

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
December 21, 2005**

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., December 21, 2005, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1; Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Paul Golab, Deputy County Attorney and Anne Longo, Assistant Chief Counsel. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

INVOCATION

Helen Purcell, County Recorder, delivered the invocation.

PLEDGE OF ALLEGIANCE

Fran McCarroll, Clerk of the Board, led the assemblage in the Pledge of Allegiance.

PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS

Chairman Wilson called for a public hearing on liquor license applications. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek, to recommend approval of the following liquor license applications: (Note: "a" was approved pending receipt of approval notification from Environmental Services which was received later in the day.)

- a. Application filed by Kandou G. Danou for an Original, Series 12 Liquor License: (LL6168)
 - Business Name: Giant Manhattan Pizzeria & Deli
 - Location: 13821 W. Glendale Avenue, Glendale 85307

- b. Application filed by Eric George Kilstrom for a Special Event Liquor License: (F23164) (SELL710)
 - Business Name: We Care in Anthem
 - Location: 4111 Freedom Way, Anthem, 85086
 - Dates/Times: January 6, 2006; 12:00 noon to 11:00 pm
January 7, 2006; 10:00 am to 7:00 pm
January 8, 2006; 10:00 am to 5:00 pm

- c. Application filed by Donald E. Majdecki for a Special Event Liquor License: (F23164) (SELL711)
 - Business Name: Knights of Columbus #6612
 - Location: 15800 Del Webb Boulevard, Sun City, 85351
 - Date/Time: January 18, 2006; 3:00 pm to 7:00 pm

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "nay."

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PUBLIC HEARING - STREET NAME CHANGE

Chairman Wilson called for a public hearing to solicit comments on this matter. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the street name of a previously un-named alignment to El Camino Dorado in Goldfield Ranch Phase 1, Lot 13, Southwest Quarter Section 12, Township 3 North, Range 7 East between North Goldfield Road and the south boundary of the Tonto National Forest. (C4406010000) (ADM2018)

ACCEPT GRANTS FOR CLERK OF THE SUPERIOR COURT

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to accept FY 2005-06 grants for the Clerk of the Superior Court in the amount of \$3,562,219. The indirect costs (based upon a rate of 33.11%, calculated by the Department of Finance) of \$1,179,451 are not fully recoverable, as reflected in the funding agreements. FY 2005-06 grants allow for \$238,301 of recoverable indirect costs and \$941,150 of unrecoverable costs. This also approves revenue and expenditure appropriation adjustments of \$116,051 in the Clerk of the Superior Courts Grants Fund (216), and approve revenue and expenditure appropriation adjustments of \$256,107 in the Clerk of the Court Fill the Gap Fund (218). Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1606004300)

DONATION

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a donation by James T. Sherman to the Sheriff's Office Mounted Unit of a horse named "Chester". "Chester" is a six-year old 16.3 hands high warm blood paint gelding, bay and white in color, weighing approximately 1,600 pounds. The estimated annual cost for normal feeding of this horse is \$3,000; the horse has an estimated value at \$9,000. Care and maintenance of the Sheriff's Office Mounted Unit horses and mules is currently covered in the intergovernmental agreement with the US Forest Service. (C5006036M00) (ADM3916)

TRANSFER EXPENDITURE AUTHORITY FOR FINGERPRINTING

Pursuant to A.R.S. §42-17106, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to transfer FY 2005-06 expenditure authority from the Sheriff's Office Detention Operations Fund (255) in the amount of \$1,086,864, to the Sheriff's Office (500) General Fund (100) so that funding for fingerprinting is properly allocated between the Detention Fund and the General Fund. Also approve the transfer of expenditure authority in the amount of \$1,086,864 from the General Government (470) General Fund (100) Reserved Items (4711) for "Justice Reserve" to the General Government (470) Detention Fund (255) Contingency (4711) for "Detention Fund Operating" to offset the transfer and maintain the level of expenditure authority by fund. (C5006037800) (ADM3900-003)

ACCEPT FUNDS FROM SCAAP FOR INCARCERATING UNDOCUMENTED CRIMINAL ALIENS

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve acceptance of \$1,297,752 in funding from the Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP). Also approve an increase in revenue and expenditure authority in the amount of \$1,297,752 in Appropriated Fund Balance (480) Detention Fund (255) and the creation of a

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new line item in Appropriated Fund Balance (480) Detention Fund (255), Reserved Contingency (4811) called "Non-Recurring Jail-Related Expenses." With further Board of Supervisors' approval, this funding may be used by the Sheriff's Office for one-time or emergency detention costs. The purpose of this grant program (CFDA 16.606) is to reimburse state and local government agencies a portion of the costs to incarcerate undocumented criminal aliens. The inmate costs calculation only includes detention staff whose primary responsibility is the care, custody, or supervision of persons detained (pre-trial detention) and incarcerated (convicted and sentenced) inmates. Since no other staff members are eligible, indirect costs are not recoverable. This reimbursement was based on FY 2003-04 expenditure data. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5006512300)

APPLY AND ACCEPT GRANT FOR AN OUTBOARD ENGINE AND AIRBOAT

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to adopt a resolution authorizing the application of grant funding from the Arizona State Parks Board and if awarded, approve acceptance of up to \$47,325.00 in a State Lake Improvement Fund grant. The purpose of this grant request is to fund the purchase of one outboard engine (LP34) for \$9,325.00 and one replacement airboat for \$38,000.00, to be used in patrolling the lakes. The Sheriff's indirect cost rate is 17.2%; the unrecoverable indirect costs for this grant are \$8,139.90. The anticipated term of the grant is December 1, 2006 through November 30, 2008. (C5006513300)

AGREEMENT WITH USDA FOREST SERVICE TO ENFORCE LAWS

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Cooperative Law Enforcement Agreement between the Maricopa County Sheriff's Office and United States Department of Agriculture, Forest Service, Tonto National Forest. This agreement gives the Maricopa County Sheriff's Office authority to enforce the state and local laws on the national forest system lands located within Maricopa County. The term of this agreement is from date of execution through September 30, 2010. (C5006514200)

APPLY AND ACCEPT GRANTS FOR JUVENILE PROBATION DEPARTMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the application for, and acceptance of, the FY 2005-06 grants for the Juvenile Probation Department of the Judicial Branch. Approval of the grants will increase grant funding by \$1,992,999, because actual grant funding received was more than anticipated and budgeted. Approve an increase to the Juvenile Probation Grants Fund (227) revenue and expenditure appropriations of \$1,992,999. Grant revenues are not local revenues for the purpose of constitutional expenditure limitation, therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The indirect cost rate as of July 1, 2005 is 26.34%, as calculated by the Department of Finance. Most of the grants for FY 2005-06 do not allow for indirect cost recovery, as reflected in the funding agreements. (C2706004300)

LEASE RENEWAL WITH CITY OF EL MIRAGE FOR COURTHOUSE AND PARKING SPACE

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the third renewal option for Lease No. MC10146, between Maricopa County and the City of El

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Mirage for continued use of courthouse and parking space at the County's Northwest Superior Court facility located in Surprise. This option will extend the term from January 1, 2006 to December 31, 2006, with rent payments increased to reflect area market rates. The monthly rental cost is \$3,529.71, for an annual fee of \$42,356.52. (In addition to actual square footage, the monthly rental costs include parking spaces, work stations, and security.) Legal approval is subject to review of final documents. (C3803012203)

ACCEPT GRANTS AND REVENUE FOR THE TRIAL COURTS DEPARTMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the FY 2005-06 grants and associated revenue for the Trial Courts Department of the Judicial Branch in the amount of \$3,526,867.00. The indirect costs (based upon a rate of 41.533%, approved by the Department of Finance) of \$1,362,488.82, are not fully recoverable from the funding, as all of the grants for FY 2005-06 do not allow for indirect cost recovery. Approve revenue and expenditure appropriation adjustments of \$235,805.00 in the Superior Court Fill the Gap Fund (264). Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C3806012300)

REWARDING IDEAS PROGRAM

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize employee awards from the Rewarding Ideas Program in the amount of \$387 and presentation of the awards on January 4, 2006. (C2006024000) (ADM3333-002)

AMENDMENT WITH JEFFERSON SQUARE FOR SPACE

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and execute amendment to Lease No. L7368 with Jefferson Square, a limited partnership, lessor, for 1,400 square feet of office and computer training space located at 132 S. Central Avenue, Suite 6, Phoenix, AZ. This amendment will extend the term of the existing lease from July 1, 2006 to December 31, 2006, at which time the Office of the Public Defender will be relocated to the new Downtown Regional Court Center. The annual rental rate is at \$12 per square foot or a total annual rate of \$8,400, plus rental tax. The county agrees to pay the total six-month rental fee during July 2006, in order to retain the existing rental rate (C5205007400). (C5206003400)

RESOLUTION FOR FIFTH AMENDMENT TO HEALTH CARE PLAN

As required by Internal Revenue Service Notice 2005-42 and in accordance with the Internal Revenue Code Section 125 Cafeteria Plan, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to adopt a resolution authorizing the Fifth Amendment to the Maricopa County Health Care Plan by adding the two and one-half month grace period immediately following the end of the plan year, during which, unused benefits or contributions remaining at the end of the plan year may be paid or reimbursed to plan participants for qualified benefit expenses incurred during the grace period. The amendment also ratifies and confirms the maximum \$5,200 salary reduction benefit. (C3506008700)

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**FIFTH AMENDMENT TO
THE MARICOPA COUNTY HEALTH CARE PLAN**
(Amended and Restated)

WHEREAS, the Board of Supervisors of Maricopa County, Arizona (the "County"), adopted The Maricopa County Health Care Plan, effective as of January 1, 1985 (the "Plan"), as a benefit plan to operate in conjunction with the Maricopa County Cafeteria Plan for the purpose of providing health care benefits to its employees; and

WHEREAS, the County is authorized, pursuant to Section 6.1 of the Plan, to adopt amendments to the Plan; and

WHEREAS, the County has determined that such amendments are required to assure the Plan's successful operation and administration;

NOW, THEREFORE, pursuant to the authority granted in Section 6.1 of the Plan, the Plan is hereby amended, effective January 1, 2005, as follows:

1. Subparagraph (b) of Section 3.1, Salary Reduction Order, is amended in its entirety to read as follows:

"(b) The maximum Compensation a Participant may elect to contribute to his Health Care Account during any Plan Year shall not exceed \$5,200."

2. Subparagraph (a) of Section 4.1, Submission of Claims, is amended in its entirety to read as follows:

"(a) Each Participant shall file with the Committee, at such time as the Committee may prescribe by rule or regulation, but not later than the last day of the fifth month following the close of a Plan Year, a claim statement on a form provided by the Committee, setting forth all Covered Health Expenses incurred by the Participant for such Plan Year, as of the date of such filing and for which the Participant seeks reimbursement or indemnification under this Plan. As part of any such claim statement, each Participant shall submit a written statement from an independent third party stating that the expense for Health Care has been incurred and the amount of such expense and a written statement signed by the Participant to the effect that the expense for which reimbursement is sought has not been reimbursed or is not reimbursable under any other plan. Benefits under this Plan shall be paid only if the Covered Health Expenses were incurred while the Employee was a Participant in this Plan and then only to the extent they were incurred during the Plan Year to which they relate and, effective for the Plan Year commencing January 1, 2005, for the period of 2 ½ months following the close of the Plan Year. Any claim for Health Care Expenses incurred during the 2 ½ month period following the close of a Plan Year shall first be submitted for payment from the Participant's Health Care

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Account for the preceding Plan Year and, once exhausted, shall be submitted for payment for the Plan Year in which in Health Care Expenses were incurred. For purposes of this Plan, an expense is treated as having been incurred by the Participant when the Participant is provided with the service or product that gives rise to the expense and not when the Participant is finally billed, charged for, or pays the expense. The County shall maintain the confidentiality of all information provided to it by a Participant to the fullest extent permitted by law.”

IN WITNESS WHEREOF, the County has caused this Fifth Amendment to be signed by its duly authorized representative.

DATED this 21st day of December 2005.

/s/ Max W. Wilson, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

REJECT CLAIMS DEMANDS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to reject claim demands, November 2005, for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to the A.R.S. §11-629 (not a proper charge against the county) and A.R.S. §11-622 (claims not having been filed within six months after the last item of the account accrues). (A.R.S. §11-629 \$1,054,400.16 and A.R.S. §11-622 \$0.00). (C3906007700) (ADM1804)

MONTHLY REPORT

November 2005

Vendor	Amb., Doctors, Hosp. ARS 11-629	Over Six Months ARS 11-622
Advanced Cardiac Specialists	575.00	
Allure Plastic Surgery Pc	33,277.00	0.00
Arizona Grand Medical	213.00	0.00
Associated Ophthalmologists	4,370.00	0.00
Associated Retina Consultants	3,425.00	0.00
Banner Baywood Heart	23,851.49	0.00
Banner Good Samaritan Reg Med	147,137.65	0.00
Bethancourt, Bruce A Md	405.00	0.00
Cardiology Specialists Of Casa	850.00	0.00
City Of Phoenix Ambulance	3,875.12	0.00
Clinical Diagnostic Radiology	1,040.00	0.00
Diagnostic Radiology Ltd	28.00	0.00
Emergency Physicians Prof Asso	2,067.00	0.00
Empower Emergency Physicians	119.00	0.00
Jacinto L Marquez, Md	990.00	0.00

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Maricopa Health Systems	588,619.18	0.00
Medpro	73,533.42	0.00
Northern Montana Hospital	695.80	0.00
Pathology Specialists	44.33	0.00
Phoenix Infectious Disease	175.00	0.00
Phoenix Memorial Hospital	36,142.96	0.00
Professional Diagnostix	275.00	0.00
Professional Medical Transport	2,973.08	0.00
Scottsdale Health Osborn	43,277.64	0.00
Sjh Trauma Billing	310.24	0.00
Southwest Ambulance	4,202.37	0.00
Southwest Neuro-Imaging	863.00	0.00
St Josephs Hosp Arizona	67,753.00	0.00
St Luke's Medical Center	13,311.88	0.00
Grand Total:	1,054,400.16	
Restitution	0.00	
Total Denials:	1,054,400.16	

APPROPRIATED FUND TRANSFER TO PATHLORE RENEWAL FOR LMS SUPPORT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the transfer of \$7,480 from Appropriated Fund Balance (480) General Fund (100) Reserved Contingency (4811) "Technology Projects" to new line item in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) called "Pathlore Renewal". Pathlore provides Maricopa County with software licenses and support for its Learning Management System (LMS). LMS is the Maricopa County's application for tracking employee training. Maricopa County has been using Pathlore's LMS since September 2000. LMS is a proprietary product from Pathlore and has been integrated into Maricopa County's PeopleSoft Human Resources System. This \$7,480 represents sales tax that was inadvertently left off agenda C3106001100, that was approved by the Board of Supervisors on August 24, 2005 (C3106001100). (C3106006100) (ADM3300-003)

AMENDMENT TO LAW ENFORCEMENT OFFICERS MERIT SYSTEM

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an amendment to the Law Enforcement Officers Merit System Rule 10.03.A. Dismissals, requiring appeals be filed no later than 10 business days following the date of receipt by the employee of a written order, rather than 10 calendar days. On November 2, 2005, the Law Enforcement Officers Merit Commission unanimously approved an amendment to Rule 10.03.A. Dismissals, requiring appeals be filed not later than 10 business days following the date of receipt by the employee of a written order, rather than 10 calendar days. No objections were filed. The purpose of the amendment is to mirror the language in the Employee Merit System Rules requiring a deadline of 10 business days. The change from calendar days to business days allows the employee additional time in which to file an appeal. (C3106007600) (ADM3306-001)

PERSONNEL AGENDAS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas. Exhibits A and B will be found at the end of this set of Minutes.

FUND TRANSFERS FOR ACCUMULATED CASH DEFICIT OF THE HEALTH PLANS

Pursuant to A.R.S. §42-17106B, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following:

- o Increase budgeted revenue for Maricopa Managed Care Systems (600) Health Plan Fund (541) and Long Term Care Plan Fund (551) by a combined total of \$24,200,000, and
- o Increase the appropriated expenditure budget for Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) Health Plans Operating Subsidy by \$24,200,000.

Authorize fund transfers in amounts totaling \$24,200,000 from the General Fund (100) to the Health Plan Fund (541) and Long Term Care Plan Fund (551). These actions will require appropriation adjustments increasing the Maricopa Managed Care Systems (600) Health Plan Fund (541) and Long Term Care Plan Fund (551) revenue budget by \$24,200,000, and increasing Appropriated Fund Balance (480) General Fund (Fund 100) appropriated expenditures by \$24,200,000, with offsetting adjustments to Eliminations resulting in a net impact of zero. The allocation of the fund transfers between Funds (541) and (551) will be determined at a later date. The amount to be transferred from the General Fund is available from additional beginning fund balance that was not anticipated in the FY 2005-06 adopted budget. Because this action does not change the expenditures of Maricopa Managed Care Systems, this adjustment has a zero net impact on the county budget. Approval of these actions will provide for the accumulated cash deficit in the two funds administered by Maricopa Managed Care Systems. The cash deficit is the result of payment of claims and other operating expenses of the health plans. The FY 2005-06 budget as adopted, assumed that a total of \$40,200,000 would be transferred from the General Fund to the Health Plan (AHCCCS) and Long Term Care Plan (ALTCS) funds before the end of FY 2004-05. However, \$24,200,000 less was actually transferred, leaving the difference carried over to FY 2005-06. (C4906018000) (ADM2100-003)

EXPENDITURE ADJUSTMENTS FOR HEALTH AND DENTAL PREMIUM CHANGES

Pursuant to A.R.S. §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following expenditure appropriation adjustments totaling \$2,750,302 (\$1,895,326 for the General Fund and \$854,976 for the Detention Fund):

- o Reduce General Government General Fund Reserved Contingency-Health/Dental Premium Increase (100-470-4711) in the amount of \$1,895,326,
- o Reduce General Government Detention Fund Reserved Items - New Facility Operating Costs (255-470-4711) in the amount of \$854,976, and
- o Increase departmental General and Detention fund budgets by the amounts on the schedule on file in the Clerk of the Board's office.

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This action is required to fund the employer portion of the health and dental premium changes as indicated on agenda item C3506003100, approved by the Board of Supervisors on September 21, 2005. The countywide net impact of these adjustments is zero. (C4906032800) (ADM3324)

AMENDMENTS FOR HIV SUPPORT SERVICES

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

- a. The amendment of the Contract No. C86058021 with Body Positive, Inc., for the provision of HIV psychosocial support services to individuals and families affected by HIV/AIDS. The amendment of the contract increases the contract dollar amount by \$25,000, to a contract amount of \$110,000, for the contract period of March 1, 2005 through February 28, 2006. Body Positive was a successful respondent to a Request for Proposals (MC1-329) issued by the Department of Public Health on October 2, 2003. (C8605802102)
- b. Amendment No. 2 to Contract C8605816100 with Body Positive, Inc., for the provision of HIV nutrition services to individuals and families affected by HIV/AIDS. The amendment of the contract increases the contract dollar amount by \$15,000, to a contract amount of \$215,000, for the contract period of March 1, 2005 through February 28, 2006. Body Positive was a successful respondent to a Request for Proposals (MC1-329) issued by the Department of Public Health on August 9, 2001. The original contract was approved by the Board of Supervisors on February 20, 2002 (C86026011), and subsequently renewed on March 5, 2003 (C86037161). (C8605816102)
- c. Amendment No. 2 to Contract C8605823100 with Phoenix Indian Medical Center – Indian Health Service for the provision of HIV targeted outreach services Minority Aids Initiative, to individuals and families affected by HIV/AIDS. The amendment of the contract increases the contract dollar amount by \$32,500, to a contract amount of \$57,500, for the contract year March 1, 2005 through February 28, 2006. This agreement is exempt under Maricopa County Procurement Code MC1-102 A. (C8605823102)

IGAs WITH SPECIAL HEALTH CARE DISTRICT

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

- a. A non-financial intergovernmental agreement (IGA) between the Maricopa County Department of Public Health and the Maricopa County Special Healthcare District d.b.a. Maricopa Integrated Health System to provide well women health check services to uninsured or underinsured women. The contract term is retroactive from October 1, 2005, and continues through September 30, 2010. (C8606030200)
- b. An Intergovernmental Agreement (IGA) C86060372 on behalf of the Maricopa County Department of Public Health with the Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System for the purpose of car seat education, distribution, and storage. The term of the agreement is January 1, 2006 through December 31, 2006, with a total dollar amount not-to-exceed \$85,000. (C8606037200)

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IGA WITH ADHS FOR HIV SURVEILLANCE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an intergovernmental agreement (IGA) from the Arizona Department of Health Services (ADHS) to the Maricopa County Department of Public Health (MCDPH) for the provision of HIV Surveillance - Partner Counseling and Referral Services, a mandated service under A.R.S. §36-663, A.R.S. §36-664, R6-9-311 and R6-9-331. Total funding for the period December 1, 2005 through November 30, 2006, is \$150,000. MCDPH's indirect cost rate is 16.7%. The grantor will allow 10% indirect costs under this grant. Recoverable indirect costs are estimated at \$13,636 and unrecoverable indirect costs are estimated at \$7,829. Also approves revenue and expenditure adjustments to the Public Health Department's Grant Fund (Department 861, Fund 532) associated with the grant in an amount not-to-exceed \$150,000. The appropriations adjustment is necessary because these funds were not included in the FY 2005-06 budget. (C8606039200)

LEASE WITH YOUNAN PROPERTIES, INC. 4041 CENTRAL PLAZA, LLC, FOR OFFICE AND STORAGE SPACE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and execute a new full service Lease No. L-7381 with ~~Younan Properties, Inc.~~ 4041 Central Plaza, Llc., lessor, located at 4041 N. Central Avenue, Floors 6 and 7, Phoenix, AZ for 32,610 rentable square feet of office space and 2,338 square feet of storage space (Suite C105) for the consolidation of the Public Health Administration staff. The lease term is for 62 months commencing on or about May 1, 2006, and terminating on or about June 30, 2011, including three months free rent. County parking is provided at no additional cost in the amount of 140 unreserved spaces, which includes the right to overnight park 15 county-owned vehicles. The landlord will provide visitor parking validation not to exceed \$200.00 per month. Maricopa County has the option to extend the term of the lease for up to five additional years. There is no early termination provision in the lease. Lessor is providing turnkey tenant improvements for the office space at no additional cost, a \$3.00 per square foot moving allowance, and a tenant improvement allowance of \$6.00 per square foot for the storage space. Rental rates are as follows, plus applicable rental tax: (The Clerk made the above name change prior to the vote.)

Year	Rate per Square Foot	Monthly Rate	Annual Rate
1 (months 1 – 3)	\$17.50	\$0.00	\$418,387.00
1 (months 4 - 5)	\$17.50	\$23,778.13	
1 (months 6 – 12)	\$17.50	\$50,965.83	
2	\$18.00	\$52,422.00	\$629,064.00
3	\$18.50	\$53,878.17	\$646,538.00
4	\$19.00	\$55,334.33	\$664,012.00
5	\$19.50	\$56,790.50	\$681,486.00
6 (months 61 - 62)	19.50	\$56,790.50	\$113,581

In addition, the lessee shall pay \$50 per hour per floor for any after-hour HVAC usage and all non-standard building operation and maintenance expenses associated with a county-required IT server room.

This also authorizes termination on, or about, July 1st, 2006, of county Lease No. L7211 for Office of Nutritional Health staff office space; authorize termination on, or about, May 1st, 2006, of county Lease No. L7332 for Public Health Emergency Management and Epidemiology staff office space; and authorize termination on, or about, May 1st, 2006, of county Lease No. L-7291 for Community Health Nursing staff office space.

Pursuant to A.R.S. §42-17106B, this also approves the following:

- o The transfer of expenditure authority of not-to-exceed \$58,019 from General Government (470) General Fund 100 Reserved Contingency (4711) line item "Health Reserve" to Public Health (860) General Fund (100), and
- o The transfer of expenditure authority of not-to-exceed \$525,401 from Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) line item "Relocations/New Facility Start-Up" to Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) new line item "Public Health Relocations".

Any overlaps of leases will be paid out of Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) line item "Relocations/New Facility Start-Up" by not-to-exceed amount of \$45,000. These actions will have a countywide net impact of zero. Legal approval is subject to final review of the documents. (C8606044400)

IGAs FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following intergovernmental agreements (IGAs) to provide school-based tobacco use prevention and education services. The term of the agreements is retroactive from July 1, 2005 through May 1, 2006.

- a. Roosevelt School District for a contract dollar amount not-to-exceed \$38,500. (C8606433200)
- b. Pendergast School District for a contract dollar amount not-to-exceed \$18,500. (C8606440200)

AMENDMENT WITH FSAL FOR HOME WEATHERIZATION SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment No. 3 to the contract with Foundation for Senior Living, Inc. (FSAL) to increase funding in the amount of \$85,782. The total contract amount will increase from \$511,467 to \$597,249, for the operation of the low-income home weatherization and minor home repair program. Program funding resources are provided to Maricopa County by Arizona Public Service, Southwest Gas, the Arizona Department of Commerce/Energy Office and the Arizona Department of Economic Security. There is no long term commitment on the part of Maricopa County to continue this program. Continuation of this program is based on the availability of continued funding. There are no county general funds involved in this contract. The period of performance remains unchanged. This amendment represents increases in several fund sources: Arizona Department of Commerce/Energy office, Arizona Public Service, Southwest Gas and Arizona Department of Economic Security. The additional funding will provide weatherization improvements to 60 additional low-income households living in Maricopa County. (C2205085103)

FINAL STRATEGIC TWO-YEAR LOCAL WORKFORCE INVESTMENT PLAN

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Maricopa County Final Strategic Two-Year Local Workforce Investment Plan for Title I of the Workforce Investment Act of 1998 and the Wagner Peyser Act. The plan will replace the Workforce

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Investment Act of 1998 Five-Year Plan that was implemented in April 2000, and concludes in December 2005. (C2206164M00) (ADM2501)

IGA WITH APACHE COUNTY WORKFORCE DEVELOPMENT FOR JOB TRAINING AND EDUCATIONAL OPPORTUNITIES

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an intergovernmental agreement (IGA) between Maricopa County Human Services Department and Apache County Workforce Development in the amount of \$75,000. This agreement will support program services and strategies designed to enhance coordination between the counties and strengthen the statewide workforce development delivery system. This contract does not contain any county general funds. (C2206165200)

AGREEMENT WITH LOS ANGELES DISTRICT, CORPS OF ENGINEERS FOR IN-LIEU FEE MITIGATION PROGRAM

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the memorandum of agreement between Maricopa County, through the Parks and Recreation Department, and Los Angeles District, Corps of Engineers, for the establishment and operation of an in-lieu fee mitigation program entitled the "Maricopa County Parks and Recreation Department In-Lieu Fee Program". The primary purpose of the agreement shall be to accept monies generated as an in-lieu fee funding requirement for authorized activities, as well as monies generated by enforcement and compliance actions initiated by the Corps, and to serve as a funding source for wetland and riparian restoration, creation, enhancement, and preservation of wetlands and other aquatic resources. The program is designed to facilitate a holistic approach to aquatic resource management in the Gila River watersheds. (C3006018000)

ACCEPT ARIZONA BAT CONSERVATION HERITAGE GRANT FOR A BAT GATE

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to accept from the Arizona Game and Fish Commission, the awarded Arizona Bat Conservation Heritage Fund Grant. The award is for \$12,000 and will be used to build a Bat Gate at San Tan Mountain Regional Park. Approve an appropriation adjustment to Parks & Recreation Grant Fund (300-230), increasing the FY 2005-06 revenue budget by \$12,000 and the FY 2005-06 expenditure budget by \$12,000. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditures of these revenues are not prohibited by the budget law. (C3006019300)

DONATIONS WAIVER FOR PARKS AND RECREATION DEPARTMENT

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a waiver for the Parks and Recreation Department (Dept 300) to Policy A2508 Policy for receiving donations. Per policy A2508, c, 3. "Any Department that maintains a budgeted Donation Fund may request an annual waiver to this policy utilizing the Board of Supervisors' agenda process." Parks and Recreation Department maintains Fund (243) Donations, strictly for the receipt of funds gifted to Parks & Recreation. Public donations are used to support a variety of programs and services such as the desert fauna maintained for educational purposes, as well as supporting special events in the parks for visitors. Donations received from development fees are used for major maintenance projects or towards capital improvement projects. By August 1 2006, the Parks and Recreation Department will provide an

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annual report of all donations accepted during FY 2005-06 to the Board of Supervisors, the Clerk of the Board, Internal Audit and the Office of Management and Budget. (C3006020M00) (ADM3200) (ADM1810)

KENNEL PERMIT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the issuance of the following kennel permits for the term of December 7, 2005 through December 6, 2006. The cost of a kennel permit is \$90.

- a. Sharon Brown, d.b.a. Brown Kennels, 6328 E. Halifax Street, Mesa, AZ 85205, Permit #425 (Supervisory District 2) (C7906041C00) (ADM2304)
- b. Elias Chapa, d.b.a. Chapa Kennels, 3007 N. 37th Street, Phoenix, AZ 85018, Permit #421 (Supervisory District 3) (C7906041C00) (ADM2304)
- c. Jill Guenin, d.b.a. Guenin Kennels, 5634 E. Dixileta Drive, Cave Creek, AZ 85331, Permit #423 (Supervisory District 2) (C7906042C00) (ADM2304)

AGREEMENTS FOR EMERGENCY MEDICAL TREATMENT TO ANIMALS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following agreements, under the STAR Program (Special Treatment and Recovery), to provide medically necessary emergency treatment including surgery, x-rays, medications or other specified necessary treatment to animals in the custody of Animal Care & Control, at no cost to the county. Animals would be euthanized as a means of relieving the pain and suffering if emergency medical treatment is not available.

- a. Steven A. Thomasson, DVM, PLLC, d.b.a. Cochise Veterinary Hospital, 10320 N. Scottsdale Road, Scottsdale, AZ 85254. The term of this agreement is from execution through December 6, 2006. (C7906043000)
- b. National Veterinary Association, a private Corporation, d.b.a. Quartz Mountain Animal Hospital, 8875 E. Via Linda Street, Scottsdale, AZ 85258. The term of this agreement is from execution through December 20, 2006. (C7906047100)

AGREEMENTS FOR RESCUING NON-ADOPTABLE ANIMALS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following agreements, under the New Hope Program, to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the contractor. The cost for these services is \$27 for each animal rescued.

- a. Benji's Buddie's Animal Rescue, Inc., a 501(C) 3, a non-profit corporation, 320 E. Greenway Road, Phoenix, AZ 85042. Animal Care & Control estimates 50 New Hope rescues over the term of the agreement, for a total of \$1,350. The term of the agreement is from execution through December 7, 2006. (C7906044100)

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- b. Amazing Aussie Rescue, a 501 (C) 3, a non-profit corporation, 3505 E. Fairmount Circle, Mesa, AZ 85213. Animal Care & Control estimates five New Hope rescues over the term of the agreement, for a total of \$135. The term of the agreement is from execution through January 18, 2007. (C7906045100)

DONATION

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the acceptance of a donation from Kenneth and Catherine Schell, 3101 E. Muirwood Drive, Phoenix, AZ 85048, to Animal Care & Control in the amount of \$300. Donation revenue funds are deposited into Fund (573) as they are received. (C7906048700) (ADM2300)

RENEW KENNEL PERMITS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the renewal of Kennel Permit #273 to Sandra Gray, d.b.a. Gray Kennels, 348 S. 40th Street, Phoenix, AZ 85034, for the term of January 4, 2006 through January 3, 2007. The cost of a kennel permit is \$90. (C7906049C00) (ADM2304)

FUND TRANSFERS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

IGA WITH HOUSING AUTHORITY OF MARICOPA COUNTY FOR SERVICES AND SUPPLIES

Item: Authorize an intergovernmental agreement (IGA) between Maricopa County and the Housing Authority of Maricopa County. This IGA defines the Housing Authority's responsibility for the reimbursement of supplies and services purchased from the county. (C1806027000)

Blue Crowley, citizen, said this is one of the programs "that if the cities would contribute the monies they were supposed to it would make the program work even better." He added, "The County has been leading the way all the way. The business community has been taking care of their part. It's now time for the cities to also step up and start making that campus work the way it's supposed to."

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize an intergovernmental agreement (IGA) between Maricopa County and the Housing Authority of Maricopa County.

DONATION OF FURNITURE TO STARDUST NON-PROFIT BUILDING SUPPLIES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a donation by Maricopa County of assorted used furniture valued at approximately \$7,500 to Stardust Non-Profit Building Supplies, a 501(c)(3) charitable organization, responsible for the support of community housing initiatives and service to the working poor and elderly of Maricopa County. Stardust Building Supplies supports numerous economic development activities that will assist in the creation or

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retention of jobs or will otherwise improve or enhance the economic welfare of the inhabitants of Maricopa County, pursuant to A.R.S. §11-254.04. (C1806029M00) (ADM119)

SOLICITATION SERIALS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award of Solicitation Serials

- 05093-C Candy, Snacks, Frozen and Miscellaneous Food and Bakery Items** Pricing agreement for purchasing candy, snacks and miscellaneous food items for resale to inmates.
- o Food Express USA
 - o Interstate Gourmet Coffee Roast
 - o Jenny Service Co.
 - o Keefe Supply Co.
 - o Kellogg Supply, Inc.
 - o Vistar/Vend Source Arizona
- 05142-S Underground Facilities Locator Services** (\$300,000 estimated three years with three one-year renewal options). Price agreement for location and marking of underground facilities for Maricopa County Department of Transportation.
- o Elm Locating & Services
- 05181-C Qualifying Bid, Sedans, Full Size Dodge Charger Police Vehicle** (\$500,000 estimated/three years with three one-year renewal options). Price agreement to provide full size police vehicles for Maricopa County Sheriff's Office.
- o Ed Moses Dodge

Renewals/Extensions:

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

Until February 28, 2008

- 02135-C Air Conditioning, Heating, Ventilating Equipment** (\$28,000,000 estimated/two years) Pricing agreement renewal to purchase air conditioning, heating and ventilating equipment for various county buildings as requested by the Facilities Management Department.
- o Air Specialty Products
 - o American Refrigeration Supplies, Inc.
 - o Arizona Boiler Co. Inc.
 - o AZME
 - o Compressed Air Power, Inc.
 - o Filtemp Sales, Inc.

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- o Trane
- o Webb Distributors, Inc.
- o United Metal Products, Inc.
- o J & B Sales Company

Contract Amendment

05041-ROQ Specialty Legal Services Providers-County Attorney: Amendment No. 1 to contract with Wilenchik & Bartness, P.C. This amendment incorporates additional specialty work capacity (perform criminal prosecution) into the existing contract as requested by the County Attorney.

CAPA

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

Environmental Services
Judith Bandy

Finance
Lisa Nash

Public Health
Carolyn Tarin

TRANSFER AUTHORITY FOR FILE/PRINT SERVERS

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the transfer of expenditure authority of \$289,636 from Appropriated Fund Balance (480) General Fund (100) Reserved Items (4811) Line Item "Technology Projects" to a new line item in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) entitled "CIO Server Upgrade". Approval of this action will assist the Chief Information Officer in accommodating replacement servers in conjunction with upgraded operating system technology with Microsoft. Also pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority of \$26,020 between General Government (470), General Fund (100), Reserved Items technology reserve (4711) and the Chief Information Officer department (410), General Fund (100), decreasing General Government (470), General Fund (100), Reserved Items technology reserve (4711) and increasing the FY 2005-06 Chief Information Officer Department (410), General Fund (100). Approval of this action will allow the increase in budgeted expenditure authority to accommodate the purchase, installation and maintenance of county file/print servers and Health Care Mandates file/print servers. This adjustment will result in a net impact of zero to the county budget. (C4106003800) (ADM2700-003)

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

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

A121.007 Project No: TT043 - PM 10 / OPS McNeil Street (35th Avenue to 31st Avenue) -
(LS) Easement and Agreement for Highway Purposes - Parcel No.: 300-15-070L - Maria Jesus Mendivil - for the sum of \$17,444.00.

A121.007 Project No: TT043 - PM 10 / OPS McNeil Street (35th Avenue to 31st Avenue) -

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- (LS) Purchase Agreement and Escrow Instructions - Parcel No.: 300-15-070L - Maria Jesus Mendivil.
- DD-9841 Project No: 69010 - Dedication (339th Avenue and Indian School Road North to Camelback Road) - Easement and Agreement for Highway Purposes - Parcel No.: 504-10-002Y, 504-10-002Z - Camelback & 339th LLC - for the sum of \$10.00.
- (GS)
- DD-9842 Project No: 69010 - Dedication (339th Avenue and Indian School Road North to Camelback Road) - Easement and Agreement for Highway Purposes - Parcel No.: 504-10-002M - Tonopah Partners II, L.L.P. and Gregory J. Vogel, Co-Trustee - for the sum of \$10.00.
- (GS)
- DD-9843 Project No: 69010 - Dedication (339th Avenue and Indian School Road North to Camelback Road) - Easement and Agreement for Highway Purposes - Parcel No.: 504-10-002K, 504-10-002L - Tonopah Partners I, L.L.P. - for the sum of \$10.00.
- (GS)

BIDS AND AWARD FOR BELL ROAD AT R.H. JOHNSON BLVD

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the solicitation of bids for Bell Road at R.H. Johnson Boulevard, Work Order No. T120. Approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10%. Approval of this agenda item is contingent upon the Board adopting the recommended FY 2006-07 budget. Approve an expenditure decrease of \$1,225,000 to Year 1 for Project T120, Bell Road at R.H. Johnson Boulevard Transportation Department (640) Capital Improvement Projects Fund (234). Approve an expenditure increase of \$1,225,000 to project T002 Project Reserve Year 1, Transportation Department (640) Capital Improvement Projects Fund (234). The countywide impact will be zero. (C6406085100)

SETTLEMENT AGREEMENT FOR NORTHERN AVE: LOOP 101 TO 67TH AVE PROJECT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept and approve the Release and Settlement Agreement for the complaint, dated December 12, 2002, Number CV2002-023656, filed against Stanley Consultants, Inc., Ricker-Atkinson-McBee and Associates, and Achen-Gardner Engineering, LLC, alleged breach of contract, breach of express and implied warranties, and negligence for the Maricopa County Department of Transportation Project T065 (68915) - Northern Avenue Loop 101 to 67th Avenue. The parties agree to dismiss the litigation with prejudice, each party to bear its own attorney's fees and costs. Each party agrees to pay the county, within seven days after receiving written notification of the approval of the settlement by the Maricopa County Board of Supervisors, the following amounts:

- o Stanley Consultants, Inc., the amount of \$60,000,
- o Ricker-Atkinson-McBee and Associates, the amount of \$560,000, and
- o Achen-Gardner Engineering, LLC, the amount of \$60,000.

This item was heard in Executive Session on October 31, 2005. (C6406088100) (ADM409)

AMENDMENT TO FIVE-YEAR CIP FOR TRANSPORTATION CAPITAL PROJECTS FUND

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the addition of Project T220, Litchfield Road Underpass at Thunderbird Road and expenditure

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budget of \$100,000, to the Department of Transportation's FY 2005-06 TIP (CIP) budget (Year 1), Department (640), Fund (234). Approve an amendment to the current FY 2006-10 five-year CIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 20, 2005, by decreasing the FY 2005-06 (Year 1) capital budget for Project T002, Project Reserves Account (MCDOT 69998) capital budget by \$100,000. This decrease will offset the increase requested above for a countywide impact of zero. (C640608900) (ADM2000-003)

REIMBURSE SRP FOR ENGINEERING SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve reimbursement to Salt River Project (SRP) in the amount of \$160,287.00 for engineering services and construction by SRP contracted forces, for the relocation and installation of the private irrigation in conjunction with SRP-owned irrigation in conflict with the Maricopa County Department of Transportation (MCDOT), Project T076 (68949), McQueen Road, Queen Creek to Pecos. MCDOT acknowledges that the private irrigation has prior rights. The cost may not exceed the estimated amount of \$160,287.80 by more than 10%. Approve the addition of Project T076, McQueen Road: Queen Creek Road to Pecos Road with a budget and expenditure budget of \$160,287.80 to the Department of Transportation's FY 2005-06 TIP (CIP budget (Year 1), Department (640), Fund (234). Approve an amendment to the current FY 2006-10 five-year CIP for Fund (234) – Transportation Capital Projects Fund, adopted by the Board on June 20, 2005, by decreasing the FY 2005-06 (Year 1) capital budget for Project T007, previous year's projects capital budget by \$160,287.80. (C6406090100) (ADM2000-006)

APPOINTMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following appointments:

- a. **Planning and Zoning Commission** – Ms. Ella Makula to fill the vacancy of Mr. Bill Clayburg, representing District 4. Term will be effective from Board of Supervisors' approval through October 31, 2007. (ADM3415-001) Several Supervisors commented on Ms. Makula's being a very good choice for the Commission.
- b. **Deferred Compensation Committee** – Mr. Eric Latto, representing Supervisorial District 1. This item was continued from December 7, 2005. (ADM3312-001)
- c. **Board of Adjustments and Drainage Review Board of Maricopa County** – Re-appoint Ms. Mary Beth Rowland, representing Supervisorial District 3, whose term will expire September 10, 2009. (ADM3411)

SETTING OF HEARINGS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following hearings. All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted:

- a. **Noise Ordinance P-23** – Set a public hearing for 9:00 a.m., Wednesday, January 18, 2006, to approve the Maricopa County Noise Ordinance for the unincorporated areas of Maricopa County. Noise at certain levels is detrimental to the health and welfare of Maricopa County citizens. Therefore, Maricopa County has determined that it is in the best interest of its citizens to control noise in a manner that promotes commerce; the use,

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value, and enjoyment of property; sleep and repose; and environmental quality. This noise ordinance is applicable to a variety of noise sources in unincorporated areas of Maricopa County. (C4406013000) (ADM131)

- b. **Planning and Zoning Cases** – No cases were scheduled for the January 18, 2006, meeting.

APPOINTMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Official Appointments of Nusreta Suljagic and Anthony Guerrero as Deputy County Recorders.

ASRS CLAIMS

No claims were presented at this time. (ADM3309-001)

CANVASS OF ELECTIONS

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the canvasses of elections submitted by special districts, as follows:

Hyder Valley Irrigation Water Delivery District, ADM4372
McMicken Irrigation District, ADM4316
Paloma Irrigation & Drainage District, ADM4331
Roosevelt Water Conservation District, ADM4397
Woolsey Flood Protection District, ADM1914

CLASSIFICATION CHANGES

No requests to change classification and/or reduce the valuation of certain properties which are now owner-occupied were received from the Assessor at this time.. (ADM723)

CERTIFIED TAX ROLL

No Certified Tax Roll was presented at this time. (ADM703)

COMPROMISES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the requested compromises as payment in full. This item was discussed in Executive Session on December 5, 2005. (ADM407)

Alexander, Eric	\$5,500.00
Morales, Judy	\$5,000.00
Postell, Lisa	\$3,500.00
Quintana, Ruben	\$1,500.00

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DUPLICATE WARRANT CORRECTIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to correct the action taken on December 7, 2005, to rescind the following county duplicate warrant approvals. These duplicate warrants were issued as originally stated on the agendas listed below:

- o Warrant to John Buffington, approved for issuance on January 5, 2005, in the amount of \$104.66, and
- o Warrant to Judith Butora, approved for issuance on March 9, 2005, in the amount of \$80.00

MINUTES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the minutes of the Board of Supervisors meetings held August 18, 2005, September 7, 2005, October 31, 2005, November 2, 2005 and November 7, 2005.

MINUTES CORRECTIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the typographical corrections to the Board of Supervisors' minutes. (ADM726-001)

MEETING	ITEM	INCORRECT INFORMATION	CORRECT INFORMATION
01/19/05	Easements, Right-of-way	needs right justification and delete signed by line	justify right margin and delete marked line
02/16/05	Easements, Right-of-way	needs right justification	justify right margin
03/09/05	Easements, Right-of-way	needs right justification	justify right margin
03/23/05	Easements, Right-of-way	needs right justification	justify right margin
05/04/05	Easements, Right-of-way	needs right justification	justify right margin
06/08/05	Easements, Right-of-way	needs right justification	justify right margin
06/22/05	Easements, Right-of-way	needs right justification and delete signed-by line	justify right margin and delete marked line
08/24/05	Easements, Right-of-way	needs right justification	justify right margin
12/16/04	CSA Board of Directors and Legislative Policy Committee	No ADM #	Add ADM 604
08/26/04	Possible action regarding staff credentialing	No ADM #	Add ADM 2100-005
08/26/04	Possible action regarding PIROG letter of transfer	No ADM #	Add ADM 2100-005
09/13/04	Opening Ceremony for the new 4th Avenue Jail	No ADM #	Add ADM 414
05/18/04	Presentation regarding Reach Out and Read	No ADM #	Add ADM 600
01/29/04	Participation in a meeting of CSA	No ADM #	Add ADM 604
03/09/05	Agreement with US Bank for Signature Authority on Workers Compensation Claims	No ADM #	Add ADM 3712

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PRECINCT COMMITTEEMEN

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, 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 lists dated December 21, 2005, 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 CORRECTIONS

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

Tax Roll	From No.	To No.	Net Result
2001	39927	39927	-\$1,194.34
2001	39932	39955	-\$115,288.72
2002	19006	19015	-\$77,353.12
2002	19039	19053	-\$30,394.04
2003	24705	24760	-\$40,481.30
2003	24761	24776	-\$54,556.98
2003	24777	24998	-\$64,188.16
2004	9912	10200	-\$1,201,775.20
2004	10260	10521	-\$109,639.72
2005	4420	5462	-\$1,279,264.04
2005	4423	4977	\$29,848.40
2005	5463	5484	\$6,189.74
2005	5493	6121	-\$2,745,946.26

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the settlement of tax cases dated December 21, 2005. (ADM704)

2002
2002/2003/2004/2005
2005
TX 2005-050138
TX 2004-000745
2006
Outside Counsel
TX 2004-000295
TX 2004-000700

STALE DATED WARRANTS

No warrants were presented for approval at this time. (ADM1816)

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TAX ABATEMENTS

No requests for tax abatements were received from the Treasurer's Office at this time. (ADM708)

AUTHORIZATION FOR SETTLEMENT OF CASE NO. CV 2004-016143 WITH CITY OF MESA

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve settlement of Superior Court Case No. CV 2004-016143 with City of Mesa and authorize execution of the settlement agreement. This item was discussed in Executive Session on December 19, 2005. (Addendum item #A-1) (ADM409)

SETTLEMENT AGREEMENT WITH LUCY HALL - WITHDRAWN

Approve and sign the settlement agreement for the sum of \$12,000 in exchange for Lucy Hall to withdraw the action before the Arizona State Personnel Board and a full release of claims. This item was discussed in Executive Session on December 19, 2005. (Addendum item #A-2) (ADM409)

The Clerk announced that this item had been withdrawn and would be rescheduled.

CALL TO THE PUBLIC

Blue Crowley, citizen, spoke on several bus and other transportation issues that he felt were being inadequately addressed by the Regional Transportation Authority under Proposition 400. He said that 60% of Maricopa County is west of the 303 and growing. He believed that Proposition 400 is not realistically preparing for the projected influx of six million new residents projected for the County in the next 20 years. With the light rail not going to MetroCenter, as was originally planned, he said that the Plan is not being as inner-modal as it was supposed to be. Mr. Crowley felt the bus and rail modes should be blended together more efficiently than it is being done and referenced comments made by Supervisor Stapley in earlier meetings when he said, "We've got to blend the modes, they've got to be together." (ADM605)

SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS

Supervisor Stapley congratulated Supervisor Kunasek on his election as President of the County Supervisors' Association (CSA) for the State, on behalf of the Board and residents of Maricopa County. He commented that Mr. Kunasek would have a "great experience" in representing Maricopa County as chair of this group during the coming year. (ADM606)

David Smith reported that he and Supervisor Wilcox had attended the Arizona Quality Alliance Annual Awards meeting on December 15. He explained that they give recognition to both public and private organizations that have gone through a measuring process against private sector standards that he said was similar to the Malcolm Baldrige Award criteria. Mr. Smith reported that "Maricopa County won five of these awards the first time they entered, which he felt was pretty significant." The Pioneer Award was won by the Maricopa County Parks and Recreation Department, "which is kind of like winning the silver medal in the Olympics." He said he believed that the many private sector attendees, "got the message that Maricopa County, from a business process standpoint and from an organizational development standpoint, can measure up with some of the very best." Supervisor Wilcox agreed that this event had been marvelous and very up-beat and gratifying.

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Supervisor Wilcox thanked staff for the bright and airy look in the newly redecorated Supervisors' Auditorium. This was the first meeting held in the Auditorium since last summer when the renovation began. Chairman Wilson added, "Some real magic was done in the last 30 minutes" in completing many of the last-minute tasks prior to the scheduled meeting. He thanked Janice Bowie, Facilities Management, for her work on this project.

Supervisor Brock said he had intended to comment on agenda item #30, the Heritage Grant for a bat-gate at San Tan Park, and congratulated Bill Scalzo as the recipient of the \$12,000 grant from the Arizona Game and Fish Department. He that whatever a bat-gate would be used for he was sure Mr. Scalzo would see that it helped the bats and the eco-system in the region of the San Tan Park.

PLANNING AND ZONING AGENDA

David Smith left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, Deputy County Attorney, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

CONSENT AGENDA DETAIL:

1. **Z2005-092** **District 3**
 Applicant: Earl, Curley, & Legarde, PC for Anthem Arizona, LLC
 Location: East and west of Venture Drive, South of Anthem Way (in the Anthem area)
 Request: Rezone from C-2 CUPD to C-O PD (approx. 15.10 acres) – Anthem C-O Rezone (North)

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2005-092, subject to the following stipulations "a" through "m". Commissioner Aster seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall be generally consistent with the narrative report/zoning exhibit, entitled "Letter of Explanation/Narrative for Rezoning Parcels 4A and 4B; Amendment to Application Z2005092 " consisting of a bound document with twelve (12) pages, dated (revised) September 19, 2005 and stamped received September 20, 2005 except as modified by the following stipulations. Within 30 days of approval by the Board of Supervisors, the applicant shall provide a revised narrative report/zoning exhibit for review and approval by the Planning and Development Department, to include clarification of the proposed zoning district boundaries, and that the site will be subject to a CUPD overlay, and not a PD overlay.
- b. A precise Plan of Development and any necessary subdivision plats shall be required prior to development.
- c. All trees shall be double-staked when installed.
- d. A continuous parapet shall screen all roof-mounted equipment.
- e. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be screened.

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- f. Development of the site shall include half-street improvements (including paving, gutter and sidewalk) to ultimate width for Venture Dr. along the perimeter of the site.
- g. All interior streets within the proposed development are to be constructed to minimum County standards.
- h. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- i. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- j. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, or final plat if there is a related subdivision, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- k. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- l. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- m. Noncompliance with the conditions of approval will be treated as a violation in accordance with Chapter 14 (Violation and Penalty) of the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).

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

2. **Z2001-043** **District 2**
 Applicant: Commission Initiative
 Location: Northeast corner of Jomax Road & 136th Street (in the Rio Verde area)
 Request: Revoke/Remove a Special Use Permit (SUP) for an equine/canine training and boarding facility (approx. 2.08 ac.) – Rancho del Sur

COMMISSION ACTION: Commissioner Pugmire moved to recommend revocation of Z2001-043. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 8-0.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to concur with the Planning Commission's recommendation for revocation of this permit.

3. **Z2005-070** **District 3**
 Applicant: Shea Commercial for Pensive Properties, LLC; Candace I. Seaverns; Joseph M. Seaverns; Zafir Gamlieli; and Nadia R. Gamlieli
 Location: Northeast corner of 70th Street & Chauncey Lane (in the northeast Phoenix/north Scottsdale area)
 Request: Precise Plan of Development in the C-2 CUPD zoning district (approx. 8.64 acres) - Chauncey Ranch Commerce Center

COMMISSION ACTION: Commissioner Aster moved to recommend approval of Z2005-070, subject to the following stipulations "a" through "m". Commissioner Smith seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development and use of the site shall be in substantial compliance with the site plan entitled "Chauncey Ranch Commerce Center" consisting of a precise plan, one (1) full-size sheet, prepared by DFD Cornoyer Hedrick, stamped received November 3, 2005 and floor plans/elevations, seven (7) full-size sheets prepared by DFD Cornoyer Hedrick, stamped received August 23, 2005, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Technical Advisory Committee (TAC) Submittal Chauncey Ranch Commerce Center", consisting of four (4) pages, dated revised August 22, 2005, and stamped received August 23, 2005, except as modified by the following stipulations.
- c. Landscaping of the site shall be generally consistent with the landscape plan entitled, "Chauncey Ranch Commerce Center", consisting of one (1) full-size sheet prepared by DFD Cornoyer Hedrick, dated August 22, 2005, and stamped received August 23, 2005, except as modified by the following stipulations.
- d. Development and use of the site shall comply with all use regulations and development standards of the C-2 CUPD zoning district as approved under Z2000-063 and amended by Z2001-118.
- e. Development and use of the site shall remain in compliance with all applicable stipulations of approval under Z2000-063 and Z2001-118 except as modified or superseded by the following stipulations.
- f. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- g. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
- h. All trees shall be double-staked when installed.
- i. A continuous parapet shall screen all roof-mounted equipment.

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- j. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened from view.
- k. All interior roadways will be constructed to the minimum commercial/nonresidential standards of Maricopa County or City of Phoenix standards (where applicable).
- l. Major changes to this plan of development (the precise plan of development and narrative report) 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 the Planning and Development Department. For the purpose of this application, a minor amendment may include changes to the location, configuration and/or type of the site plan, adjustments to interior streets, etc., as long as such amendment does not increase the overall intensity, and otherwise complies with the C-2 CUPD development standards approved for site.
- m. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.

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

- 4. **S2004-084** **District 4**
Applicant: Coe & Van Loo
Location: West of Citrus Road, south of Olive Avenue (in the Surprise area)
Request: Final Plat in the R1-7 RUPD zoning district for White Tank Foothills Parcel 6 (approx. 26.386 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve this final plat.

- 5. **S2005-004** **District 4**
Applicant: Mark P. Sidler of Lemme Engineering, Inc. on behalf of John W. Barker of Fitzpatrick Land Holding, LLC
Location: West of Veterans Drive and north of Deer Valley Road (in the Sun City West area)
Request: Final Plat in the R1-6 RUPD zoning district for Fitzpatrick Ranch, Unit 2 (approx. 4.95 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve this final plat.

- 6. **S2005-006** **District 4**
Applicant: DEI Professional Services on behalf of Pulte Homes
Location: North of Deer Valley Road and west of the proposed El Mirage Road align. (in the Sun City West area)

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Request: Final Plat in the R1-6 RUPD zoning district for Corte Bella Country Club, Unit S (approx. 22.59 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve this final plat.

REGULAR AGENDA DETAIL:

7. **Z2005-098 District 4**
Applicant: Alltel Communications for Hillcrest Golf Course, LLC
Location: Maintenance compound of the Hillcrest Golf Course at Star Ridge Drive & Beardsley Road (in the Sun City West area)
Request: Special Use Permit (SUP) for a wireless communication facility (monopalm) in the Rural-43 SC zoning district and in Wireless Communication Facility Use District 1 (approx. 0.02 acres) - Alltel at Hillcrest Golf Course

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2005-098, subject to the following stipulations "a" through "m". Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall comply with the site plan entitled "Alltel @ Hillcrest Golf Club", consisting of one (1) sheet, dated (revised) October 19, 2005 and stamped received October 20, 2005, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled "Alltel @ Hillcrest Golf Club", consisting of seventeen (17) pages, stamped received October 20, 2005, except as modified by the following stipulations. Within 30-days of approval by the Board of Supervisors, the applicant shall revise the cover sheet of the Narrative Report changing the street label "Woodside Drive" to "R H Johnson Blvd".
- c. The height of the wireless communication facility shall be limited to 80' as measured from the base of the pole to the top of the fronds.
- d. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- e. Prior to final inspection, Alltel shall plant two (2) additional palms of similar type, 45' (h) to 50' (h) within 100' of the monopalm. The exact location of the planting shall be coordinated with the golf course superintendent. Alltel shall guarantee these two (2) palms trees for the duration of the special use permit.
- f. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- g. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.

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- h. Collocation on the monopalm may, at the discretion of the Planning Director, be allowed as an administrative amendment, provided the integrity of the stealth design is maintained. If in the opinion of the Planning Director, the integrity of the stealth design cannot be maintained, collocation shall be treated as a major amendment.
- i. This Special Use Permit shall expire 25 years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- j. The applicant shall submit a written report outlining the status of the development at the end of five (5) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- k. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- l. Noncompliance with the conditions of approval will be treated as a violation in accordance with Chapter 14 (Violation and Penalty) of the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- m. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

Darren Gerard said this case is for a Special Use Permit for a wireless communication facility at the Hillcrest Golf Course in Sun City West that will be designed as an 80 foot tall palm tree (monopalm). He reported that seven letters of opposition were received and all were in favor of relocating the site. Planning Commission and staff recommend approval with stipulations "a" through "m" and including modified stipulation "e" as given above, which Mr. Gerard read.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval of this Special Use Permit with stipulations "a" through "m."

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MEETING ADJOURNED

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

ATTEST:

Max W. Wilson, Chairman of the Board

Fran McCarroll, Clerk of the Board