 (LJS) Project No: 68960 - MC-85 (Cotton Lane to Estrella Parkway) - Warranty Deed – Parcel No. 502-49-020F - Rubbermaid Incorporated, an Ohio Corporation - for the sum of \$15,980.00.
- X-0929 (LJS) Project No: 68960 - MC-85 (Cotton Lane to Estrella Parkway) - Purchase Agreement and Escrow Instructions - Parcel No. 502-49-020F - Rubbermaid Incorporated, an Ohio Corporation.
- Z2-0116 (CS) Project No: 68740 - Higley Road Bridge at Queen Creek Wash - Warranty Deed – Parcel No. 304-69-015 & 017 - City of Mesa - for the sum of \$4,302.00.

**TRAFFIC CONTROLS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following traffic controls: (F22999)

A **FOUR-WAY STOP** (from a two-way east/west stop) at Cactus Road and Litchfield Road. (This partially rescinds the through-street resolution on Litchfield Road approved November 9, 1945.) (This item continued from meeting of October 16, 2002.) (C64030695)

**ABANDONMENT OF “NON-VEHICULAR ACCESS EASEMENT”**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the request made by Waste Management of Arizona to abandon a "Non-Vehicular Access

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

Easement" (NVAE) by the Resolution (EA No. 113). As part of their previously approved special use permit (Z20011127), Waste Management of Arizona has requested the abandonment of a one-foot Non-Vehicular Access Easement (NVAE), which traverses through the middle of their site, (the North boundary of Section 17, Township 4 South, Range 1 East, of the Gila and Salt River Base and Meridian). The Department of Transportation has reviewed this request and finds no objections to the abandonment of said easement. (C6403094B) (ADM2007)

**RESOLUTION**

**WHEREAS**, the Board of Supervisors as the governing body of Maricopa County may lay out, maintain, control and manage public roads within the County pursuant to Title 11, Chapter 2, Article 4 of the Arizona Revised Statutes (as amended), and

**WHEREAS**, the Board of Supervisors has the authority to accept or reject offers of dedication of private property by easement, deed, subdivision plat or other lawful means for public streets; and

**WHEREAS**, there appears to be no objection to said abandonment described as follows:

A 1-foot Non-Vehicular Access Easement located along the North line Section 17, Township 4 South, Range 1 East, of the Gila and Salt River base and Meridian, Maricopa County, Arizona.

**NOW, THEREFORE, BE IT RESOLVED**, that Maricopa County by this resolution hereby indicates that the vehicular non-access easement is no longer necessary. This action by Maricopa County in no way affects the rights of any private parties to oppose the abandonment or assert any rights resulting there from or existing previous to any action by Maricopa County.

**DATED** this 6th day of November 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

**CHANGE ORDER TO CONTRACT WITH CARTER & BURGESS AND TRANSFER FROM PROJECT RESERVES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Change Order No. 2 to Contract No. CY 1998-18 with Carter & Burgess in the amount of \$42,695.13 for design and construction features to McQueen Road from Queen Creek to Pecos Road, Work Order No. 68949. This change order is for additional improvements requested by the City of Chandler and the County which includes:

- traffic signal at Tumbleweed Park (Kingbird Drive)
- increase road lanes from Willis Road to Pecos Road, Queen Creek Road to Germann Road
- coordinate the design of Pecos Road west of McQueen Road with Entellus Corp.
- prepare and coordinate monthly progress meetings

Also approves the transfer of \$45,000 from the Department's Project Reserves, Work Order No. 69998, to this project, Work Order No. 68949. (C6498278502)

**REIMBURSEMENTS**

**FORMAL SESSION  
November 6, 2002**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following reimbursements for costs incurred for the relocation design of facilities in conflict with McDOT projects.

- a. Arizona Public Service in the amount of \$5,846 for costs incurred for the relocation and installation of their electrical facilities that are in conflict with McDOT Project No. 16212, PM 10 Roads (Phase 2) in SW area. McDOT acknowledges that APS has prior rights for these facilities. The cost may not exceed the current estimated amount of \$5,846 by more than 10%. (C64030905) (ADM2000-006)
- b. Salt River Project for costs incurred for the relocation design of their irrigation facilities in conflict with McDOT Project No. 68972 – 83<sup>rd</sup> Avenue from Northern Avenue to Olive Avenue. The cost to date is \$807. Prior rights documentation has been reviewed and verified. (C64030915) (ADM2000-006)

**CONTRACT WITH THE ST. ARNAULD GROUP, LLC**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Contract No. CY 2003-20 for On Call Appraisal Services with The St. Arnauld Group, LLC in an amount not-to-exceed \$250,000 during the contract period. The contract shall be in effect from the date of execution through October 31, 2003. (C64030755)

**EXEMPTION TO COMPENSATION PLAN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an exemption to the Maricopa County Compensation plan for payment in an amount not-to-exceed \$2,000 to Equipment Operator Larry Marquez to correct errors in the calculations of salary advancements previously approved. (C64030925) (ADM3308)

- Effective September 18, 2000 – correct pay from \$15.84 to \$16.32 through pay period ending September 30, 2001,
- Effective October 1, 2001 – correct pay from \$16.55 to \$16.95 through pay period ending April 14, 2002,
- Effective April 15, 2002 – correct pay from \$16.95 to \$17.05 through pay period ending October 27, 2002.
- Effective October 28, 2002, establish his base pay rate at \$17.05 to reflect the corrections made.

**PAYMENT CORRECTION**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a payment correction from \$1,037.60 to \$1,053.60 (a \$16.00 difference) in lost wages to TIP Database Specialist David Benton to correct an error made in the calculation of lost wages due to him. On June 26, 2002, the Board approved a retroactive payment in the amount of \$1,037.60 to correct errors made in the calculation of salary advancements previously approved. The lost wage amount was calculated incorrectly, final wages was actually \$1,053.60, a difference of \$16.00. (C64031065) (ADM3308)

**ACCEPTANCE OF PUBLIC RIGHTS-OF-WAY**

**FORMAL SESSION  
November 6, 2002**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and accept public right-of-way as conveyed in the Maps of Dedication as follows:

- a. Anthem Way, Meridian Drive and Liberty Bell Way (C6403093B) (ADM2007)
- b. Deer Valley Drive (C6403101B) (ADM2007)

**SOLICITATION OF BIDS AND AWARD – VARIOUS PROJECTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve solicitation of bids for Maricopa County Department of Transportation's projects, and approve the award of contracts to the lowest responsive bidders, providing the lowest responsive bidders do not exceed the engineer's estimate by more than 10%, as follows:

- a. Chip Seal Project, Spring 2003, Work Order No. 30050005, consisting of chip sealing of existing road surfaces with high and low volume mineral aggregate and replacement or installation of pavement delineation and other miscellaneous work items. (C64030965)
- b. Crack Seal Project, Spring 2003, Work Order No. 30050006, consisting of vacuuming cracks in asphalt concrete surfaced pavements, heating and applying asphalt modified rubber compound into the cracks using contractor furnished equipment, establishing traffic control measures, and other miscellaneous work items. (C64030975)
- c. Slurry Seal Project, Spring 2003, Work Order No. 30460507, consisting of slurry sealing, with a polymer modified quick-setting asphalt emulsion slurry seal, approximately 35 miles (657,000 square yards, 80 lane miles) of various subdivision roads. (C64030985)
- d. Signal System Modernization – intersection improvements, Phase 2, Work Order No. 69033, consisting of upgrading 50 traffic signal controllers and installing a traffic signal system at McDOT Traffic Management Center so that the signals can be managed/monitored/maintained from a central location in order quickly respond to the changing traffic flow needs. (C64031105)

**INTERGOVERNMENTAL AGREEMENT WITH CITY OF AVONDALE**

Item: Approve an Intergovernmental Agreement between the Maricopa County Department of Transportation and the City of Avondale for improvements to 115<sup>th</sup> Avenue. The purpose of this IGA is to identify and define the responsibilities of the County and the City for the cost sharing, design, construction, construction management, rights-of-way acquisition, utility relocation, and annexation of the roadway. This agreement provides funding to the city in the amount of \$500,000 as recommended by the Transportation Advisory Board and allocated in the Departments TIP budget through the Special Project Fund. Under terms of the agreement, the City agrees to the following: (C64031002)

- Act as the contracting authority for the project including engineering services, preparation of plans, specifications, estimates, bid phase, construction phase, and as-builds for all construction phases of the project;
- Upon completion of the design of the project, and upon opening of bids before award of contract, submit a written request to the County to advance funds for the construction of the

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

project. The total advanced for construction shall not exceed \$500,000 and payment will not occur until annexation of the roadway is verified;

- Before construction of the project begins, annex the County's portion of the roadway, on 115<sup>th</sup> Avenue, Van Buren Street to Buckeye Road;
- Request construction funds prior to June 15, 2003;
- Provide a final accounting of all funds at the completion of the project;
- Return to McDOT any funds remaining at the end of the project.

Supervisor Wilcox said that Avondale has always displayed a great deal of long term vision and believed this project was part of that vision for the Southwest Valley. She also complimented Tom Buick, Director of Transportation for the efforts he has made in connection with this roadway.

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an Intergovernmental Agreement between the Maricopa County Department of Transportation and the City of Avondale for improvements to 115<sup>th</sup> Avenue.

**CONTRACT WITH AMEC INFRASTRUCTURE, INC.**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Consultant Services Contract No. CY 2003-27 with AMEC Infrastructure, Inc. in an amount not-to-exceed \$1,874,873.59 plus a not-to-exceed allowance of \$60,000 for pre-approved overtime for the construction management services during the construction of the Estrella Interim Loop 303 (Phase 2B), El Mirage Road to Lake Pleasant Road project, Work Order No. 68840, and the 107<sup>th</sup> Avenue, Rose Garden to Jomax project, Work Order No. 68932. (C64031095)

**ADDITION OF PROJECT TO McDOT FY 2003 TIP (CIP) BUDGET**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the addition of Project No. 69048, Asphalt-Rubber Overlay, Fall 2002, a Pavement Rehabilitation project to the Department of Transportation's FY 2003 TIP (CIP) budget, and establish the project budget at \$1,100,000. Also approve the transfer of FY 2003 budgeted funds from Project No. 69998, Project Reserves, in the amount of \$1,100,000 to offset for this added project. This reduces the budget for No. 69998 from \$5,214,232 to \$4,114,232, and resulting in a zero impact reallocation of the Department's TIP (CIP) FY 2003 budget. This project consists of milling the existing road surfaces and overlaying with a 2 inch thick asphalt-rubber concrete pavement. This project is located at State Route 303 (Estrella Freeway) from Indian School Road to Northern Avenue, MC 85 from Perryville Road to the Buckeye Canal Bridge, Miller Road from Southern Avenue to the I-10 Frontage Road, and Peoria Avenue from 111<sup>th</sup> Avenue to Peoria's City Limits. (C64031118) (ADM2000)

**ANNEXATION OF COUNTY RIGHT-OF-WAY BY THE CITY OF PEORIA**

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the annexation by the City of Peoria of County right-of-way within the vicinity of Cactus Road from 91st Avenue to 87th Avenue, in accordance with Ordinance No. 02-79. (C64031145) (ADM4212)

**MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA**

FORMAL SESSION  
November 6, 2002

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Maricopa Integrated Health Systems Personnel Agenda. (List on file in the Clerk of the Board's Office.)

**AMENDMENT TO LEASE WITH FOUNDATION FOR SENIOR LIVING dba FSAL PROGRAMS, INC.**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the second amendment to Lease Number MC-10132, with Foundation for Senior Living dba FSAL Programs, Inc., Lessee for Senior Village. Senior Village is comprised of seven single family homes at 3501,3509, 3517, 3521, 3527 3537, and 3543 West Vogel, Phoenix, Arizona. This amendment extends the term of the lease for an additional six months, from October 1, 2002, through March 31, 2003, to coincide with the management agreement with the Lessee for the operation of Senior Village. The new aggregate term of the lease is April 1, 1998, through March 31, 2003. The annual lease fee, as set by MIHS, remains \$1.00 per year. (C6000014102)

**ASSIGNMENT OF NURSING FACILITY CONTRACT FROM MARINER POST ACUTE NETWORK TO DESERT HAVEN CLINICAL CARE, LLC dba DESERT HAVEN NURSING CENTER**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the assignment of a Nursing Facility contract from Mariner Post Acute Network to Desert Haven Clinical Care, LLC dba Desert Haven Nursing Center, effective March 1, 2002, through September 30, 2002. Desert Haven Nursing Center was formerly part of the Mariner Post Acute Network Contract No. C60000631, originally approved by the Board on October 6, 1999, and was sold to an independent owner as the result of the Mariner bankruptcy. The new owner of the Desert Haven Nursing Center has agreed to accept the same terms and conditions as those in the amended Mariner contract. There is no change to the total allocation for Nursing Facilities of \$469,084,277, approved by the Board under C60020171. (C60030061)

**CONTRACT WITH RURAL/METRO SERVICES, INC.**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a contract with Rural/Metro Services, Inc. to provide Emergency Alert Services to MIHS-HP Members residing in their homes in Maricopa County, effective October 1, 2002, through September 30, 2004. The aggregate not-to-exceed amount is \$250,000 for the contract term. This contract may be extended for additional periods, not-to-exceed a total term of five years. Either party can terminate this contract with 90-days written notice. (C60030131)

**JILL RISSI APPOINTED TO THE AUDIT COMMITTEE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to appoint Jill Rissi to the Audit Committee, representing District 2. The term of the appointment will be from April 5, 2002, through April 4, 2004. (C02030087) (ADM2602)

**RESIGNATION ACCEPTED**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the resignation of Oscar F. Sjoberg, Jr., effective October 22, 2002, from the Bicycle Advisory Committee representing District 4. (ADM3241)

FORMAL SESSION  
November 6, 2002

**REAPPOINT C. "HOS" HOSKINS TO THE STATE BOARD OF EQUALIZATION**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to reappoint C. "Hos" Hoskins to the State Board of Equalization. The term of the appointment will run concurrent with District 4 Supervisor term and expire on December 31, 2004. (C04030037) (ADM4908)

**HEARING SET – 7<sup>TH</sup> STREET NORTH IMPROVEMENT DISTRICT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule a public hearing for 11:00 a.m., Wednesday, November 20, 2002, to hear the petition to organize the 7<sup>th</sup> Street North Improvement District, located in the vicinity of 7<sup>th</sup> Street from Carefree Highway to Paint Your Wagon Trail. The district is for paving. (C64031177) (ADM4302)

**ORDER SETTING PETITION FOR HEARING AND DIRECTING  
NOTICE ON 7<sup>TH</sup> STREET NORTH IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, on October 8, 2002, and presented to said Board of Supervisors on November 6, 2002, petitioning for the establishment of the 7th Street North Improvement District, in the County of Maricopa, State of Arizona, and said petition appearing to be in compliance with Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956. It is ordered that said petition be set for hearing before the Board of Supervisors, at its regular meeting place at 205 West Jefferson Street, in the City of Phoenix, County of Maricopa, State of Arizona, on the 20<sup>th</sup> day of November 2002, at the hour of 11:00 a.m., at which hearing all interested property owners may appear and be heard on any matter relating to the establishment of the proposed District, and, any person wishing to object to the establishment of the District, may, before the date set for hearing, file his objections with the Clerk of the Board of Supervisors. Notice of said hearing, stating the boundaries of the proposed District shall be published two (2) times in the Arizona Business Gazette, a newspaper published in Maricopa County and of general circulation published in the county within which the proposed District is located. Said publications shall be one (1) week apart and the first publication shall be not less than ten (10) days prior to the date of the hearing.

**DATED** this 6<sup>th</sup> day of November 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Norma Risch, Deputy Clerk of the Board

**HEARING SET - PARKS AND RECREATION**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule a public hearing for 9:00 a.m., Wednesday, December 4, 2002, on a request for a temporary easement for access through Utery Mountain Recreation Area by Mr. Russell Bowers. This is reconsideration from an agenda item dated November 1, 2000. Mr. Bowers has asked that the matter be brought before the Board again at this time. The Parks and Recreation Commission, through the Parks and Recreation Department Director, has issued a memorandum (dated October 13, 1999) as to the results of the Commission hearing and is recommending that Mr. Bowers' request for access be denied. (C3003007M) ((ADM3236)

**HEARING SET - STREET NAME CHANGE**

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule a public hearing for 9:00 a.m., Wednesday, December 4, 2002, to change a street name from Palm Lane to Roosevelt Street, said alignment beginning one-half mile south of the intersection of McDowell Road and South 359<sup>th</sup> Avenue continuing west to South 363<sup>rd</sup> Avenue in the plat of Valley View Ranchettes Unit Two, Maricopa County, Arizona. The request is made to correct a platting error. (C44030070) (ADM2018)

**HEARING SET - ROAD FILE DECLARATIONS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to hear petitions that have been filed for declaration of the following roads into the County highway system at a public hearing scheduled for 9:00 a.m., Wednesday, December 4, 2002:

Road File A241: General vicinity of 105<sup>th</sup> Street from Jensen Street to McKellips Road. (C64031025) (F23096)

Road File A243: General vicinity of Culver Street from Waterbury Street to 87<sup>th</sup> Street. (C64031035) (F23097)

**HEARING SCHEDULED - PLANNING AND ZONING CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule a public hearing on any Zoning and Building Code cases in the unincorporated areas of Maricopa County for November 20, 2002, at 11:00 a.m. in the Board of Supervisors Auditorium, as follows.

**Z2001-022**

**MINUTES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meeting held August 19, September 18, and October 2, 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)

**OFFICIAL APPOINTMENT AND OATH OF OFFICE – CLERK OF THE COURT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Official Appointment and Oath of Office of Sandra Durazo, Lisa Fredendall, Alejandra C. Mattausch, Bernadele Smithson, Norma Villegas, as special deputy clerk in the Office of the Clerk of the Superior Court.

**CHECK ENFORCEMENT FUND QUARTERLY FINANCIAL REPORT**

In accordance with A.R.S. §13-1811(F) County Bad Check Trust fund, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the quarterly financial

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

report of all revenues and expenditures from the Check Enforcement Fund for the period of July 2002 through September 2002. (ADM404)

**EMERGENCY VEHICLE PERMIT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve application for Emergency Vehicle Permit from Arizona Public Service Company and issue Permit No. E-1415 for use on a 2003 Ford Excursion. (ADM677V)

**SECURED TAX ROLL**

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

<b>Tax Roll</b>	<b>From No.</b>	<b>To No.</b>	<b>Net Result</b>
1999	6952	7074	-\$17,655.54
2000	9395	9410	-\$4,175.42
2000	9411	9800	-\$52,147.76
2000	9801	9834	-\$17,174.86
2001	33754	33769	-\$52,862.18
2001	33770	34280	-\$285,511.32
2001	34282	34379	-\$84,260.04
2002	558	3792	-\$435,306.74
2002	3793	4995	\$3,744,789.62
2002	4996	5061	-\$181,318.06
2002	5062	5199	-\$525,188.00
2002	5200	5475	-\$373,650.48

**DUPLICATE WARRANTS**

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve issuing duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

**COUNTY**

<b>Name</b>	<b>Warrant</b>	<b>Fund</b>	<b>Amount</b>
Energy System Design	AD00320545475	Expense	\$1,200.00
Abbie Monk Francom	C014311	General	\$85.00
Linda Jordan	AD00320540478	Expense	\$86.00
Gwen Levitt	AD00330511195	Expense	\$2,400.00
Patricia A Bright-McAruthur	C018508	Payroll	\$1,329.64
Catherine M. McDavid	AD00330507960	Expense	\$15,000.00
Service Performance Corp	AD00320545096	Expense	\$65.70
Debrah Pitrat	330507179	Expense	\$25.00
Joanna I. Rosales	C017028	General	\$32.50
Robert L. Scott	C017286	General	\$58.90
First Financial Title	320556665	Expense	\$140.00

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

Anna Marie Treinen	13-0153103	Treasurer	\$517.32
Marsha Watson	620104511	Mileage/Jury Reimb.	\$57.12
Elaine Wright	620095831	Mileage/Jury Reimb.	\$87.75

**SCHOOL**

<b>Name</b>	<b>School</b>	<b>Warrant</b>	<b>Amount</b>
Glenn W. Byrnes	Mesa	73-16656	\$295.52
Irma Castro	Avondale	13-0033166	\$71.80
Christina Cerecedes	Phoenix #1	13-32246	\$149.91
Yesenia Feliciano	Isaac #5	13-0046295	\$425.47
Yvonne J. Garcia	Roosevelt #66	13-52134	\$615.77
Corrine Gonzales	Mesa	73-17267	\$448.20
Rose Hansen	Mesa	72-0095926	\$1,068.26
Sasheena Kurfman	Buckeye	13-0034209	\$1,161.66
Michael Lopez	Litchfield #79	13-0049428	\$237.27
Jesse Ortiz	Avondale	43-0037594	\$111.00
Lorraine Peters	Mesa	73-00013202	\$209.58
Jill A. Quade	Osborn	13-0047716	\$427.55
Comp USA	Alhambra	43-0022153	\$50.54
Lucina Vilan	Mesa	73-00017480	\$345.76
Western States H20 Trmnt	Higley #60	43-0031829	\$11,500.00
Michelle Williams	Mesa	73-00011629	\$194.52

**STALE DATED WARRANTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

Gordon Wade Bonine (GWBI)	\$1,376.24
Willis E. Harper	\$1,457.75
Arnie Mitchell	\$76.57
BSN Sports	\$189.95
Mary Rae Tablerin	\$120.45
Laretha A. Taylor	\$46.08

**SETTLEMENT OF TAX CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the settlement of tax cases, list dated November 6, 2002. (ADM704)

<b>2001</b>	TX 01-000489
ST 01-000245	TX 01-000607
TX 01-000020	TX 01-000608
TX 02-000113	<b>2002/2003</b>
<b>2002</b>	TX 01-000203
ST 01-000247	TX 01-000628
ST 01-000256	TX 01-000629

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

TX 01-000370	<b>2003</b>
TX 01-000377	ST 02-000046
TX 01-000386	ST 02-000050

**CLASSIFICATION CHANGES**

Pursuant to A.R.S. §42-12054, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Assessor's recommended changes on classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

<b>PARCEL NO.</b>	<b>YEAR</b>	<b>OWNER</b>	<b>FROM</b>	<b>TO</b>
103-20-583	2000	Rodolfo Quesada	LC/4	LC/3
103-20-583	2001	Rodolfo Quesada	LC/4	LC/3
103-20-583	2002	Rodolfo Quesada	LC/4	LC/3
109-41-011	2000	Raul Cota	LC/4	LC/3
109-41-011	2001	Raul Cota	LC/4	LC/3
109-41-011	2002	Raul Cota	LC/4	LC/3
111-24-130	2000	Debbie Lopez	LC/4	LC/3
111-24-130	2001	Debbie Lopez	LC/4	LC/3
111-24-130	2002	Debbie Lopez	LC/4	LC/3
129-06-016	2000	Dorothy Seabaugh	LC/4	LC/3
129-06-016	2001	Dorothy Seabaugh	LC/4	LC/3
129-06-016	2002	Dorothy Seabaugh	LC/4	LC/3
131-07-096	2000	William Cunningham	LC/4	LC/3
131-07-096	2001	William Cunningham	LC/4	LC/3
131-07-096	2002	William Cunningham	LC/4	LC/3
131-16-023	2000	Linda Romberg	LC/4	LC/3
131-16-023	2001	Linda Romberg	LC/4	LC/3
131-16-023	2002	Linda Romberg	LC/4	LC/3
134-01-045	2000	Earl Cavins	LC/4	LC/3
134-01-045	2001	Earl Cavins	LC/4	LC/3
134-01-045	2002	Earl Cavins	LC/4	LC/3
139-05-161	2000	Illiam Laflam	LC/4	LC/3
139-05-161	2001	Illiam Laflam	LC/4	LC/3
139-05-161	2002	Illiam Laflam	LC/4	LC/3
142-09-049A	2000	Yolanda Herrera	LC/4	Mixed
144-24-374	2002	Glenda Knam	LC/4	LC/3
160-51-227	2000	Adrian Guler	LC/4	LC/3
160-51-227	2001	Adrian Guler	LC/4	LC/3
160-51-227	2002	Adrian Guler	LC/4	LC/3
162-35-055	2002	Paul Vermani	LC/4	LC/3
175-46-163	2002	Cory Bonime	LC/4	LC/3
176-03-467	2000	Pamela Folsum	LC/4	LC/3
176-03-467	2001	Pamela Folsum	LC/4	LC/3
176-03-467	2002	Pamela Folsum	LC/4	LC/3
200-42-668	2000	Larry Frazee	LC/4	LC/3
200-42-668	2001	Larry Frazee	LC/4	LC/3
200-42-668	2002	Larry Frazee	LC/4	LC/3
200-94-263	2001	John Vriezen	LC/4	LC/3
200-94-263	2002	John Vriezen	LC/4	LC/3

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

232-01-012	2000	William Jansen	LC/4	LC/3
232-01-012	2001	William Jansen	LC/4	LC/3
302-73-086	2000	Patricia Walker	LC/4	LC/3
302-73-086	2001	Patricia Walker	LC/4	LC/3
302-73-086	2002	Patricia Walker	LC/4	LC/3
302-77-481	2000	Deborah Hoffer	LC/4	LC/3
302-77-481	2001	Deborah Hoffer	LC/4	LC/3
302-77-481	2002	Deborah Hoffer	LC/4	LC/3
303-52-809	2002	Santina Alston	LC/4	LC/3
500-98-005	2002	David Conrad	LC/4	LC/3
503-59-544	2002	Robert Howery	LC/4	LC/3
507-01-553	2000	Robert Scollick	LC/4	LC/3
507-01-553	2001	Robert Scollick	LC/4	LC/3
507-01-553	2002	Robert Scollick	LC/4	LC/3

**COMPROMISES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held October 15, 2002.) (ADM407)

Jorge Arranga	\$ 1,500.00
Maria Arranaga	6,500.00
Kevin Best	1,800.00
John Blount	17,500.00
Corey Clark	2,200.00
Jennifer Dufek	12,000.00
Lonnie Gray	6,000.00
James Hill	467.75
Mercedes Mirquez	5,000.00
Lori Price	500.00
Thomas Tompkins	1,000.00

**PUBLIC COMMENT**

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

**SUPERVISORS' COMMENTS**

Supervisor Kunasek reminded all present that AHCCCS (Arizona Health Cost Care Containment System) reached its 20<sup>th</sup> "birthday" last week. He said the program has proven to be all that it was hoped to become during the planning stages and has helped many people receive healthcare who may not otherwise have had the opportunity. He also commented on the election returns for Proposition 202 saying he "had some reservations on it and hoped it would seem as good 20 years from now as it did to the voters who approved it last night."

Supervisor Brock said that elections in Arizona are exceptional when compared with other parts of the country and that Arizona had above average turnouts this year for both the primary and general elections with massive numbers of early ballots. He saluted all the election workers and the Star Call Center for doing a good job.

FORMAL SESSION  
November 6, 2002

Supervisor Wilson commented on the water crises in Peoria and said that the Public Health Department had done well under all the pressure of the past few weeks. He commended the many volunteer workers who have put hundreds of hours into the crises, which he said should soon be resolved.

Supervisor Wilcox cautioned the County's lobbying and inter-governmental teams to get active quickly on health and emergency care funding designated by the Tobacco Tax and Proposition 202, should they both have passed in yesterday's general election. She said that the disbursements have not been completely determined for the Tobacco Tax monies and the County has had some emergency medical crises to deal with in the closure of Memorial Hospital's emergency ward. She also mentioned the Jail Tax extension, Proposition 411, expressing her gratitude to all who voted for it, as it was vital to the future viability of the County's financial stability. She remarked on the efficacy of a two-party system after the election rhetoric is put aside, saying she has experienced it on two different Boards and felt that both benefited from this system.

Chairman Stapley also commented on Proposition 411, the continuation of the jail tax originally approved by voters in 1998, saying that it was an overwhelming victory by a more than a two-to-one approval ratio. "It's an affirmation of the hard work the County has done to improve its criminal justice system, and in particular, the jails. It really does give us a brighter future with this revenue stream that is now projected 20-years beyond the construction phase originally approved." He continued, "This is a process that takes years and the voters understood that and responded very positively to this very important obligation for their County government." (ADM606)

**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.     **S2002-035**     **District 5**  
      **Applicant:**     Paul Benscotter of DBI Development LLC  
      **Location:**     East of 209th Avenue, along Narramore Road (in the Rainbow Valley area)  
      **Request:**       Final Plat in the R1-35 zoning district for Rainbow Valley Ranch (approximately 60.01 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (5-0) to accept the final plat.

- 2.     **S2002-039**     **District 4**  
      **Applicant:**     Standard Pacific Homes  
      **Location:**     Approximately 950' south of the southeast corner of Dysart Road and Camelback Road (in the Litchfield Park area)  
      **Request:**       Amended Final Plat in the R1-8 R.U.P.D. zoning district for Wigwam Creek South, Parcel 2B (approximately 30.97 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (5-0) to accept the final plat.

3. **Z2000-015**      **District 1**  
**Applicant:**      San Tan Ventures, Inc.  
**Location:**      Northwest corner of Mews Rd. and Riggs Rd. (in the Queen Creek area)  
**Request:**      Special Use Permit for a mini-storage facility in the C-3 zoning district for San Tan Storage (2.98 acres)

**COMMISSION ACTION:** Commissioner Barney moved to recommend approval of Z2000-015, subject to the following stipulations "a" through "j". Commissioner Harris seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall comply with the site plan entitled "San Tan Storage", consisting of six (6) full-size sheets, dated May 16, 2002, and stamped received September 13, 2002, except as modified by the following stipulations.
- b. Development shall be in conformance with the narrative report entitled "San Tan Storage", consisting of five (5) pages, dated revised May 22, 2002, and stamped received September 13, 2002, except as modified by the following stipulations.
- c. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- d. Dedication of additional rights-of-way to bring the total half-width dedication to 55' for Power Road shall occur prior to zoning clearance.
- e. Development of the site shall include half-street improvements (including paving, gutter and sidewalk) to ultimate width for Power Road (24' minimum half-width with pavement) along the perimeter of the site.
- f. A continuous parapet shall screen all roof-mounted equipment.
- g. A 3½' high wall shall screen the proposed parking spaces along Power Road, except that the wall shall not exceed 2' in height within the clear-sight visibility triangles.
- h. The proposed 6' high concrete masonry wall along the western and southern property lines shall either be moved or integrated into the western and southern mini-storage units on the east side of the proposed retentions basins along the western property line and the north side of the capture basin along the southern property line. Such movement or integration of the walls shall incorporate weep holes or other methods of adequate drainage as acceptable to the Flood Control District.
- i. After Special Use Permit approval, but prior to the issuance of building permits, a revised grading and drainage plan, and drainage report, incorporating retention for a 100-year storm event must be submitted to the Flood Control District for review and approval.
- j. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or

FORMAL SESSION  
November 6, 2002

the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

- k. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- l. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (5-0) to concur with the Planning Commission recommendation for approval subject to stipulations "a" through "l."

**REGULAR AGENDA DETAIL:**

- 4. **Z2000-161**      **District 4 - CONTINUED**  
**Applicant:** Rick Feldman for EVRO, L.L.C.  
**Location:** Southeast corner of Jackrabbit Trail and the Camelback Rd. alignment (in the Buckeye/Goodyear area)  
**Request:** Renewal of a Special Use Permit (Z81-73, Z71-45) for a landing strip in the Rural-43 zoning district for Coyner Air Strip (124 acres)

**COMMISSION ACTION:** Commissioner Clayburg moved to recommend denial of Z2000-161. Commissioner Smith seconded the motion, which passed with a unanimous vote of 6-0.

While the Commission moved for denial of this request, it was explained to the applicant that if he is able to obtain permission from neighboring property owners for flights or some type of navigation easement during the four weeks between the Planning Commission hearing and the Board of Supervisors meeting, staff would consider changing their recommendation and communicate to the Board of Supervisors that the concerns of the Planning Commission have been resolved.

Joy Rich, Director of Planning and Development, said the applicant had requested that this item be continued due to some technical problems and said they will discontinue any flights at that site until the matter is resolved.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to continue this matter to December 4, 2002.

- 5. **Z2002-114**      **District 4**  
**Applicant:** Earl, Curley & Lagarde, P.C. for Saddle Mountain RV Park, L.L.C.  
**Location:** Northeast corner of 411th Ave. & Osborn Rd. (in the Tonopah area)  
**Request:** Modification of Stipulations for a previously approved Special Use Permit (Z 98-12, Z2001142) for an RV park in the R-4 R.U.P.D. zoning district for Saddle Mountain RV Park (8.38 acres)

FORMAL SESSION  
November 6, 2002

**COMMISSION ACTION:** Commissioner Clayburg moved to recommend Z2002-114, subject to the following stipulations “a” through “s”. Commissioner Harris seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall be in substantial conformance with the site plan entitled “Residential Unit Plan of Development for Saddle Mountain R.V. Park”, consisting of three (3) full-size sheets, dated revised October 1997, and stamped received October 24, 1997, except as modified by the following stipulations. Prior to zoning clearance for any permits for Phase II and Phase III, respective to each phase, a precise Plan of Development must be submitted to clarify project revisions and approved as an administrative amendment to the Special Use Permit.
- b. Development of Phase I of the site shall be in substantial conformance with the narrative report entitled “Plan of Development of R-4 R.U.P.D. with Special Use Permit for RV Park/Mobile Home Subdivision”, consisting of nine (9) pages, dated revised October 21, 1997, and stamped received October 24, 1997, except as modified by the following stipulations. Development of Phase II of the site shall be in conformance with the revised narrative report entitled “Amended Plan of Development Narrative for Phases I, II, III of Saddle Mountain RV Park... Z 98-12...” consisting of eight (8) pages, dated July 9, 2002 and stamped received July 8, 2002 (one day prior to the preparation date). Prior to zoning clearance for any permits for Phase III, a revised, detailed narrative report for Phase III must be submitted and approved as an administrative amendment to the Special Use Permit.
- c. Any landscaping within County rights-of-way shall comply with Chapter 9 of the MCDOT Roadway Design Manual. Interior landscaping of all common areas shall be of a xeriphytic nature with an emphasis on indigenous vegetation.
- d. Dedication of additional right-of-way and half-street improvements along perimeter roadways at the discretion of the Maricopa County Department of Transportation.
- e. All interior streets/driveways are to be constructed to minimum County standards at the discretion of the Maricopa County Department of Transportation. The interior streets/driveways will be maintained by the owner/applicant. All interior streets/driveways shall observe a minimum width of at least 20’, and any interior streets/driveways observing a width of less than 24’ shall be signed for one-way traffic.
- f. A secondary emergency access shall be provided for the Phase II portion of the site south to Osborn Rd. The applicant shall provide written confirmation of compliance with this stipulation from the Tonopah Fire District prior to zoning clearance for any permits associated with the Phase II portion of the site.
- g. Water and wastewater facilities shall be in compliance with all requirements of the Maricopa County Environmental Services Department, including licensing requirements for recreational vehicle parks and mobile home parks. Prior to zoning clearance for any permits associated with the Phase II portion of the site, the applicant shall provide written confirmation of compliance with this stipulation from the Maricopa County Environmental Services Department.

**FORMAL SESSION  
November 6, 2002**

- h. All outdoor lighting shall conform with Section 1112 of the Maricopa County Zoning Ordinance. All parking area lights are limited to a maximum height of 18'. All street lights are limited to a maximum height of 20'.
- i. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection as deemed necessary by the Tonopah Fire District. The applicant shall provide written confirmation of compliance with this stipulation from the Tonopah Fire District prior to zoning clearance for any permits associated with the Phase II portion of the site.
- j. The applicant shall submit a written report outlining the status of this development at the end of three (3) years from the date of approval by the Board of Supervisors. The status report shall include information regarding the status of Phase III, including the proposed re-use of the dormitory buildings and outline the time frame for any re-use. The status report shall be reviewed by staff to determine compliance with the stipulations of Special Use Permit approval.
- k. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment, shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units for any permanent structures or buildings shall be ground-mounted.
- l. Major changes to the Special Use Permit (the site plan and narrative report) in regard to use and intensity shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Detailed plans required for Phase III may be processed as either a major amendment or administrative amendment at the discretion of staff of the Planning and Development Department. Minor changes to the Plan of Development may be administratively approved by the Planning and Development Department.
- m. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- n. Non-compliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, non-compliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance for revocation of the Special Use Permit.
- o. The Special Use Permit shall expire in 30 years from the date of approval by the Board of Supervisors. Any request for an extension shall be submitted at least six months prior to the expiration date.
- p. The Special Use Permit does not include a mobile home subdivision component.
- q. Placement of all recreational vehicles and/or travel trailers shall be in compliance with the requirements of Section 1301.1.29 of the Maricopa County Zoning Ordinance.

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
November 6, 2002**

- r. Placement of all mobile homes shall be in compliance with the requirements of Section 1203.1 of the Maricopa County Zoning Ordinance. Mobile homes shall not be placed on spaces of less than 3,000 sq. ft. in size or with a width of less than 44'.
- s. Prior to drainage clearance for any permits associated with the Phase II portion of the site, the applicant shall provide a detailed engineering design for the drainage infrastructure and retention basins, for acceptance by the Flood Control District of Maricopa County.

Joy Rich, Director of Planning and Development, said that there is no known opposition to this request and the Planning Commission and staff recommends approval.

Lynn LeGard, representing the applicant, said that they agree with all the stipulations and felt there was no need to make a statement, but she would be happy to answer any questions. There were no questions.

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (5-0) to concur with the Planning Commission recommendation for approval subject to stipulations "a" through "s."

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned. Chairman Stapley announced that the Board would meet in Executive Session at 11:20 a.m. in the Sullivan Conference Room.

\_\_\_\_\_  
Don Stapley, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Norma Risch, Deputy Clerk of the Board