

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
March 5, 2003**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., March 5, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman; Andy Kunasek, Vice Chairman; Don Stapley, Max W. Wilson, and Mary Rose Wilcox (entered late). Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

INVOCATION

Darren Gerard, Principal Planner in the Planning and Zoning Department, delivered the invocation.

PLEDGE OF ALLEGIANCE

Supervisor Max Wilson, District 4, led the assemblage in the Pledge of Allegiance.

PET OF THE MONTH

The "Pet of the Month" was a cute, very active, five-month-old cairn terrier mix named Roz, brought by Maricopa County Animal Care & Control (602-506-PETS), who will be available for adoption. The importance of all services provided by Animal Care & Control (neutering, shots, etc.) was emphasized along with this month's message that "puppy season" has arrived and "kitten season" is fast approaching, so families are asked to visit the center often to search for that desired new addition to their home.

CENTENNIAL YEAR RESOLUTION OF THE SALT RIVER PROJECT BOARD OF GOVERNORS

William Schrader, President of Salt River Project (SRP) and Kathy Lee were present as representatives of SRP to present the Centennial Year Resolution of the Salt River Project Board of Governors to Maricopa County. Mr. Schrader said SRP was founded February 7, 1903, after early Arizona Territory farmers pledged their land as collateral to the federal government to build Roosevelt Dam because a reliable supply of water would enable the desert valley to thrive. Mr. Schrader added, "And the rest is history." He said that SRP thanks the Maricopa County Board of Supervisors for its valued partnership over the years. He continued, "Maricopa County, like SRP, traces its roots to agriculture and we have grown up together. Today fully 60% of Maricopa County's electricity is provided by SRP and virtually all of our water is delivered in this area." Mr. Schrader indicated that SRP could not have grown to be the third largest public power utility in the nation without the tremendous support and leadership from the County on everything from infrastructure to right-of-ways to law enforcement. "We owe a debt of gratitude to your leadership, and on behalf of SRP we feel privileged to serve the citizens of Maricopa County." The resolution, adopted by the SRP Board of Governors, was presented to Chairman Brock who said he received it on behalf of the residents of the County in appreciation for services to Maricopa County and all that SRP has done for its citizens, the farmers, and "the rest of us city slickers" who enjoy the water and power you have provided in the last 100 years. (ADM4306)

Supervisor Stapley moved to approve a proclamation from the County to SRP marking March 2003 as SRP Centennial Month. He said that his family has roots very deep in the community and these include their participation in the construction of Roosevelt Dam between the years of 1904-1911. Supervisor Wilson provided a second to the motion, and said that SRP "represents the very best of all of us and we appreciate your 100 years of history." Supervisor Kunasek remarked, "We should all be proud of the roots that this County has with the project, none of us would be here without them. This would be really a very desolate, inhospitable place if not for the vision these people had back in the early 1900's." Motion

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carried by unanimous vote (4-0-1). Chairman Brock said that SRP has provided electricity to residents since 1909 and water to the valley since 1911 following the completion of Roosevelt Dam. Its partnership with government throughout the years has greatly contributed to Maricopa County's growth, economic development, environmental improvements and overall quality of life. The Chairman urged all citizens of Maricopa County to recognize SRP's contributions and achievements during March.

PROCLAMATION

WHEREAS, the 2003 marks the Centennial Anniversary of Salt River Project, and

WHEREAS, the Salt River Project has been providing electricity to the residents of Maricopa County since 1909, and

WHEREAS, since 1911 with the construction and completion of Theodore Roosevelt Dam, Salt River Project has been providing a reliable supply of water for Maricopa County's growth and economic development, and

WHEREAS, Salt River Project has worked with communities throughout Maricopa County to develop water management and expand environmental initiatives, and

WHEREAS, Salt River Project has partnered with Maricopa County and other municipalities to improve dam safety and flood control, and

WHEREAS, Salt River Project has contributed to the economic development, environmental improvements and overall quality of life for Maricopa County residents:

NOW, THEREFORE, THE MARICOPA COUNTY BOARD OF SUPERVISORS, do hereby proclaim the month of March 2003 as SALT RIVER PROJECT CENTENNIAL MONTH and urge all Maricopa County residents to recognize and pay tribute to the men and women whose achievements and community spirit have made possible the water and power supplies necessary for growth and development in Maricopa County.

IN WITNESSSS WHEREOF, we, the Maricopa County Board of Supervisors, have set our hands and caused the seal of the County of Maricopa to be affixed this 5th day of March 2003.

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

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

AWARDS FROM 2003 EQUIPMENT ROADEO

Presentation of "2003 Maricopa County Equipment ROADEO Championship Awards" to winners from the County employees who participated. (ADM650)

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Requirements for the Rodeo include attendance at three classes and scores compiled from a written test, equipment inspection and the field demonstrations. This year's equipment focus was the new Professional Series All Terrain Vehicles that include, for the first time, seat belts and roll cages for operator protection. Maricopa County equipment vendors donated all equipment used in the Rodeo.

First, Second and Third place event winners were:

- Backhoe Event:** Andy Santiago, MCDOT; Roderick Miller, MCDOT; Greg Watts, FCD;
- Dump Truck Event:** Sherman Gaines, MCDOT; Jose Morales MCDOT; Ernest Rios, MCDOT;
- Forklift Event:** Manny Bustamante, MCDOT; Roy Arnold, FCD; Ron Juarez, MCDOT;
- Grader Event:** Thomas Conde, MCDOT; Roy Arnold, FCD; Roderick Miller, MCDOT;
- Loader Event:** Robert Sikorski, MCDOT; Roy Arnold, FCD; Larry Marquez, MCDOT;
- Pickup Truck Event:** Jeffrey Ernwall, MCDOT; Linda Watts, MCDOT; Skip Harris, MCDOT;
- Skid Steer Event:** Stanley Marble, MCDOT; Jose Morales, MCDOT; Roy Arnold, FCD;
- Big Dig Backhoe Team Event:**
 - Juan Velasco, Larry Marquez & Sam Hiatt, MCDOT;
 - Isaac McCullough, Roy Arnold and Mark Swinderman, FCD;
 - Rick Steiner, Guy Ramirez and Bobby Aguilar, MCDOT;
- Director's Challenge:**
 - Jeffrey Ernwall and Robert Sikorski, MCDOT;
 - Joe Anzar and Larry Marquez, MCDOT;
 - Jose Morales and Daniel DeLaCruz, MCDOT.

PROCLAMATION – SUN CITY WEST 25TH BIRTHDAY ANNIVERSARY

Supervisor Wilson introduced a proclamation congratulating the founders and residents of Sun City West on their 25th Birthday Anniversary. Motion was made by Supervisor Wilson, seconded by Supervisor Stapley and unanimously carried (4-0-1). (ADM654)

PROCLAMATION

WHEREAS, The community of Sun City West has provided a terrific lifestyle, and beautiful homes for people wanting to move to Arizona to enjoy an active retirement.

WHEREAS, The residents of Sun City West are a tremendous asset to the volunteer communities of Maricopa County.

WHEREAS, The residents and community of Sun City West are an integral part of the success of the Northwest Valley economy and vitality.

WHEREAS, The community of Sun City West serves as a glowing example of a successful, well managed, planned community.

NOW, THEREFORE, BE IT RESOLVED, The Maricopa County Board of Supervisors congratulates the residents of Sun City West on the community's 25th anniversary.

DATED this 5th day of March 2003.

/s/ Fulton Brock, Chairman of the Board
/s/ Don Stapley, District 2

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/s/ Andy Kunasek, District 3
/s/ Max W. Wilson, District 4
/s/ Mary Rose Wilcox, District 5

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

REWARDING IDEAS AWARDS

Chuck Bryan announced that there are two winners receiving awards for their idea on saving the County money as part of the continuing success of the Rewarding Ideas Awards Recognition Program. Two employees from Environmental Services devised the idea of providing in-house computer training on Outlook, Word and Windows 98, which provided a tangible savings of \$7,485 to the County. Joan Minichiello and Robert DeCindis each received an award of \$573 and a Certificate of Appreciation. (C31030057) (ADM3333-002)

LIQUOR LICENSE APPLICATION

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

- a) Application filed by Wajdi J. Jaber, for a Person-to-Person Transfer from Najia S. Saigh, and a Transfer-of-Location: (LL6081)
 - Business Name: American Farms Market
 - Location: 9950 East Broadway Road, Mesa
 - Former Location: 6351 North 16th Street, Phoenix

- b) Application filed by Walter Brent Kyte for an Original, Series 12 Liquor License: (LL6082)
 - Business Name: Pizza Hut
 - Location: 3632 West Anthem Way, Anthem

- c) Application filed by Saad D. Delly for an Original, Series 10 Liquor License: (LL6083)
 - Business Name: JR Food Mart
 - Location: 46639 North Black Canyon Hwy., Suite 5, New River

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

TREASURER'S DISBURSEMENT OF FUNDS FROM IMPROVEMENT SPECIAL DISTRICT RESERVE FUND

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the Treasurer's disbursement of funds, from the Improvement Special District Reserve Fund to the Arizona Department of Revenue, for the following four special districts, because the districts no longer exist: Goldcrest District K41 (Bond No. 568), Lehi Improvement District K19 (Bond No. 919),

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Tremaine Park Improvement District K48 (Bond No. 948), and Superstition IV District K49 (Bond No. 949). This payment is partial satisfaction for a portion of "unclaimed property" in the form of unredeemed bonds and coupons demanded by the Arizona Department of Revenue, that is the subject of litigation in Maricopa County Treasurer v. Arizona Department of Revenue et al, Case No. CV 2002-022559. The amounts attributed to the districts that no longer exist are as follows: Goldcrest District K41 (Bond No. 568) - \$8,424.38, Lehi Improvement District K19 (Bond No. 919) - \$2,000, Tremaine Park Improvement District K48 (Bond No. 948) - \$1,000, and Superstition IV District K49 (Bond No. 949) - \$45. (C19030390) (ADM4302)

TREASURER'S DISBURSEMENT OF FUNDS FROM DISSOLVED FOUNTAIN HILLS ROAD DISTRICT NOS. 9, 10, 11, and 12

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the Treasurer's disbursement of funds, from the dissolved Fountain Hills Road District Nos. 9, 10, 11, and 12 (Fund 32-F00-567) to the Arizona Department of Revenue. This payment is partial satisfaction for a portion of "unclaimed property" in the form of unredeemed bonds and coupons demanded by the Arizona Department of Revenue, that is subject to litigation in Maricopa County Treasurer v. Arizona Department of Revenue, et al., Case No. CV 2002-022559. To enable settlement of the bonds and coupons portion of the demand, the Treasurer will withdraw \$14,687.50 from the Fountain Hills Road District Nos. 9, 10, 11 and 12, that no longer exists. (C19030410) (ADM4450) (ADM4451) (ADM4452) (ADM4453)

RENEWAL OF SPECIAL USE PERMITS WITH U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve renewals of Special Use Permits between the U.S. Department of Agriculture, Forest Service and Maricopa County that will allow the Sheriff's Office to continue maintaining Aid Stations at the following lakes:

- a) Saguaro Lake, for a term from January 1, 2003, through December 31, 2012. (C50030530) (C2467)
- b) Canyon Lake, for a term from January 1, 2004, through December 31, 2012. (CS891088) (C50991012) (C50030540)

PERSONNEL AGENDA

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

PEAK PERFORMERS PROGRAM (SPOT AWARD PROGRAM)

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to renew the Peak Performers Program (Spot Award Program) as a continuing employee recognition program for FY 2002-2003, amend the program to allow the purchase of Harkins Theatre Tickets for spot awards under the contract through Materials Management (Serial 01083), and authorize appropriation adjustments (increases) for General Fund departments totaling \$97,555, with a corresponding decrease in the General Government, Other General Fund Programs budget (per the schedule). Departments are

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given authority to expend FY 2002-2003 funds totaling \$271,131 subject to the following funding allocation: \$97,555 from General Government, Other General Fund Programs; and not-to-exceed \$173,576 from Department's non-general fund personnel component (salary savings) per the schedule. (C31030068) (ADM3336)

TRANSFER FROM GENERAL GOVERNMENT GENERAL FUND RESERVED CONTINGENCY FOR EMPLOYEE INITIATIVES

Having found that such action is in the public interest and based upon a demonstrated need, motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to authorize the transfer of \$1,292,591 from General Government (470) General Fund (100) Reserved Contingency for Employee Initiatives as follows: \$692,359 to the County Attorney's Office (190) General Fund (100) and \$600,232 to the Office of Contract Counsel (560) General Fund (100). And that a total of \$2.0 million be transferred from Appropriated Fund Balance (480) General Fund (100) Contingency to a new Reserved Contingency line within the Appropriated Fund Balance budget entitled Ring vs. Arizona Caseload to be used for one-time, non-recurring expenses. (C49030288) (ADM1825)

APPROPRIATION ADJUSTMENT INCREASE

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to authorize an appropriation adjustment increase of \$126,845 to the FY 2002-2003 Total Compensation Employee Benefits Division (low org 3561) budget, with a corresponding decrease in the General Government-Contingency-CY2003 Fixed Benefit Increases line item, due to the changes in the calendar year 2003 health insurance program, and the implementation of the Health Insurance Portability and Accountability Act (HIPAA). (C35030178) (ADM3350)

FIRST AMENDMENT TO NEW RIVER COMMUNITY PARK MANAGEMENT AGREEMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the proposed First Amendment to the New River Community Park Management Agreement between the Kiwanis Club of New River and Maricopa County. On March 16, 1984, Maricopa County leased 80 acres of land in the New River area from the U.S. Bureau of Land Management (BLM) through Recreation and Public Purposes Lease No. A18077. Subsequently, on April 4, 1988, the Board entered into a management agreement with the Kiwanis Club of New River, a non-profit organization, to develop and manage these 80 acres as a public park for County residents. Over the years, Kiwanis has constructed a number of improvements on the property including ballfields, basketball courts, restrooms, picnic area, as well as equestrian facilities. In 1990, a doublewide mobile home was moved to the park and the County approved a property lease agreement with the Area Agency on the Aging in order to begin a senior citizens program. That program still exists but has outgrown the capacity of the structure to adequately serve the needs of the County residents that currently participate. A \$375,000 Community Development Block Grant (CDBG) has been approved by the federal government, through Community Development, to construct a new senior citizens center at the park with the prior conditions that the County must own the property outright and that formal assurance must be provided by Kiwanis that the facility's primary use will be for a senior citizens center. In an effort to meet the first condition, the County filed an application for a land patent with BLM since the property was originally leased from that federal agency. However, in order for BLM to approve that pending land patent application, the ownership of the water well on the property must first be transferred into the County's name and formal assurance must be provided by Kiwanis that it will meet certain federal archeological and cultural resource management and protection requirements. In terms of the second condition, the consensus was that this assurance could

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be obtained from Kiwanis by including it in the amendment to the New River Community Park Management Agreement, which had previously been determined to be necessary to address other issues. Attached is that proposed amendment and it is intended to authorize those steps necessary to satisfy each of these prior conditions. (C3003017B) (ADM3245)

FUND TRANSFERS

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

SOLICITATION SERIALS

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

Solicitation Serials:

- 02115-RFP MANAGEMENT SERVICES, CORRECTIONS MANAGEMENT SERVICES (EXTERNAL REFEREE INMATE GRIEVANCES-MCSO)**(\$250,000/est three (3) years with two (2) one (1) year renewal options). (This item continued from the meeting of February 19, 2003.)
To provide for external referees for inmate grievance as requested by MCSO.
- Clarence J. Beddome
 - Edward J. Caddisy
 - James M. Garitson
 - Jerry W. Swatzell
- 02072-RFP SUBSTANCE ABUSE TREATMENT PROGRAM** (\$4,264,030 est/two (2) years with three (3) one year renewal options)
Two-year requirements contract for the operation of the Juvenile Probation Substance Abuse Treatment Program at 3445 West Durango Street.
- Spectrum Health Systems Inc.
- 02127-RFP EVENT MANAGEMENT/FUND RAISING - NACo CONFERENCE)** (\$1,362,000 est/eighteen (18) months)
Award of an 18-month contract, as recommended by the County Administrator's Office, for fund raising and event planning for the 2004 NACo conference which the county will host. Majority of total cost is expected to be offset by contributions/fund raising efforts.
- The Genesis Group LLC
- 02136-RFP ZONING, LAND USE STUDIES** (\$240,000 est/(3) three years w/2 one year renewal options)

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Pricing agreement to assist Maricopa County Department of Transportation in the preparation and execution of a plan to maximize the value of a 94.3 acre parcel of land to be subsequently sold at auction.

- Stantec Consulting Inc.

02131-S FLOORING REPAIR SERVICES (\$500,000 est/three (3) years w/3 one year renewal options)

Contract to furnish all supervision, labor, equipment, materials, and transportation necessary to repair or replace various types of hard material flooring systems on a time and materials and project basis.

- Grout America

Sole Source Awards:

Sole source procurement with PRC Public Sector for \$100,000 per year. Total expenditures will not exceed the Sheriffs Office budgetary authorization. PRC is the only vendor to provide programming modifications as the CAD system is proprietary software. This software is used by the Sheriffs Office to track all calls for service and the details involved with each call, dispatched unit, times, disposition, type code, etc. This requirement was advertised in accordance with County's sole source procurement procedures. (C73030131)

Trade-in:

Trade-in of one CP Borg Collator Model AE16 (Asset Tag No. F0057783/Maricopa County Graphics Department) to Eagle Manufacturing for \$1,400.
Until February 28, 2005

00199-ROQ PSYCHIATRIC SERVICES-CORRECTIONAL HEALTH (\$5,800,000 est/(2) two years)

Recommendation of two-year extension of contract which provides psychiatric services to MSCO inmates as requested by Correctional Health Services.

- Joseph J. Franzetti, MD
- Kevin Hoffert, MD
- M. Akram Bhatti, MD
- John Forrest Rians, PC
- MedPro Department of Psychiatry
- Pamela Drapeau, MD
- Patricia M. Crellin
- Leonardo Garcia-Bunuel, MD
- Jose Jesus Urdaneta
- Vicki A. Alberts
- Thomas William Buenker
- Janice Bray
- Zoe Forester

AGREEMENT WITH JENNIFER GILSON dba SONORA VETERINARY SPECIALISTS

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Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve an agreement between Jennifer Gilson, dba Sonora Veterinary Specialists, 4014 East Cactus Road, Phoenix, and Maricopa County to allow Jennifer Gilson to rescue animals eligible for the New Hope Program. The term of the agreement is from March 5, 2003, to March 4, 2006. (C79030380)

RENEWAL OF KENNEL PERMITS

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the following kennel permit renewals for the term of March 5, 2003, through March 4, 2004. (ADM2304)

- a) Malcolm Harrison, dba Harrison Kennels, 930 West Sunland Avenue, Phoenix, Permit No. 027 (C7903039C)
- b) Bonnie Yarnell, dba Birnini Kennels, 21039 South 158th Street, Gilbert, Permit No. 081 (C7903040C)
- c) Jennifer Stuart, dba Rancho De Bow Wow Y Meow, 1150 East Joy Ranch Road, Phoenix, Permit No. 333 (C7903040C)
- d) Lynn & Larry Jech, dba Keepsake St. Bernards & Border Terriers, 11446 West Hidalgo Avenue, Tolleson, Permit No. 356 (C7903040C)

AMENDMENTS/RENEWALS TO CONTRACTS FOR WELL WOMEN HEALTH CHECK SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve amendments/renewals to contracts for Well Women Health Check services to uninsured or underinsured women.

- a) Clinica Adelante, Inc., Amendment No. 2 retroactively decreases the dollar amount by \$15,000 and decreases total funding for the term ending December 31, 2002, from \$31,722 to \$16,722. (C8602061102)
- b) Arizona Board of Regents, for and on behalf of Arizona State University and ASU's Community Health Services, Amendment No. 2 retroactively increases the dollar amount by \$15,000 and increases total funding for the term ending December 31, 2002, from \$53,173 to \$68,173. (C8602062102)
- c) Catholic Healthcare West II dba St. Joseph's Hospital & Medical Center, renewal contract term is retroactive to January 1, 2003, and continues through September 30, 2003, for not-to-exceed amount of \$43,254. (C86030701)
- d) Mountain Park Health Center, renewal contract term is retroactive to January 1, 2003, and continues through September 30, 2003, for a not-to-exceed amount of \$21,627. (C86030711)
- e) Clinica Adelante, Inc., renewal contract term is retroactive to January 1, 2003, and continues through September 30, 2003, for a not-to-exceed amount of \$10,813. (C86030721)

- f) Banner Health System dba Good Samaritan Regional Medical Center, renewal contract term is retroactive to January 1, 2003, and continues through September 30, 2003, for a not-to-exceed amount of \$54,067. (C86030731)
- g) Arizona Board of Regents for and on behalf of Arizona State University (ASU) and ASU's Community Health Services, renewal contract term is retroactive to January 1, 2003, and continues through September 30, 2003, for a not-to-exceed amount of \$32,440. (C86030741)

AMENDMENTS/RENEWALS TO CONTRACTS FOR HIV/AIDS SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the following amendments/renewals to contracts for the provision of HIV/AIDS services to individuals and families affected by HIV/AIDS.

- a) The following are amendments to contracts for various services retroactively decreasing the contract dollar amount and replacing the budget narrative and work statement for a total funding for the period ending February 28, 2003.
 - i. Concilio Latino de Salud, for education services. Amendment No. 1 decreasing by \$21,348 from \$94,980 to \$73,632. (C8602606101)
 - ii. Catholic Social Services of Phoenix, Inc., for family support services. Amendment No. 2 decreasing by \$29,998 from \$40,998 to \$11,000. (C8602608102)
 - iii. Maricopa County Bar Association, Young Lawyers Division, HIV/AIDS Law Project (HALP) and Community Legal Services, Inc., for benefits/legal assistance services. Amendment No. 1 decreasing by \$10,000 from \$80,000 to \$70,000. (C8602616101)
 - iv. Phoenix Children's Hospital, for behavioral health services. Amendment No. 2 decreasing by \$2,800 from \$6,500 to \$3,700. (C8602619102)
 - v. Jewish Family and Children's Service, for behavioral health services. Amendment No. 1 decreasing by \$3,000 from \$25,000 to \$22,000. (C8602620101)
 - vi. Phoenix Shanti Group, Inc., for behavioral health services. Amendment No. 2 decreasing by \$21,000 from \$57,500 to \$36,000. (C8602621102)
- b) The following are renewals to contracts for various services. Renewal term of the contracts is retroactive to March 1, 2003, and continues through February 29, 2004.
 - i. Phoenix Shanti Group, Inc., for behavioral health services, for a contract amount not-to-exceed \$11,957. (C86037001)

- ii. Catholic Social Services of Phoenix, for behavioral health services, for a contract amount of not-to-exceed \$5,979. (C86037011)
- iii. Body Positive, Inc., for paraprofessional behavioral health services, for a contract amount not-to-exceed \$31,283. (C86037021)
- iv. Chicanos Por La Causa, Inc., for multilingual (MAI) behavioral health services, for a contract amount of not-to-exceed \$19,555. (C86037031)
- v. Phoenix Children's Hospital, for behavioral health services, for a contract amount NTE \$1,631. (C86037041)
- vi. Jewish Family and Children's Service, for behavioral health services, for a contract amount not-to-exceed \$8,696. (C86037051)
- vii. Area Agency on Aging, Region One, Inc., for case management services, for a contract amount not-to-exceed \$313,740. (C86037061)
- viii. Phoenix Shanti Group, Inc., for case management services, for a contract amount not-to-exceed \$1,650. (C86037071)
- ix. AIDS Project Arizona, Inc., for education services, for a contract amount not-to-exceed \$39,285. (C86037091)
- x. Concilio Latino de Salud, for education services, for a contract amount not-to-exceed \$19,312. (C86037101)
- xi. AIDS Project Arizona, Inc., for food services, for a contract amount not-to-exceed \$97,778, (C86037121)
- xii. Area Agency on Aging, Region One, Inc., for home health care services, for a contract amount not-to-exceed \$43,050. (C86037131)
- xiii. Community Legal Services, Inc., for benefits/legal assistance services, for a contract amount not-to-exceed \$17,531. (C86037141)
- xiv. AIDS Project Arizona, Inc., for nutrition services, for a contract amount of not-to-exceed \$31,522. (C86037151)
- xv. Body Positive, Inc., for nutrition services, for a contract amount of not-to-exceed \$70,161. (C86037161)
- xvi. AIDS Project Arizona, Inc., for targeted outreach services, for a contract amount not-to-exceed \$43,016. (C86037191)
- xvii. Chicanos Por La Causa, for targeted outreach services, for a contract amount not-to-exceed \$54,747. (C86037201)

- xviii. AIDS Project Arizona, Inc., for targeted outreach (MSM) services, for a contract amount not-to-exceed \$12,905. (C86037211)
- xix. Body Positive, Inc., for targeted outreach (MSM) services, for a contract amount not-to-exceed \$16,410. (C86037221)
- xx. Area Agency on Aging, Region One, Inc., for transportation services, for a contract amount not-to-exceed \$86,100. (C86037241)
- xxi. Body Positive, for wellness services, for a contract amount not-to-exceed \$109,522. (C86037251)
- xxii. Phoenix Shanti Group, Inc., for wellness services, for a contract amount not-to-exceed \$54,761. (C86037261)
- xxiii. AIDS Project Arizona, Inc., for wellness services, for a contract amount not-to-exceed \$31,292. (C86037271)
- xxiv. Catholic Social Services of Phoenix, Inc., for family support services, for a contract amount not-to-exceed \$14,707. (C86037281)
- xxv. AIDS Project Arizona, Inc., for family support services, for a contract amount not-to-exceed \$14,707. (C86037291)
- xxvi. Delta Dental Plan of Arizona, for dental services (prepay), for a contract amount not-to-exceed \$156,532. (C86037301)

INTERGOVERNMENTAL AGREEMENTS WITH VARIOUS SCHOOL DISTRICTS

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the following Intergovernmental Agreements with various school districts to provide school-based tobacco use prevention and education services. The contract terms are February 19, 2003, to June 30, 2003. Although the contracts have a start date of February 19, 2003, services will not be provided until after Board approval.

- a) Glendale Elementary School District, for a contract dollar amount not-to-exceed \$2,000. (C86032022)
- b) Scottsdale Unified School District for a contract dollar amount not-to-exceed \$28,000. (C86032172)
- c) Creighton School District for a contract dollar amount not-to-exceed \$10,000. (C86032312)
- d) Washington School District for a contract dollar amount not-to-exceed \$14,000. (C86032382)
- e) Higley Unified School District No. 60 for a contract dollar amount not-to-exceed \$2,000. (C86032412)

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INTERGOVERNMENTAL AGREEMENTS FOR HIV/AIDS SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the following Intergovernmental Agreements for the provision of HIV services. The agreement terms are retroactive to March 1, 2003, and continue through February 29, 2004.

- a) Pinal County, by and through the Pinal County Health Department, for counseling & testing services, for an amount not-to-exceed \$3,878. (C86037082)
- b) Arizona Department of Health Services, for pharmaceuticals, for an amount not-to-exceed \$48,894. (C86037172)
- c) Pinal County, by and through the Pinal County Health Department, for service coordination services, for an amount not-to-exceed \$1,948. (C86037182)
- d) Phoenix Indian Medical Center – Indian Health Services, for targeted outreach services, for an amount not-to-exceed \$9,776. (C86037231)

NON-FINANCIAL AGREEMENT WITH MURPHY SCHOOL DISTRICT NO. 21

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve and sign a non-financial agreement with Murphy School District No. 21 to provide nutritional experience for graduate students in the Department's Dietetic Internship Program. The agreement term is from Board approval through June 30, 2008. (C86031170)

BEHAVIORAL HEALTH FEE-FOR-SERVICE AGREEMENT WITH VALUE OPTIONS, INC.

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve a Behavioral Health Fee-For-Service Agreement with Value Options, Inc. The agreement will allow the Maricopa County Department of Public Health's (MCDPH) Healthcare for the Homeless Program to bill Value Options for behavioral health services provided to eligible or enrolled clients. The initial term of the agreement is from Board approval through June 30, 2003, for a not-to-exceed amount of \$50,000. The agreement also contains a one-year automatic renewal to June 30, 2004. MCDPH's indirect cost rate is 16.2%. By approving this agenda item, the Board will be authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels for FY 2003 by \$50,000. (C8603118M)

FULL SERVICE LEASE WITH GOOD SAM PROFESSIONAL BUILDING LLC

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve new full service lease No. L7332, with Good Sam Professional Building LLC, an Arizona limited liability company, by Presson Corporation, an Arizona Corporation, as Lessor. The leased premises consist of 7,162 square feet of office space located at 1010 East McDowell Road, Suite 300. The premises will house the Public Health Department's Bio-Defense Preparedness and Response (BDPR) Program. The lease term is for a 5-year period commencing on March 1, 2003, or the date of possession, and expiring 60-months from the commencement date. The first year annual rent is \$114,233.90, plus rental tax (\$15.95 per square foot per year). Rent for subsequent lease years will increase by 5.5% annually, as follows:

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- Year 2: \$120,516.76, plus rental tax (\$16.82 per square foot per year),
- Year 3: \$127,145.18, plus rental tax (\$17.75 per square foot per year),
- Year 4: \$134,138.16, plus rental tax (\$18.73 per square foot per year),
- Year 5: \$141,515.75, plus rental tax (\$19.76 per square foot per year).

This lease is grant funded and contains a 120-day termination clause requiring reimbursement to Lessor for unamortized tenant improvement costs in the event of early termination by Maricopa County. (C86031204)

NAMING OF NEW FACILITIES

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve naming the new downtown jail the "4th Avenue Jail" and the new adult detention facility at the Durango campus the "Lower Buckeye Jail." Both facilities are currently under construction and scheduled to be completed this calendar year. (C40030095) (ADM631)

HAZARD MITIGATION GRANT PROGRAM FUNDING FROM FEMA

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve and accept \$106,000 in Hazard Mitigation Grant Program (HMGP) funding from FEMA to develop a multi-jurisdictional all-hazard mitigation plan. Emergency Management's indirect cost rate is 24.3%. FEMA requires completion and approval of this mitigation plan by November 1, 2004. (C15030073)

FEMA 2002 SUPPLEMENTAL GRANT FUNDING

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve and accept \$368,980 in FEMA 2002 Supplemental Grant Funding to develop a multi-jurisdictional all-hazard mitigation plan, county mass evacuation plan, and organize Community Emergency Response Team (CERT) efforts and training. FEMA requires that these funds must be expended for specified projects prior to December 31, 2003. (C15030083)

REALLOCATION

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the reallocation of \$650,000 of FY 2002-2003 Major Maintenance Funds to Project No. 2002301619 Estrella Jail Building Infrastructure Improvements from Project No. 2001202019 Durango Juvenile Building Infrastructure. (C70030368) (ADM800)

STORMWATER PERMIT APPLICATION(S)

Fran McCarroll said that a new first sentence would be provided for this item, as follows:
APPROVE THE SUBMITTAL OF MARICOPA COUNTY'S STORMWATER PERMIT APPLICATION(S) INCLUDING MULTI-SECTOR AND AN INDIVIDUAL, MUNICIPAL PERMIT APPLICATION PREPARED BY THE FLOOD CONTROL DISTRICT AS AN AGENT ON BEHALF OF MARICOPA COUNTY. ~~Approve the submittal of Maricopa County Stormwater Permit application(s) prepared by the Flood Control District acting for the Flood Control District and as an agent on behalf of Maricopa County.~~ In order for Maricopa County to be in compliance with its obligations under the Arizona Pollutant Discharge Elimination System (AZPDES) program, Maricopa County must apply for permit coverage by March 10, 2003. The Flood

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Control District has the technical expertise to apply for the stormwater permit(s). After Maricopa County's permit application is in place, the Flood Control District will negotiate a specific Intergovernmental Agreement (IGA) with Maricopa County to clearly establish responsibilities and funding for the ongoing storm water quality management program. (C44030110) (ADM1909)

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve this item as amended.

EASEMENTS AND RIGHT-OF-WAY

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

A080.009 Project No: 69010 - Dove Valley Road (223 Avenue - EOP) – Easement and Agreement
(AC) for Highway Purposes - Parcel No. 503-17-001C - Lester J. Hayt and Eloise G. Hayt -
 for the sum of \$2,450.00.

A080.009 Project No: 69010 - Dove Valley Road (223 Avenue - EOP) – Purchase Agreement and
(AC) Escrow Instructions - Parcel No. 503-17-001C - Lester J. Hayt and Eloise G. Hayt.

A080.009-5 Project No: 69010 - Dove Valley Road (223rd Avenue - EOP) - Agreement for Right of
(AC) Entry - Parcel No. 503-17-001C - Lester J. Hayt and Eloise G. Hayt - for the sum of
 \$100.00.

A098.003 Project No: 69010 - 88th Avenue (Deer Valley Road - Williams Road) – Easement and
(DWM) Agreement for Highway Purposes - Parcel No. 200-08-024P – Timothy P. Conway and
 Deetta D. Conway - for the sum of \$10,104.00.

A098.003 Project No: 69010 - 88th Avenue (Deer Valley Road – Williams Road) - Purchase
(DWM) Agreement and Escrow Instructions - Parcel No. 200-08-024P – Timothy P. Conway
 and Deetta D. Conway.

A117.007 & Project No: 69010 - Cheyenne Road (207th Avenue Alignment - Tuthill Road) -
A117.008 Easement and Agreement for Highway Purposes - Parcel No. 400-52-014S & 015C -
(AC) Security Title Agency an Arizona Corporation, as Trustee - for the sum of \$1,750.00.

A117.007 & Project No: 69010 - Cheyenne Road (207th Avenue Alignment - Tuthill Road) -
A117.008 Purchase Agreement and Escrow Instructions - Parcel No. 400-52-014S & 015C -
(AC) Security Title Agency and Arizona Corporation, as Trustee.

A138.006 Project No: 68991 - Intersection Williams Field Road & Higley Road - Warranty Deed -
(TS) Parcel No. 304-40-647 - Providence Development, Inc. – for the sum of \$800.00.

A138.006 Project No: 68991 - Intersection Williams Field Road & Higley Road - Purchase
(TS) Agreement and Escrow Instructions - Parcel No. 304-40-647 - Providence
 Development.

A165.004 Project No: 69010 - Bullard Avenue (EOP - EOM) - Warranty Deed - Parcel No. 503-52-

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- (AC) 027J - L. Brooks Bennett - for the sum of \$5,000.00.
- A165.004
(AC) Project No: 69010 - Bullard Avenue (EOP - EOM) - Purchase Agreement and Escrow Instructions - Parcel No. 503-52-027J - L. Brooks Bennett.
- A165.005
(AC) Project No: 69010 - Bullard Avenue (EOP - EOM) – Easement and Agreement for Highway Purposes - Parcel No. 503-52-027Z - Roger Lockwood and Cindy Lockwood - for the sum of \$2,250.00.
- A165.005
(AC) Project No: 69010 - Bullard Avenue (EOP - EOM) – Purchase Agreement and Escrow Instructions - Parcel No. 503-52-027Z - Roger Lockwood and Cindy Lockwood.
- A221.003
(LJS) Project No: 23012561 - 27th Avenue (Estrella Avenue to Photo View Road) – Easement and Agreement for Highway Purposes - Parcel No. 202-06-040A & 040B – Barry R. Myers and Cynthia M. Myers - for the sum of \$12,800.00.
- A221.003
(LJS) Project No: 23012561 - 27th Avenue (Estrella Avenue to Photo View Road) – Purchase Agreement and Escrow Instructions - Parcel No. 202-06-040A & 040B - Barry R. Myers and Cynthia M. Myers.
- A221.003-1
(LJS) Project No: 23012561 - 27th Avenue (Estrella Avenue to Photo View Road) – Temporary Construction Easement and Agreement for Highway Purposes - Parcel No. 202-06-040A & 040B - Barry R. Myers and Cynthia M. Myers – for the sum of \$260.00.
- A221.005-1
(LJS) Project No: 23012561 - 27th Avenue (Estrella Avenue to Photo View Road) – Temporary Construction Easement and Agreement for Highway Purposes - Parcel No. 202-06-055 - Robert L. Taylor and Deborah K. Taylor - for the sum of \$100.00.
- A221.007-1
(LJS) Project No: 23012561 - 27th Avenue (Estrella Avenue to Photo View Road) – Temporary Construction Easement and Agreement for Highway Purposes - Parcel No. 202-06-041C - Mark David Walrath and Carol Ann Walrath, as trustees - for the sum of \$100.00.
- A232.002
(AC) Project No: 69010 - 82nd Street (Hermosa Vista Dr. – McDowell Rd.) - Easement and Agreement for Highway Purposes - Parcel No. 219-26-002S - Harvey B. Jansen and Annette L. Jansen, as co-trustees - for the sum of \$25,615.00.
- A232.002
(AC) Project No: 69010 - 82nd Street (Hermosa Vista Dr. – McDowell Rd.) – Purchase Agreement and Escrow Instructions - Parcel No. 219-26-002S - Harvey B. Jansen and Annette L. Jansen, as co-trustees.
- A250.017
(AC) Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) - Easement and Agreement for Highway Purposes - Parcel No. 503-30-024L – Ernest Stella and Emily Stella - for the sum of \$6,061.00.
- A250.017
(AC) Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) - Purchase Agreement and Escrow Instructions - Parcel No. 503-30-024L - Ernest Stella and Emily Stella.
- DD-9209
(TS) Project No: 69010 - N/E Side I-10 & 339 Avenue - Amendment to Right of Way – State Land Department State of Arizona.

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- X-520 (AC) Project No: 68927 - Ellsworth Road (Germann Road – Guadalupe Road) – Warranty Deed - Parcel No. 304-02-002F & 002G - F & A Funding L.L.C. - for the sum of \$17,300.00.
- X-520 (AC) Project No: 68927 - Ellsworth Road (Germann Road – Guadalupe Road) – Purchase Agreement and Escrow Instructions - Parcel No. 304-02-002F & 002G - F & A Funding L.L.C.
- X-520-5 (AC) Project No: 68927 - Ellsworth Road (Germann Road – Guadalupe Road) – Agreement for Right of Entry - Parcel No. 304-02-002F & 002G - F & A Funding L.L.C. - for the sum of \$500.00.
- X-534-5 (AC) Project No: 68927 - Ellsworth Road (Germann Road – Guadalupe Road) – Agreement for Right of Entry - Parcel No. 304-62-019A, 019B & 019C – Riggs/Queen Creek 480 LLC - for the sum of \$500.00.
- X-542 (AC) Project No: 68927 - Ellsworth Road (Germann Road – Guadalupe Road) – Special Warranty Deed - Parcel No. 304-02-021D & 020C - Ellsworth and Guadalupe Limited Partnership - for the sum of \$15,416.00.
- X-542 (AC) Project No: 68927 - Ellsworth Road (Germann Road – Guadalupe Road) – Purchase Agreement and Escrow Instructions - Parcel No. 304-02-021D & 020C - Ellsworth and Guadalupe Limited Partnership.
- X-542-5 (AC) Project No: 68927 - Ellsworth Road (Germann Road – Guadalupe Road) - Agreement for Right of Entry - Parcel No. 304-02-021D & 020C - Ellsworth and Guadalupe Limited Partnership - for the sum of \$1,000.00.

CHANGE ORDER TO CONTRACT WITH PARSONS BRINCKERHOFF QUADE & DOUGLAS

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve Change Order No. 8 with Parsons Brinckerhoff Quade & Douglas in an amount not-to-exceed \$149,388 under Contract No. CY 1999-25, to modify the existing Gilbert Road improvement bid documents prepared under Change Order No. 7 to incorporate changes requested by the City of Mesa and the Salt River Pima Maricopa Indian Community. Also it is requested that the contract performance period be extended through June 30, 2003. This change order will increase the total contract amount by \$149,388 for a revised contract amount of \$1,914,979. (C6499257509)

CHANGE ORDER TO CONTRACT WITH HUNTER CONTRACTING

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve Change Order No. 13 to Contract No. CY 2002-42 with Hunter Contracting in the amount of \$258,207 to compensate the contractor for additional project work. The City of Glendale has requested that additional roadwork be done on 75th Avenue. The Deer Valley Road project ends on 75th Avenue south of Deer Valley Road with a five-lane roadway. This roadway connects to an existing three-land roadway. This roadway connects to an existing five-land roadway. This change order will expand the three-lanes to five-lanes. The City of Glendale will reimburse the County for this additional work per an Intergovernmental

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Agreement approved by the Board on December 5, 2001. This change order will increase the total contract amount by \$258,207 for a revised contract amount of \$3,736,267.69. (C6402097513)

JOB ORDER CONTRACTS FOR ASPHALT MILLING AND PAVING SERVICES

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the following Job Order Contracts in amounts not-to-exceed \$250,000 to perform asphalt milling and paving services on an as needed basis, under Work Order No. 30910100. The contracts shall be effective March 1, 2003, for a period of one year with options to renew for additional two, one-year periods.

- a) Nesbitt Contracting Co., Inc., No. CY 2003-49 (C64031765)
- b) Ace Asphalt of Arizona, Inc., No. CY 2003-48 (C64031775)

REIMBURSEMENT TO SALT RIVER PROJECT

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve reimbursement to Salt River Project for the costs incurred for the design and providing service to Maricopa County Department of Transportation's (MCDOT) pump station at 9191 East McDowell Road, in support of Project MPFA (MCDOT No. 68897), McDowell Road from Pima Freeway to Alma School Road. The cost may not exceed the current estimate of \$4,000 by more than 10%. (C64031915) (ADM2000-006)

INTERGOVERNMENTAL AGREEMENT WITH ARIZONA BOARD OF REGENTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approval of an Intergovernmental Agreement between the Maricopa County Department of Transportation and the Arizona Board of Regents acting through the University of Arizona. The County and the University have entered into an agreement for research for real-time estimation of arterial travel times. The research is being conducted at the University in Tucson and County personnel have participated in the study. The County is also a financial partner along with the University, Federal Highway Administration and the Bureau of Transportation Statistics. The total cost of the research project is approximately \$235,000. The County's cost share is \$45,000. (C64031952)

MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA

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

AMENDMENT TO CONTRACT WITH JOHN C. LINCOLN HEALTH NETWORK dba BRYANS EXTENDED CARE CENTER

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve Amendment No. 3 to the contract with John C. Lincoln Health Network dba Bryans Extended Care Center to provide Rehabilitative Services for MIHS-HP Members, effective March 21, 2003. This amendment updates contract language and extends the term of the contract for an additional 12-months, making the aggregate term March 21, 2001, through March 20, 2004. Also it deletes the out

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patient services, increases the reimbursement for inpatient services by 5% and increases the not-to-exceed amount by \$328,780.42 making the new not-to-exceed amount \$1,228,780.42. This contract has a 90-days termination for convenience provision. (C6001177103)

CANCELLATION OF LEASE WITH CITY OF SCOTTSDALE – MIHS FAMILY HEALTH CENTER

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve cancellation of the lease between Maricopa Integrated Health Systems and the City of Scottsdale for the MIHS Family Health Center (FHC) facility located at 6535 East Osborn Road, Building 8, Scottsdale, Arizona 85251. Authorize MIHS to waive \$28,384.31 in unused depreciable value of construction improvements in consideration for early termination of the lease and authorize the Real Estate Department to notify City of Scottsdale thereof. Approve closure of the Maricopa Integrated Health System, Family Health Center (FHC) effective on or before March 28, 2003. Lease specifies a termination notice of 180 days; lease amount is \$0 per month. (Discussed in Executive Session on February 3, 2003.) (This item continued from the meetings of February 5 and 19, 2003.) (C90970262YY) (C90030332)

CONTRACT WITH RES-Q HEALTHCARE SYSTEMS (RES-Q)

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve a new contract with RES-Q Healthcare Systems (RES-Q) for the provisions of Nurse Scheduling Software. The initial contract term is February 19, 2003, through February 18, 2005, with an option to extend up to five additional annual periods. The not-to-exceed amount for the initial contract year is \$200,000. Either party may terminate the contract with 90-days written notice to the other party. (C90030231)

CONTRACTS FOR PERMANENT PLACEMENT OF REGISTERED CRITICAL CARE NURSES

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve the following new contracts for the provision of the permanent placement of registered critical care nurses for an initial two-year term from March 5, 2003, through March 4, 2004. The contractors will be paid from a pool not-to-exceed \$200,000. Either party may terminate this contract with 90-days written notice. (C90030271ZZ)

- a) Alloy Systems, Inc. (C90030291)
- b) SHC Services, Inc. (C90030281)

APPOINTMENT OF KIM MACEACHERN

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to appoint Kim MacEachern to the Maricopa County Air Pollution Control Board replacing Blake Ashley and representing District 3. The term is from March 5, 2003, through December 3, 2003. (C03030047) (ADM2353)

APPOINTMENT OF GEORGE LEE

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to appoint George Lee to the Sports Commission Board of Directors, representing District 4. Mr. Lee

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will be replacing Suzee Smith-Everhard whose term expired January 16, 2003. The term is a four-year term and will expire on January 16, 2007. (C04030087) (ADM3240)

REAPPOINTMENT OF ART MCKINN

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to reappoint Art McKinn to the Board of Adjustment, representing District 5. The term of appointment is March 18, 2002, to March 18, 2006. (C05030037) (ADM3409)

HEARING SET – ANIMAL CARE AND CONTROL SERVICES

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to schedule a public hearing for 9:00 a.m., Wednesday, April 2, 2003, to consider implementation of a spay/neuter voucher deposit of \$100 to be collected at the time of adoption on animals at risk and unable to go through spay/neuter sterilization due to medical conditions in accordance with ARS §11-1022. (C79030410) (ADM2305)

HEARING SET – ROAD FILE DECLARATIONS

Petitions have been filed for declaration of the following roads into the County highway system. Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to schedule a hearing for 9:00 a.m., Wednesday, April 2, 2003:

Road File A078-B: General vicinity of 11th Avenue from Galvin Street to Cloud Road. (C64031895)

Road File A272: General vicinity of 12th Street from Joy Ranch Road to Irvine Street. (C64031885)

Road File A277: General vicinity of 15th Avenue from Cloud Road to northeast corner Lot 5. (C86031875)

~ Supervisor Wilcox entered the meeting ~

HEARING SCHEDULED - PLANNING AND ZONING CASES

No future hearings are scheduled at this time.

MINUTES

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meeting held August 28, November 18, December 2, 9, 16, 20, 2002, and January 8, 2003.

PRECINCT COMMITTEEMEN

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with

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lists dated March 5, 2003, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

SECURED TAX ROLL

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

Tax Roll	From	To	Net Result
1999	7181	7188	-\$27,096.78
2000	10279	10324	-\$78,496.34
2001	35072	35132	-\$192,918.02

OFFICIAL APPOINTMENTS AND OATHS OF OFFICE – COUNTY RECORDER

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the Official Appointments and Oaths of Office of Deyan Bunjevic, Dena Grott, James E. Norris, and Patricia Therien, as special deputy recorders in the Office of the County Recorder.

OFFICIAL APPOINTMENTS AND OATHS OF OFFICE – CLERK OF THE SUPERIOR COURT

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the Official Appointments and Oaths of Office of Shirley Harvey, Kim Knox, Suzanne O’Gara, and Bertha Padilla, as special deputy clerks in the Office of the Clerk of the Superior Court.

DUPLICATE WARRANTS

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

COUNTY

Name	Warrant	Fund	Amount
Suzette Benton	553700		\$16,340.14
Ruth G. Byrne	553531		\$52.70
Erika Freeman	38949	Payroll	\$229.71
Laureen J. Jensen	00330520000	Expense	\$2,125.00
Elida Josephine White	C040940	Payroll	\$601.58

SCHOOL

Name	School	Warrant	Amount
Mabel Bonner	Mesa	73-0043914	\$302.09
Javier Canez	Isaac #5	13-0088774	\$64.65
Joe Duncan	Avondale	13-0095210	\$267.29

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Az Dept. of Education	Morristown #75	43-0035015	\$3.40
Nancy Hann	Avondale	13-0095313	\$331.12
Goodale Hardware	Agua Fria	43-0064968	\$1,554.29
Cindy Martin	Isaac #5	43-74628	\$25.00
Xavier Mitchell	Mesa	73-0044496	\$42.51
Pilar M. Noble	Mesa	73-42161	\$253.86
Pamela W. Petty	Mesa	73-0039126	\$369.40
Dover Publications	Agua Fria	43-0035336	\$142.53
Cassie Vitale	Mesa	73-34520	\$1015.94
Tom Weaver	Phoenix #1	43-0079895	\$171.73

STALE DATED WARRANTS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, 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)

Name	Amount
Tara L. Amini	\$320.00
The Logo Man/Greenway	\$612.80
David M. Houghland	\$468.56
Karri Sue Hutton	\$46.23
The Logo Man	\$174.30
Mary MCalister	\$69.35
Connie T. Niebling	\$19.86
Shirley Peterson/FNTI	\$26.22
Stacey L. Pomerantz	\$29.40
Don Price	\$469.79
Aziz Razoky	\$47.35

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the settlement of tax cases, list dated March 5, 2003. (ADM704)

- 2000**
- 2001**
- TX 00-000674
- TX 00-000703
- 2001 / 2002**
- TX 01-000655
- 2002**
- ST 01-000129
- ST 01-000184
- ST 01-000221
- ST 01-000280
- ST 02-000005

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March 5, 2003**

TX 01-000560
 TX 01-000568
 TX 01-000579
 TX 01-000635
 TX 01-000657
 TX 02-000007
 TX 02-000009
 TX 02-000408
2002/2003
 TX 01-000449
 TX 01-000468
2003
 ST 02-000075
 ST 02-000085
 TX 01-000464
 TX 02-000200
2003/2004

CLASSIFICATION CHANGES

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

PARCEL NO.	YEAR	OWNER	CLASS FROM	CLASS TO
102-79-043	2000	Lori Strickler	LC/4	LC/3
102-79-043	2001	Lori Strickler	LC/4	LC/3
102-79-043	2002	Lori Strickler	LC/4	LC/3
118-27-044	2000	Donovan Ellana	LC/4	LC/3
118-27-044	2001	Donovan Ellana	LC/4	LC/3
150-11-017	2000	Felishia Wendling	LC/4	LC/3
150-11-017	2001	Felishia Wendling	LC/4	LC/3
150-11-017	2002	Felishia Wendling	LC/4	LC/3
161-10-145A	2000	Lisa Padilla	LC/4	LC/3
161-10-145A	2001	Lisa Padilla	LC/4	LC/3
161-10-145A	2002	Lisa Padilla	LC/4	LC/3
174-27-230	2000	Michael Ives	LC/4	LC/3
174-27-230	2001	Michael Ives	LC/4	LC/3
174-27-230	2002	Michael Ives	LC/4	LC/3
303-57-693	2000	Robert Rockwell	LC/4	LC/3
303-57-693	2001	Robert Rockwell	LC/4	LC/3
303-57-693	2002	Robert Rockwell	LC/4	LC/3

COMPROMISES

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held February 18, 2003.) (ADM407)

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Laura Acosts	\$ 750.00	Shauntiney Bodden	\$2,800.00
Ernestine Cedilla	600.00	Ryan (Valentine) Dedman	1,000.00
Blanca DelGado	500.00	Yolanda Hernandez	3,200.00
Mary Jackson	2,400.00	Adrian Lane, Jr.	1,833.00
James Revels	225.30		

WRITE-OFFS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the requested write-offs as payment in full for the following cases: (Discussed in Executive Session held February 18, 2003.) (ADM407)

John Hargis	\$72,785.83	Graham Kyle	\$20,680.43
Victor Rivera	9,437.65	Laura Anzar	564.50
Hazel Baker	22.90	Queenie Chew	141.41
Esther Coe	1,357.52	Hilda Coffman	1,516.29
Violet Compton	570.40	Helen Crump	277.50

ADDENDUM - WITHDRAWN

CHIEF PUBLIC WORKS OFFICER, Facilities Management – Adopt plans and specifications, authorize a call for bids, and award a construction contract to the lowest responsible bidder provided that the bid is not more than 10% over the architect's estimate for the "North Central Regional Library Renovations" at 17811 North 32nd Street, Phoenix. The Project No. 2002312224 is funded from FY 2002-2003 Library Operating Budget, Fund 224, Agency 312, Org. 2312, Object Code 0915.02. (C70030355)

Clerk of the Board, Fran McCarroll announced that this item has been withdrawn and rescheduled for a later time at a Library District meeting.

PURCHASE AGREEMENT WITH PENDERGAST SCHOOL DISTRICT

(Clerk's Note: This item was taken out of order to allow a roll call vote later in the meeting when all Supervisors were present. Supervisor Wilcox had entered the meeting by the time this item was heard.)
Item: Approve a Purchase Agreement with the Pendergast School District that provides for the District to purchase approximately 20-acres of an 80-acre parcel of County owned land at the appraised price of \$52,006, per acre (\$1,040,120). The appraised amount reflects a value based on anticipated rezoning to higher density R 1-8 residential use currently in progress. Further, authorize a portion of the proceeds from the sale to be used to reimburse the Five-Year CIP Project Reserve in the amount of \$676,439 that was expended for a land purchase from the City of Avondale and for infrastructure cost obligations to the City of Avondale for development of a new joint County-City Center. (This item requires a roll call unanimous vote of the Board for approval.) (C18030130)

Supervisor Wilcox thanked Dennis Lindsey, the new real estate director for the County, saying that he had devised a very good plan for both the County and the school district on this project.

Supervisor Wilson said he had enjoyed working on this project and thanked the Avondale Mayor and Council for their cooperation.

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Motion was made by Supervisor Wilcox and seconded by Supervisor Wilson to approve the above purchase agreement with Pendergast School District. On a roll-call vote, Supervisors Brock, Stapley, Kunasek, Wilson and Wilcox voted "aye" and the motion carried by unanimous vote (5-0).

PUBLIC COMMENTS

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

SUPERVISORS' COMMENTS

Supervisor Wilcox thanked the County's lobbying team for their efforts in working on the Transportation Bill, which she said became very complicated and took many long hours of effort prior to its passage. She also commented that she had been late to this meeting because she had attended the first step in confirming her appointment to the Boxing Commission. (ADM606)

Supervisor Stapley observed, "I can't think of a better 'fighter' to put on the Boxing Commission than Supervisor Wilcox. It's appropriate."

Supervisor Stapley said that he had just returned from the National Association of Counties Annual Legislative Conference in Washington, D.C., where he had been present for many interesting issues and very successful presentations from the new Secretary of Homeland Security, Tom Ridge and First Lady Laura Bush. He said that he had participated in a press conference with Arizona Senators John McCain and Jon Kyle who are prime sponsors of a Senate Bill that would help correct the inequities that exist in the budget of the County hospital, and other hospitals, on reimbursement for undocumented patients. This bill would help to significantly compensate the Maricopa Integrated Health System with the financial burden directly related to the federal government's responsibilities to control illegal aliens crossing the border. He felt that there was an impressive coalition of senators who are supporting this bill and all are hoping for success of its passage this year.

Chairman Brock said he has been visiting every high school in his district to encourage youth to register to vote to counteract the "precipitous decline in voter registration among young adults as noted by the lowered number of eligible voters who turn out for elections and those who fail to register to vote or get involved in the process." He said he is hearing four things from the students: 1. My vote doesn't count. 2. Nobody listens. 3. Don't know how, it's too confusing. 4. Just don't care. He said he reminds them that "Every day they wake up belonging to a minority in the world because the majority of people in the world live under Communist rule, or a family oligarchy (government by a small faction of persons or families) where women may have few rights and never hold elected office. We live in a state that leads the nation in women in elected offices and females and minorities that hold responsible public positions." He believes it is vital to combat the apathy of youth regarding their involvement and responsibilities towards maintaining the freedoms, privileges and quality of life that Americans enjoy or these will slowly erode over time. He commended Supervisor Stapley for his role at the national level and Supervisor Wilcox for taking a role at the state level, and said he was trying to do so at the local level. He said that Supervisor Kunasek and Superior Court Presiding Judge Colin Campbell are working to set up a Leadership Academy at Maricopa County to bring youth in to participate and to learn how local government works.

Chairman Brock next addressed the injuries received by County Auditor Ross Tate's 10-year-old son who received more than 200 bee stings when his Boy Scout Troop was policing an open field two days ago. The Desert Vista track team heard their cries for help and raced over to carry the boys to the school and safety. He wished them all well.

Supervisor Wilson said the band students from the Coyote Hills Elementary School played in shirt sleeves for the recent opening of MCDOT's new leg of the 303 cut-off in spite of the rain and cold winds whipping through the crowd. He cited them for exemplifying the quality of youth in the community.

Chairman Brock said that there would be another voluntary clean-up get together at San Tan Park on Saturday, March 8th, beginning at 8:00 a.m. He asked all community-minded residents to join him at that time to police the roads and recreational areas.

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).

~ Supervisor Stapley left the meeting ~

CONSENT AGENDA DETAIL:

- 1. **S2002-080** **District 1**
Applicant: B & R Engineering on behalf of Sun Lakes Marketing Limited Partnership
Location: North and east of the northeast corner of Dobson Rd. & Riggs Rd. (in the Sun Lakes area)
Request: Final Plat in the R-3 R.U.P.D. zoning district for Sun Lakes Unit 46 (approximately 40.67 acres)

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

- 2. **Z2002-006** **District 3**
Applicant: Stanley Consultants, Inc.
Location: At the intersection of Gavilan Peak Pkwy. & Daisy Mountain Dr. (in the Anthem area)
Request: Rezone from Rural-43, and R1-6 R.U.P.D. to C-2 P.D. for Anthem South Mixed-Use (5.1 acres)

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2002-006, subject to the following stipulations "a" through "d". Commissioner Harris seconded the motion, which passed with a unanimous vote of 6-0.

- a. Zoning of the site is as per the Anthem Plan of Development (Z2000098, as amended) subject to zone changes as per the case map for Z2002006.
- b. Stipulations of Z2000098 (Anthem Plan of Development) shall remain in effect, as may be applicable.

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- c. Most of the site is subject to a P.A.D. Planned Area Development Overlay Zone, and thus zoning district boundary lines will be finalized with recordation of a Final Plat for Anthem South Mixed-Use.
- d. A precise Plan of Development is required for development of any parcel within the C-2 P.D. zoning district.

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

Joy Rich, Director of Planning and Development, said she would present the next three Marisol Ranch cases together as they are related, (DMP2000-06, Z2000-095 and Z2000-097) but they will be voted on separately.

REGULAR AGENDA DETAIL:

- 3. **DMP2000-06 District 4 (This case continued from February 5, 2003.)**
 - Applicant:** Earl, Curley & Lagarde, P.C. for FGR Property Investments, V, L.L.C.
 - Location:** Northeast corner of 163rd Ave. (Sarival Rd.) & Lone Mountain Rd. (in the Surprise/northwest Peoria area)
 - Request:** Development Master Plan (D.M.P.) for Marisol Ranch (634.1 acres)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of DMP2000-06, subject to the following stipulations "a" through "aa". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development shall comply with the Development Master Plan document entitled "Development Master Plan and Protected Development Rights Plan for Marisol Ranch...", prepared by Earl, Curley & Lagarde, P.C., et al, consisting of 57 pages including color and or large-size exhibits, dated revised October 31, 2002 and stamped received November 1, 2002, except as modified by the following stipulations.
- b. Major changes to the Marisol Ranch Development Master Plan with regard to use and intensity must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. The Maricopa County Planning and Development Department may administratively approve minor changes to the Marisol Ranch Development Master Plan.
- c. Prior to approval of any subsequent preliminary subdivision plats for Marisol Ranch, the applicant shall provide a signed and recorded pre-annexation agreement with the City of Surprise that indicates annexation will occur prior to development.
- d. The Development Master Plan for Marisol Ranch is granted Protected Development Rights status, but is subject to expiration as per stipulation 'v' listed below.
- e. The following Department of Transportation stipulations shall apply to development of Marisol Ranch:

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1. An approved Traffic Impact Analysis shall be on file with the Maricopa County Department of Transportation. The analysis shall include development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The analysis shall be updated with each phase to reflect existing conditions and any changes to the development plan.
2. Developer contribution for proportionate share of offsite regional roadway improvements is based upon 1,882 total residential units @ \$4,600 per unit or 11.3 land miles, whichever is the greatest value. The amount in this paragraph is based on contributions made in fiscal year 2002-2003. Contributions made each fiscal year thereafter shall be adjusted by the annual percentage change in the GDP Price Deflator as defined in Section 41-563, Subsection E of the Arizona Revised Statutes. Roadways shall meet County standards in effect at the time they are improved.
3. Maricopa County does not guarantee timing of regional roadway improvements. Developer is responsible for assuring paved access to their site at the time of the first final plat. Any improvements to the regional system necessary to provide paved access shall be credited to the developer's contribution referred to in item 2 above.
4. All identified offsite alignments must be consistent with a County approved transportation plan.
5. All-weather access shall be provided to all parcels and on all arterial roadways.
6. A minimum of two (2) access points shall be provided and available to each development phase and/or subdivision unit.
7. Loop 303 is a limited access roadway. The location of any connections shall be reviewed and approved by the Maricopa County Department of Transportation.
8. Applicant shall be responsible for submitting their arterial street network to the MAG Transportation Improvement Program for conformity analysis. Approval is required prior to commencing construction.
9. An underground conduit system (or comparable technology) shall be provided within the rights-of-way throughout the development to integrate traffic signals and for future ITS uses.
10. Schools (Pre-High School) shall not be located on arterial roads.
11. Provide neighborhood access to commercial areas by means other than using the arterial street network.
12. Use of neighborhood electric vehicles shall be accommodated in this development. Routes and other design features shall be established, as necessary, to provide safe and efficient circulation in conformance with prevailing laws and requirements at time each phase is submitted for approval.

13. Bike lanes shall be included on all arterial and major collector alignments. A bicycle circulation plan shall be provided with each phase of development.
 14. Development shall be designed to promote pedestrian and bicycle use and other alternative modes of transportation to public facilities within and adjacent to the site, (e.g., bus bays, park-and-ride lots, internal trail systems).
 15. Street lighting installation shall be the responsibility of the developer. A Street Light Improvement District or comparable authority shall be established to provide operation and maintenance.
 16. Landscaping shall conform to Chapter 9 of the MCDOT Roadway Design Manual. Maintenance of landscaping within public rights-of-way shall be the responsibility of the applicant.
 17. Offsite alignments where only two lanes are constructed, the minimum half-width right-of-way shall be acquired. Once a phase requires additional widening of the roadway beyond two lanes, the minimum full-width right-of-way shall be acquired. These widths are minimums and wider rights-of-way may be necessary due to existing terrain.
 18. No median improvements, curb and gutter, sidewalk, landscaping or signalization is required on access roads unless otherwise specified herein or in the agreement referenced in item 23, below.
 19. A construction traffic circulation plan for shall be provided for approval by the Maricopa County Department of Transportation prior to commencing construction.
 20. Applicant shall employ appropriate procedures during construction to comply with Maricopa County dust control requirements.
 21. This project is subject to the National Pollutant Discharge Elimination System (NPDES) Stormwater requirements for construction sites under the Environmental Protection Agency (EPA) General Permit for Arizona. The Applicant is responsible for complying with these requirements.
 22. Private streets are required to meet minimum County standards, including right-of-way, unless waived by the Board of Supervisors at time of subdivision platting.
 23. A development agreement or comparable document shall be executed within 90 days of DMP approval or prior to any rezoning or preliminary plat approval. This agreement shall further detail transportation issues, including improvement phasing and cost share contributions for offsite regional roadway improvements.
- f. This Development Master Plan includes a road waiver to the provision of an arterial route along the 155th Avenue alignment, an arterial route along the eastern half of the Dove Valley Road alignment, and of collector routes along mid-section line alignments.

Therefore, said road waiver requests will not be required as part of subsequent subdivision plats.

- g. A master plan for the water and wastewater infrastructure and associated treatment facilities that will serve the entire project shall be submitted for approval to the Maricopa County Environmental Services Department. Approval from the Department will be required prior to approval of the first preliminary subdivision plat and/or the first precise plan of development.
- h. Comprehensive water and wastewater master plans, prepared in accordance with the appropriate Arizona Department of Environmental Quality engineering bulletins, will be required for review and approval by the Maricopa County Environmental Services Department prior to subdivision final plat and/or water and sewer improvement plan submittals.
- i. The final Master Drainage Report shall be completed by the applicant and approved by the Flood Control District prior to Planning and Zoning Commission approval of the first preliminary plat. The report shall address the following:
 - i. The Best Technical Information, currently available, identifies significant portions of the site to be within the 100-year floodplain of the Padelford Wash. Prior to approval of any preliminary plat for any parcel within the development, the Flood Control District must review and approve an overall drainage plan which addresses all drainage issues including safely passing the 100-year flood, maintaining the sediment transport regime, and managing flood flow velocities within drainage corridors and at the downstream boundary. Such drainage solutions may result in realignment of roadways, as depicted on the project's illustrative site plan, and may also result in adjustment to land use boundaries.
 - ii. Due to the uncertain nature of flood flow distribution across the 100-year floodplain, the drainage corridor identified as the main stem of the Padelford Wash, which crosses 163rd Avenue south of the Dove Valley Road alignment, must be utilized as part of the overall drainage system in order to maintain adequate conveyance for the 100-year flood, in addition to the proposed drainage corridor adjacent to 163rd Avenue.
 - iii. Prior to any development, the developer must contact the Flood Control District concerning a Floodplain Use Permit for any development within the 100-year floodplain and appropriate submittals to the Federal Emergency Management Agency (FEMA).
 - iv. Prior to issuance of building permits for individual buildings within the 100-year floodplain, individual Floodplain Use Permits must be obtained for each such building. Any such building lots requiring a Floodplain Use Permit must be specifically identified on the Final Plat.
 - v. Prior to issuance of any building permits within the 100-year floodplain, the requirements for Floodplain Use Permits and FEMA submittals and approvals must be satisfied.

- vi. The Preliminary Master Drainage Report indicates that stormwater from the site will be detained, rather than retained on-site, subject to maintaining peak flows from the site at or below pre-development conditions. The Drainage Regulations for Maricopa County require developments to have a retention system that receives and retains the volume generated from the 100-year, 2-hour runoff event falling over the entire development site, including all rights-of-way, excluding off-site flows. A variance from the drainage regulations must be obtained in order to retain a volume less than the 100-year, 2-hour event.

- j. An archaeological survey of the subject property shall be conducted, prior to Planning and Zoning Commission approval of the first preliminary plat, to locate and evaluate cultural resources that might be present. Once the survey is complete, a report of the results shall be sent to the Arizona State Historic Preservation Office for review and comment before any ground disturbing activities related to development are initiated. If prehistoric or historic sites are identified within the subject area, it may be necessary to have archaeological testing performed at the sites to evaluate their eligibility for the National or State Register of Historic Places. Further, if Register eligible properties cannot be avoided by project activities, then the Arizona State Historic Preservation Office shall determine if a data recovery (excavation) program is necessary. Should federal permits be required for the project, then any archaeological work performed must meet the Secretary of Interior Standards, and will be subject to the provisions of Section 106 of the National Historic Preservation Act.

- k. The total number of dwelling units for Marisol Ranch shall not exceed 1,882 unless modification approval is provided by the Maricopa County Board of Supervisors. The number of dwelling units (single-family and multi-family) shall be tracked on subdivision plats.

- l. The developer shall be responsible for construction of all public and private on-site roadways within the designated Marisol Ranch boundaries. Further, the homeowners/property owners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and facilities, washes, parks, roadway median landscaping, landscaping within the public rights-of-way, and of pedestrian, bicycle, and multi-use pathways.

- m. All water for construction purposes and irrigation supplied to common areas and water used to fill or refill lakes or water features in common areas shall be provided entirely by a renewable supply of water, such as treated effluent, surface water or CAP water, upon completion of 1,882 units or within five (5) years after commencement of on-site development whichever comes first. Interim water for construction purposes, irrigation of golf courses and common areas and filling or refilling lakes may be supplied by groundwater and shall be in direct compliance with prevailing ADWR and Active Management Area rules and regulations.

- n. Prior to Planning and Zoning Commission approval of each preliminary plat, developer will provide a "will serve" letter from Arizona-American Water Company for the provision of potable water. Developer may submit a "will serve" letter from a different qualified

public or private utility in place of Arizona-American Water Company upon approval by the Maricopa County Planning and Development Department.

- o. Prior to Planning and Zoning Commission approval of each preliminary plat, developer will provide a "will serve" letter from Arizona Public Service for electric service. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Arizona Public Service upon approval by the Maricopa County Planning and Development Department.
- p. Prior to Planning and Zoning Commission approval of each preliminary plat, developer will provide a "will serve" letter from Rural/Metro Fire Department for fire protection services. Developer may submit a "will serve" letter from a different qualified public or private fire service in place of the Rural/Metro Fire Department upon approval by the Maricopa County Planning and Development Department.
- q. Prior to Planning and Zoning Commission approval of each preliminary plat, developer will provide a "will serve" letter from Qwest Communications for telephone service. Developer may submit a "will serve" letter from a different qualified public or private telephone company in place of Qwest Communications upon approval by the Maricopa County Planning and Development Department.
- r. Should the developer elect to develop with natural gas service, then prior to Planning and Zoning Commission approval of each preliminary plat, developer will provide a "will serve" letter from Southwest Gas. Developer may submit a "will serve" letter from a different qualified public or private utility in place of Southwest Gas upon approval by the Maricopa County Planning and Development Department.
- s. Prior to Planning and Zoning Commission approval of each preliminary plat, the developer will submit a landscaping inventory and salvage plan which identifies and assesses the native trees and cacti within the development parcel, and which determines the preservation/disposition for each of the selected native trees and cacti to the Planning and Development Department. The project shall comply with all Arizona native plant laws.
- t. Prior to Planning and Zoning Commission approval of the first preliminary plat, the developer shall enter in a development agreement with the Library District of Maricopa County. Said agreement shall detail whether the developer will provide a site and/or facility for a library branch, or provide a monetary contribution for public library services. Said development may include a quality of life assessment of \$377 per unit that shall be made available to the Maricopa County Library District to be used for operational purposes only.
- u. One hundred dollars (\$100) per house will be paid by the developer as each residential unit at the time the building permit is issued to a fund trails and park/recreational facilities enhancement and maintenance. The County shall deposit and hold all receipts in the parks enhancement fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund.

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- v. The Development Master Plan shall expire in ten (10) years from the date of approval by the Board of Supervisors if a final subdivision plat has not been approved, in accordance with the Maricopa County Development Master Plan Guidelines. Any request for a time extension must be received at least six months prior to the expiration date.
- w. Development and related construction activity shall comply with the "Guidelines for Handling Sonoran Desert Tortoises Encountered on Development Projects", consisting of two pages dated revised January 17, 1997 and stamped received August 26, 2002.
- x. The developer shall provide trail access from the open space hillside area on the eastern edge of Marisol Ranch to the southern property line to allow for pedestrian access to the open space area by the adjacent property owners.
- y. Salvageable native vegetation shall be tagged and relocated as part of the development of the Marisol Ranch master-planned community.
- z. Development will comply with City of Surprise requirements for the Scenic Corridor along 163rd Avenue (Sarival Road).
- aa. Unless annexed into the City of Surprise, prior to approval of a final plat by the Board of Supervisors, the applicant shall enter into a development agreement with the Maricopa County Sheriff's Office to ensure the adequate provision of police services to the site. A copy of the agreement shall be provided to the Planning and Development Department.

Joy Rich, Director of Planning and Development, said the first of these three related cases is the Development Master Plan for a community primarily comprised of single-family detached housing with many community amenities added. She said the proposal does not comply with the White Tanks Grand Avenue Master Plan, however, as a DMP it would amend that plan. It also does not comply with the City of Surprise General Plan in density. The City would prefer that this be processed through their jurisdiction and has voice opposition to it. The Planning Commission recommended approval however staff did not agree because of the City's opposition. Supervisor Wilson has worked with the applicant on compliance with the grid system and revisions have been made to certain stipulations as noted in the handout distributed earlier by the applicant. These changes were not reflected on the agenda but are given below.

- a. Development shall comply with the Development Master Plan document entitled "Development Master Plan and Protected Development Rights Plan for Marisol Ranch...", prepared by Earl, Curley & Lagarde, P.C., et al, consisting of 57 pages including color and/or large-size exhibits, dated revised October 31, 2002 and stamped received November 1, 2002, except as modified by the following stipulations. A REVISED DOCUMENT SHALL BE SUBMITTED WITHIN 30 DAYS OF APPROVAL BY THE BOARD OF SUPERVISORS THAT INCORPORATES PROJECT MODIFICATIONS AS PER THE LAND USE AND OPEN SPACE EXHIBITS, DATED REVISED FEBRUARY 2003, THAT WERE PRESENTED TO THE BOARD OF SUPERVISORS ON MARCH 5, 2003.
- c. Prior to approval of any subsequent preliminary subdivision plats for Marisol Ranch, the applicant shall provide a signed and recorded pre-annexation agreement with the City of Surprise OR CITY OF PEORIA that indicates annexation will occur prior to development.

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- f. The Development Master Plan includes a road waiver to the provision of an arterial route along the 155th Avenue alignment, ~~an arterial route along the eastern half of the Dove Valley Road alignment,~~ and of A collector routes along THE E/W mid-section line alignments. Therefore, said road waiver requests will not be required as part of subsequent subdivision plats.
- t. Prior to Planning and Zoning Commission approval of the first preliminary plat, the developer shall enter in a development agreement with the Library District of Maricopa County. Said agreement shall detail whether the developer will provide a site and/or facility for a library branch, or provide a monetary contribution for public library services. Said development may include a quality of life assessment of \$377 per unit that shall be made available to the Maricopa County Library District to be used for operational purposes only, UNLESS CREDIT IS AFFORDED DUE TO THE PROVISION OF A LIBRARY SITE.
- aa. Unless annexed into the City of Surprise OR CITY OF PEORIA, prior to approval of a final plat by the Board of Supervisors, the applicant shall enter into a development agreement with the Maricopa County Sheriff's Office to ensure the adequate provision of police services to the site. A copy of the agreement shall be provided to the Planning and Development Department.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the recommendation from the Planning Commission for approval subject to stipulations "a" through "aa" with modifications to stipulations "a", "c", "f", "t" and "aa" as shown above:

- 4. **Z2000-095** **District 4 (This case continued from February 5, 2003.)**
 - Applicant:** Earl, Curley & Lagarde, P.C. for FGR Property Investments, V, L.L.C.
 - Location:** Northeast corner of 163rd Ave. (Sarival Rd.) & Lone Mountain Rd. (in the Surprise/northwest Peoria area)
 - Request:** Rezone from Rural-43 to Rural-43, R1-18 R.U.P.D., R1-10 R.U.P.D., R1-8 R.U.P.D., R1-7 R.U.P.D., R1-6 R.U.P.D., R-2 R.U.P.D., and C-1 P.D. with a P.A.D. overlay zone for the entire site for Marisol Ranch (634.1 acres)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of Z2000-095, subject to the following stipulations "a" through "p". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development shall comply with the Zoning document entitled "Narrative Report for Marisol Ranch... Planned Area Development / Residential Unit Plan of Development – Application #: Z-2000-095...", prepared by Earl, Curley & Lagarde, P.C., et al, consisting of 25 pages including color and/or large-size exhibits, dated revised October 31, 2002 and stamped received November 1, 2002, except as modified by the following stipulations. Within 30 days of Board of Supervisors approval, the Zoning document (narrative report and site plan exhibits) shall be revised as follows:
 - i. To include street-side setbacks in the R.U.P.D. comparison chart;
 - ii. To incorporate typical lot illustrations for the R1-18 R.U.P.D., R1-10 R.U.P.D., R1-8 R.U.P.D., R1-7 R.U.P.D., R1-6 R.U.P.D. and R-2 R.U.P.D. zoning districts; and

- iii. To clarify how zero lot lines will be accommodated in the R1-8 R.U.P.D., R1-7 R.U.P.D. and R1-6 R.U.P.D. zoning districts; and the proposed housing product for the R-2 R.U.P.D. zoning district.
- b. An R.U.P.D. comparison chart and typical lot illustrations shall be included on all subsequent preliminary and final subdivision plat documents.
- c. Prior to approval of any subsequent preliminary subdivision plats for Marisol Ranch, the applicant shall provide a signed and recorded pre-annexation agreement with the City of Surprise.
- d. The commercial zone, Parcel U, is subject to a P.D. overlay (C-1 P.D. zoning district), and a precise Plan of Development will be required prior to any development.
- e. The entire site shall be subject to a Planned Area Development (P.A.D.) Overlay Zone. Zoning district boundary lines shall be reflected on the subdivision plats.
- f. A precise plan of development (for Special Use Permit) will be required prior to development of any of the well sites if treatment is proposed.
- g. Prior to any final plat being approved, a water and sewer master plan shall be submitted by the applicant and approved by the Maricopa County Environmental Services Department.
- h. Residential development shall be prohibited on hillside slopes of 10% or greater slope.
- i. Major changes to this plan of development 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.
- j. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- k. The zoning for Marisol Ranch shall expire in ten (10) years from the date of approval by the Board of Supervisors if a final subdivision plat has not been approved. A request for extension must be received at least six months prior to the expiration date.
- l. Zoning of Marisol Ranch shall remain in compliance with the following Department of Transportation stipulations:
 - 1. A minimum of two (2) access points shall be provided and available to each development phase and/or subdivision unit.
 - 2. All-weather access must be provided to all parcels.

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3. Provide the ultimate 70' half-width right-of-way on the east side of Sarival Road (163rd Avenue) adjacent to the site.
 4. Provide the ultimate 55' half-width right-of-way on the north side of Lone Mountain Road and on the south side of Dove Valley Road (except the east half) adjacent to site.
 5. Any landscaping in County right-of-way must meet MCDOT roadway design requirements and plant list.
- m. If a perimeter wall is proposed, wrought-iron view fencing shall be maintained adjacent to all open space areas along the perimeter of Marisol Ranch in order to maintain vista corridors to adjacent residential communities.
 - n. Landscaping in common areas shall emphasize indigenous or near-native plant species of a xeriphytic nature.
 - o. All stipulations of DMP200006 shall remain in effect.
 - p. The southern two rows of homes in parcel I shall be limited to one-story, 24 feet in height.

Joy Rich offered the following revision to stipulation "a":

- a. Development shall comply with the Zoning document entitled "Narrative Report for Marisol Ranch... Planned Area Development / Residential Unit Plan of Development - Application # Z-2000-095...", prepared by Earl, Curley & Lagarde, P.C., et al, consisting of 25 pages including color and/or large-size exhibits, dated revised October 31, 2002 and stamped received November 1, 2002, except as modified by the following stipulations. A REVISED DOCUMENT SHALL BE SUBMITTED WITHIN 30 DAYS OF APPROVAL BY THE BOARD OF SUPERVISORS THAT INCORPORATES PROJECT MODIFICATIONS AS PER THE ZONING EXHIBIT, DATED REVISED FEBRUARY 2003, THAT WAS PRESENTED TO THE BOARD OF SUPERVISORS ON MARCH 5, 2003; and as follows
 - i. To include street-side setbacks in the R.U.P.D. comparison chart;
 - ii. To incorporate typical lot illustrations for the R1-18 R.U.P.D., R1-10 R.U.P.D., R1-8 R.U.P.D., R1-7 R.U.P.D., R1-6 R.U.P.D. and R-2 R.U.P.D. zoning districts; and
 - iii. To clarify how zero lot lines will be accommodated in the R1-8 R.U.P.D., R1-7 R.U.P.D. and R1-6 R.U.P.D. zoning districts; and the proposed housing product for the R-2 R.U.P.D. zoning district.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the Planning Commission recommendation for approval subject to stipulations 'a' - 'p' including revised language to stip. 'a', as shown above:

5. **Z2000-097** **District 4 (This case continued from February 5, 2003.)**
Applicant: Earl, Curley & Lagarde, P.C. for FGR Property Investments, V, L.L.C.

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Location: East of the northeast corner of 163rd Ave. (Sarival Rd.) & Lone Mountain Rd. (in the Surprise/northwest Peoria area)
Request: Special Use Permit (S.U.P.) for a wastewater treatment plant in the R1-8 R.U.P.D. P.A.D. zoning district for Marisol Ranch (1.7 acres)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of Z2000-097, subject to the following stipulations "a" through "h". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development shall comply with the Special Use Permit document entitled "Narrative Report for Marisol Ranch... Special Use Permit for Wastewater Treatment Facility – Application #: Z-2000-097...", prepared by Earl, Curley & Lagarde, P.C., et al, consisting of 25 pages including color and/or large-size exhibits, dated revised October 31, 2002 and stamped received November 1, 2002, except as modified by the following stipulations.
- b. A precise Plan of Development for the wastewater treatment plant facility shall be submitted for approval by the Board of Supervisors after recommendation by the Planning and Zoning Commission.
- c. An eight-foot (8') tall solid wall shall enclose the perimeter of the wastewater treatment facility. The wall and any gates shall have a decorative treatment.
- d. Dense vegetation consistent with native desert palette shall be planted adjacent to the wastewater treatment facility building and external to the facility's perimeter wall. The landscape plans shall be subject to neighborhood review prior to final approval of the precise plan referenced in stipulation 'b' above.
- e. The developer shall incorporate non-evasive odor control technology with the design and development of the wastewater treatment facility subject to precise plan approval as referenced in stipulation 'b' above.
- f. The wastewater treatment facility shall be located at least one-half mile east of the edge of the ultimate right-of-way of 163rd Avenue, and at least 300 feet north of Lone Mountain Road, as shown on the Development Master Plan.
- g. The developer agrees to abandon the on-site wastewater treatment plant and hook-up to the City of Surprise sewer system when said system is constructed adjacent to the development.
- h. All stipulations of DMP200006 and Z2000095 shall remain in effect.

Joy Rich offered the following suggested modification to stipulation "a":

- a. Development shall comply with the Special Use Permit document entitled "Narrative Report for Marisol Ranch... Special Use Permit for a Wastewater Treatment Facility - Application # Z-2000-097...", prepared by Earl, Curley & Lagarde, P.C., et al, consisting of 25 pages including color and/or large-size exhibits, dated revised October 31, 2002 and stamped received November 1, 2002, except as modified by the following

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stipulations. A REVISED DOCUMENT SHALL BE SUBMITTED WITHIN 30 DAYS OF APPROVAL BY THE BOARD OF SUPERVISORS THAT INCORPORATES PROJECT MODIFICATIONS AS PER THE ZONING EXHIBIT, DATED REVISED FEBRUARY 2003, THAT WAS PRESENTED TO THE BOARD OF SUPERVISORS ON MARCH 5, 2003.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the recommendation of the Planning Commission for approval subject to modified stipulations "a" through "h." with modifications of revised language to stipulation "a", as shown below:

- 6. S2002-023 District 4**
Applicant: Adobe West Construction
Location: Southeast corner of Dysart Rd. & Maryland Ave. (in the west Glendale area)
Request: Final Plat in the R1-18 zoning district for Dysart Ranch (approximately 19.6 gross acres)

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to concur with the recommendation from the Planning Commission for approval of this final plat.

MEETING ADJOURNED

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

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board