

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
March 15, 2006**

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:25 a.m., March 15, 2006, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Andrew Kunasek, District 3 and Max W. Wilson, District 4. Absent: Fulton Brock, Vice Chairman, District 1 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Bruce White, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

CHAIRMAN'S OPENING COMMENTS

Chairman Stapley apologized for the late start of the meeting. He explained that State Representative Gary Pierce had notified him early today that he wished to withdraw his name from the list of candidates for the Board's appointment to fill the Senate vacancy caused by the recent death of Senator Marilyn Jarrett. This required two of the Supervisors to interview the remaining two candidates for the Senate appointment that would be made later this morning. He thanked the audience for their patience.

INVOCATION

Kay Wing, Southwest Advanced Neuro-Rehabilitation Unit at St. Joseph's Hospital, delivered the invocation.

PLEDGE OF ALLEGIANCE

Candace Steill, District 4, led the assemblage in the Pledge of Allegiance.

CHAIRMAN'S PREROGATIVE

Chairman Stapley revealed that today is County Manager David Smith's birthday, surprising everyone and generating applause and best wishes for Mr. Smith. Mr. Smith responded that he had wished to keep this birthday low key as it signaled a time when he would have to learn many lines like, "It's nice to be here – it's nice to be anywhere!" However, he admitted the good part was that he could, "now qualify for those discount meals at restaurants."

CHAIRMAN'S PREROGATIVE

The Chairman honored Senator Marilyn Jarrett, who died last week, saying she had been a "fantastic legislator who had represented Mesa and the State excellently for many years." He stated that she had been a long-time friend of his and had been a continuing influence in his life. He and Supervisors Wilson and Kunasek reminisced about their experiences with Senator Jarrett, citing both political and personal memories. They lauded the positive influences she brought to all facets of her life and in her service to the county and the state. Chairman Stapley added that Senator Jarrett understood the County's problems and had always been a very good friend to Maricopa County. The Chairman called for a moment of silence in her honor.

LEGISLATIVE APPOINTMENT

Item: Pending action and notification from the Precinct Committeemen in Legislative District 19, the Board of Supervisors nominated and voted to appoint a person to fill the Senate vacancy for Legislative District 19. The vacancy was due to the death of Senator Marilyn Jarrett. If an appointment is made, the Board

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directs the Clerk of the Board to send the documents regarding this action to the appropriate state offices for notification purposes. (Addendum item A-1) (ADM682)

Chairman Stapley again noted the letter from Representative Pierce withdrawing his name from consideration and acknowledged leadership from District 19 in the audience, Pat Jarrett, and the two remaining nominees, Representative Chuck Gray and Kirk Adams, who serves on the Industrial Development Authority.

Motion was made by Supervisor Wilson, who stated that after his interviews with the candidates that he would like to nominate Chuck Gray to fill this vacancy. Motion was seconded by Supervisor Kunasek and carried unanimously (3-0-2). Chairman Stapley gave Senator Gray and Mr. Adams both a copy of the Maricopa County Strategic Plan and Direction for the next four years, saying it includes priorities and how the County operates and he felt it would serve them as "good reading material." He also presented both with a Maricopa County pin. Chairman Stapley said the Board would soon have to appoint someone to fill the now-vacant House seat and added that he hoped Mr. Adams would be brought forward for consideration for that seat.

Senator Gray said he was truly overwhelmed and humbled to have the honor of trying to fill the shoes left by Senator Jarrett. He promised that his door would always be open and if a difference of opinion arose with anyone he would like to know what it was so he could address it.

APPOINTMENT OF CONSTABLE FOR KYRENE JUSTICE PRECINCT

Item: Nomination and appointment of Constable for Kyrene Justice Precinct. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to appoint Kenneth R. Misner as Constable for the Kyrene Justice Precinct to fill the vacancy created by the resignation of Constable Don Calender. Effective date for this appointment is March 15, 2006, on Board approval. (ADM1300-001)

Constable Misner is a 16 year resident of District 1 and has an extensive law enforcement and investigative background. He has 25 years experience as a special agent of the FBI. Mr. Misner was sworn in by his predecessor, newly appointed Justice of the Peace Donald Calender of the Kyrene Justice Court.

Constable Misner thanked the Board for their support, saying he would do the best job he could.

SCHOOL DISTRICT #509 – PRESENTATION

David Smith updated the Board of Supervisors on regional schools operations and finances including but not limited to the status of the responses to the Requests for Information (RFI). (Addendum item A-2) (ADM3814)

Mr. Smith reported that contact with the Office of the Superintendent of Schools, Sandra Dowling, has continued and she has now agreed to participate on the committee that will research the findings of the RFI recently sent in an attempt to find those entities that could assume some or all of the duties of the Accommodation Schools. He added that Superintendent Dowling has appointed Steve Zimmerman as her negotiating agent on the FY 2006-07 budget and related items.

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SCHOOL DISTRICT #509 – POSSIBLE ACTION

Item: Consideration and possible action on a Resolution concerning negotiating and dealing with the regional schools on the FY '07 budgets and other matters. (Addendum item A-3) (ADM3814-002)

No action was taken on this item.

MARICOPA COUNTY EVENT CENTER PRESENTATION

A video on the Maricopa County Event Center was shown featuring the Nederlander family, who will manage the facility, giving their goal of "taking this facility to the next level" when it comes to Maricopa County's entertainment and cultural needs. Supervisor Wilson was congratulated for his efforts in bringing this project to the County. (ADM811-009)

MARICOPA WORKFORCE CONNECTION BOARD PRESENTATION

Presentation by Mr. Richmond Vincent, Chairman of the Maricopa Workforce Connection Board, regarding the roles and responsibilities of the Maricopa Workforce Connections Investment Board. (C2206169M00) (ADM2512)

Mr. Vincent reported on a summary of recent activities of the Workforce Connections Investment Board. He said the performance of this organization reveals some interesting numbers on what is being accomplished. He reported that the most important component of what they do is not only to train individuals but to find them jobs at the end of their training. Approximately 8,000 have been placed in employment at this time and the number of those still employed after three months was 5,744, which he called very, very impressive. He said, "We are engaging the business community and also engaging job seekers." Regarding the system-wide return on investment, he said there was a state tax-based increase resulting from job placements of \$18,706,000. He said he would be back to give updated dollar information on the impact being made on this community.

He reported that the federal budget for 2007 would drastically cut the funding to the local workforce system. He asked for the County's assistance in contacting congressional leaders from Arizona to ask that today's funding stream be maintained for this vital program.

Chairman Stapley said that NACo (National Association of Counties) has already taken this position and added that Maricopa County leadership is very active in NACo. He said NACo is working to influence the Arizona delegation, as well as the leadership in both the house and senate, that the proposed cuts would be inappropriate and of the importance of establishing and maintaining level funding for this program.

PUBLIC HEARING – LIQUOR LICENSE APPLICATION

Chairman Stapley 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 Wilson and seconded by Supervisor Kunasek, to recommend approval of the following liquor license application:

Application filed by Nathan Richard Oberhofer for an Agent Change, Series 14 Liquor License (MCLL010):

Business Name:	Union Hills Country Club
Location:	9860 Lindgren Avenue, Sun City, 85373
Previous Agent:	John Stocker

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Motion carried by majority vote (3-0-2) with Supervisors Stapley, Kunasek and Wilson voting "aye." Supervisors Brock and Wilcox were absent.

PUBLIC HEARING MARICOPA COUNTY AIR POLLUTION CONTROL REGULATION RULES

Chairman Stapley called for a public hearing to solicit comments on proposed revisions to Maricopa County Air Pollution Control Regulation Rules 317 (Hospital/Medical/Infectious Waste Incinerators), 321 (Municipal Solid Waste Landfills), 360 (New Source Performance Standards), 370 (Federal Hazardous Air Pollutant Program), and 371 (Acid Rain).

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to adopt the proposed revisions to Maricopa County Air Pollution Control Regulations Rules 317, 321, 360, 370, and 371. (C8506016000) (ADM2354)

Rules 317, 321, 360, 370, and 371:

The Maricopa County Air Quality Department (Department) incorporates by reference the federal New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), and Acid Rain regulations located in Title 40, Code of Federal Regulations (CFR), into Rules 317, 321, 360, 370, and 371. With this rulemaking, the Department updated the incorporation by reference date of the applicable CFR references in Rules 317, 321, 360, 370, and 371 to July 1, 2004. The Department also added to Rule 370 the additional NESHAPs promulgated by the EPA in 40 CFR 63 from July 2, 2002 to July 1, 2004. The Federal HAPs list in Rule 370, Table I has also been revised to remove the chemical caprolactam, and to revise the footnote for "glycol ethers". These revisions are due to recent revisions made to the Federal HAPs list by the EPA. The Department also made several technical corrections to the rules to ensure consistency with the text used in 40 CFR, and to remove unnecessary text. Finally, the Department revised the asbestos regulations at Rule 370, Section 301.8.

PUBLIC HEARING MARICOPA COUNTY AIR POLLUTION CONTROL REGULATION RULE 100

Chairman Stapley called for a public hearing to solicit comments on proposed revisions to Maricopa County Air Pollution Control Regulation Rule 100 (General Provisions and Definitions), and new Appendix G (Incorporated Materials) and on submitting the rule as a revision to the (Arizona) State Implementation Plan (SIP).

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to adopt the proposed revisions to Maricopa County Air Pollution Control Regulations Rule 100 and new Appendix G, and to submit the rule as a revision to the (Arizona) State Implementation Plan. (C8506017000) (ADM2354)

Rule 100 and Appendix G:

The Maricopa County Air Quality Department (Department) amended Rule 100, General Provisions and Definitions, and added a new Appendix G, Incorporated Materials. Rule 100 includes definitions, administrative requirements, requirement for emissions statements and data reporting, and other general information. The Department revised the definition of "Non-Precursor Organic Compound" to incorporate two final rulemakings promulgated by the EPA on November 29, 2004. The Department also added a

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definition for PM_{2.5}. Other revisions include: minor technical corrections; changes made to reflect the text currently used in 40 Code of Federal Regulations, the Arizona Administrative Code, and the Arizona Revised Statutes; and, a change to update an outdated document in Rule 100, Section 503. The proposed new Appendix G consolidates incorporated by reference materials into one location in the Maricopa County Air Pollution Control Regulations.

FEATURED ITEMS

“Maricopa County providing regional leadership . . .”

SPAY/NEUTER VOUCHER PROGRAM

Item Summary. Recognize the Animal Care & Control Big Fix Spay/Neuter Voucher Program and authorize the acceptance of a restricted donation of \$192,665.75 from Friends of Animal Care & Control, a 501(c) 3 organization in Phoenix, Arizona for Big Fix Programs, Contingency Fund and the Puppy Room.

Budgetary Details. Approve the increase of revenue and expenditure budget of Animal Care & Control Donation Fund by \$211,103.25, which includes 18,437.50 of unspent 2005 funds approved by the Board of Supervisors on June 6, 2005 (C7905092700). Donation revenue funds are deposited into Fund (573) as they are received. This budget adjustment would not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The revenue from the donated funds will be deposited into Animal Control Donation Fund (573) as they are received by the department. Approval of this action will require an appropriation adjustment increasing the revenue and expenditure budget for Department (790) Donation Fund (573) by \$211,103.25 for a countywide net impact of zero. (C7906094700) (ADM2300)

Dr. Silva presented a donation from friends of Animal Care and Control (AC&C) in the amount of \$192,000. He highlighted one portion of that donation by saying \$97,000 would be used for a spay and neuter program as a piece of their “Big Fix Program.” This program includes Spay Day to promote their ongoing battle to reduce pet over-population. This program will enable pet owners to surgically alter their animals at no cost by presenting vouchers at their own veterinarian’s office. The program is targeted to low-income, needy families. He said this program makes it very easy for the pet owner and extremely easy for veterinarians. He added that \$85,000 will be used for an enhancement of the East Valley AC&C Shelter to create a room that will allow puppies to be maintained for longer periods of time by isolating them from the general population.

The Chairman asked Supervisors Kunasek and Wilson to join him in receiving a ceremonial check for the \$97,000. Chairman Stapley said they honored this “as a very big deal” and said the Board is very excited about the enhancements this money will create in caring for animals.

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to recognize the Animal Care & Control Big Fix Spay/Neuter Voucher Program and authorize the acceptance of a restricted donation.

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PURCHASE OF PROTECTIVE VESTS

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the allocation of \$13,710 in FY 2005-06 for the purchase of 26 ballistic protective vests for Constables.

Additional Information. The proposed vests have an estimated replacement life expectancy of five years. The Maricopa County Constables and their Deputies completed 20,902 evictions during FY 2004-05. These evictions are typically routine. However, Constables are increasingly encountering belligerent persons in situations that involve handguns, rifles and other potential weapons. The Constables and their Deputies serve civil process, writs, orders, pleadings and papers without backup from local police agencies. Approval of funding for the protective vests will provide the Constables and Deputies with an extra measure of safety during the performance of their duties.

Budgetary Details. Pursuant to A.R.S. §42-17106(b), also approve and authorize the allocation of \$13,710, in FY 2005-06 from Appropriated Fund Balance (480) General Fund (100) Contingencies (4811) line item "General Contingencies" to a special line item in Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) titled Constables Protective Vests. (C2506005800) (ADM1300-002)

PROPERTY TAX APPEAL – AIDA RENTA V. MARICOPA COUNTY

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the filing of a property tax appeal to the Court of Appeals in the matter of Aida Renta v. Maricopa County, CV 1996-016474. This item was discussed in Executive Session on February 13, 2006. (C1906033M00) (ADM413-001)

TEMPORARY ADDITION TO FLEET – VEHICLE AND TRAILER

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a one-time addition to the fleet of one 4-wheel motorized utility style vehicle and trailer to be acquired in conjunction with the 2004 Urban Area Security Initiative.

Additional Information. On March 23, 2005, the Board of Supervisors approved an intergovernmental agreement between the City of Phoenix and the Maricopa County Sheriff's Office for funding from the 2004 Urban Area Security Initiative to purchase equipment for the Rapid Response Team. This motorized utility style vehicle is part of that initiative.

Budgetary Details. Grant funds will be used to purchase this vehicle (\$12,000). The General Fund (100) will fund continuing costs, estimated to be \$325 for FY 2005-06, and \$700 annually. This is a one-time addition to fleet that will be retired at the end of its useful life, with no funding from the General Fund for its replacement. (C5005536305) (ADM3104)

SALE OF BOAT TRAILERS – CONTINUED

Item Summary. Approve an amendment to specifically include the sale of boat trailers, Trailer 383 for Boat LP56 and Trailer 385 for boat LP58, at \$1.00 each. The boats were approved for sale in Agenda Item C5006018M00. Pursuant to A.R.S. §11-251 (9) and (58), this action requires a unanimous roll call vote.

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Additional Information. Agenda Item C5006018M00 approved the sale of two 1993 Sunset Boats LP56 and LP58, to the Tonto National Forest Service in the consideration of \$1.00 each. This action adds the boat trailers. The two trailers associated with the boats conveyed to the Forest Service in October have unique equipment numbers assigned and must be designated as separate items for conveyance in this agenda item. (C5006018M01) (ADM119)

The Clerk announced the continuation of this item to the April 5, 2006, meeting so that a roll call vote of all members may be obtained.

UTILIZATION OF FEE REVENUE

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the transfer of revenue and expenditure authority in the amount of \$695,574 that will allow the Adult Probation Department to shift probation costs in order to utilize fee revenue from a surcharge on civil and criminal traffic violations.

Additional Information. Approval of this action allows the Adult Probation Department to shift probation costs from the General Fund to the Fees Fund in order to utilize fee revenue from a surcharge on civil and criminal traffic violations that, beginning in FY 2005-06, is no longer required to be remitted to a state fund. A related item has been submitted separately to approve a funding transfer to adjust for the impact on the Juvenile Probation Department.

Budgetary Details. Pursuant to A.R.S. §42-17106 (b), also approves the transfer of revenue and expenditure authority in the amount of \$695,574 (\$695,574 annualized) from the FY 2005-06 General Government (470) Grant Fund (249) General Government Grants (4711) for "Potential Fee Increases" to the Adult Probation (110) Fees Fund (201). Also approve the transfer of expenditure authority of \$695,574 (\$695,574 annualized) from the Adult Probation (110) General Fund (100) to General Government (470) General Fund (100) Reserved Items (4711) for "Justice Reserve." (C1106005800) (ADM200)

FUNDS TRANSFER FOR REDUCED FUNDING

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the transfer of expenditure authority, in the amount of \$485,981, that will allow the Juvenile Probation Department to shift probation costs to compensate for reduced grant funding.

Additional Information. A related item has been submitted separately to approve a funding transfer to adjust for the impact on the Adult Probation Department.

Budgetary Details. Pursuant to A.R.S. §42-17106 (b), also approves the transfer of expenditure authority of \$485,981 (\$485,981 annualized) from General Government (470) General Fund (100) Reserved Items (4711) for "Justice Reserve" to the Juvenile Probation (270) General Fund (100). Approval of this action allows the Juvenile Probation Department to shift probation costs from the Juvenile Probation Grants Fund (227) to the General Fund to compensate for reduced grant funding from a state fund. (C2706007800) (ADM1400)

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FILL THE GAP PLAN

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to authorize the Chairman of the Maricopa County Board of Supervisors to endorse and sign the "Fill the Gap" plan submitted by the Presiding Judge of the Superior Court, in accordance with the provisions of A.R.S. §12-102.02(c).

Additional Information. In accordance with the statute, the plan has been endorsed by the Presiding Judge, the Clerk of Superior Court, the Presiding Justice of the Peace, and an elected Justice of the Peace in Maricopa County. The Board has previously approved separate actions submitted by the Adult Probation Department, Clerk of Court and the Trial Courts Department of the Judicial Branch, accepting grant and associated revenues to support this plan. (C3806014300) (ADM1819)

KIDS VOTING ARIZONA PROGRAM

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve Amendment No. 1 to Agenda Item C2005013300 which reflects the actual amount of the funds received for the Kids Voting Arizona Program. The original agenda item reflected a grant amount of \$35,000; the actual grant funds are \$45,000.

Additional Information. Agenda Item C2005013300 authorized:

- o The Maricopa County Manager's Office to apply to the Gila River Indian Community for Proposition 202 Indian Gaming Funds in the amount of \$45,000 in FY 2004-05, \$35,000 in FY 2005-06, and \$30,000 in FY 2006-07 for a three year total of \$110,000.
- o The Chairman of the Board of Supervisors to sign the grant application.
- o Maricopa County to approve the grant funds if awarded and authorize the pass through of these funds to Kids Voting Arizona, a non-profit organization. The action required an appropriation adjustment, increasing the General Government Grant Fund (249) FY 2004-05 revenue and expenditure budgets by \$45,000 and to adjust the FY 2005-06 and FY 2006-07 grant budgets as prescribed above.

In FY 2005-06 the Gila River Indian Community presented a check in the amount of \$45,000 to Maricopa County for Kids Voting Arizona. The budget for this revenue and expenditure for FY 2005-06 was \$35,000. The amended FY 2005-06 appropriation adjustment will allow the authority to pass through the full \$45,000 to Kids Voting Arizona. Maricopa County will act as the pass-through agency for Kids Voting Arizona and will pass through the entire amount of the additional grant in FY 2005-06.

Budgetary Details. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to amendment No. 1 to Agenda Item C2005013300 requires an appropriation adjustment increasing the FY 2005-06 General Government (470) General Government Grant Fund (249) General Government Grants (4711) revenue budget by \$10,000. Amendment No. 1 also requires an appropriation adjustment increasing the FY 2005-06 General Government (470) General Government Grant Fund (249) General Government Grants (4711) expenditure budget by \$10,000. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The grant award period is from the date of award to June 30, 2006. (C2005013301)

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HUMAN SERVICES CAMPUS

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve Amendment No. 2 to C2006022000 which transfers the \$16,000 pass-through funds from Tempe Accelerated High School LLC, to the Maricopa County Human Services Campus.

Additional Information. These funds will no longer be passed through but will be used toward capital projects for the Human Services Campus. The \$16,000 will go toward the \$75,000 that will be received by Maricopa County from the Fort McDowell Yavapai Nation for the Human Services Campus. Pursuant to A.R.S. §11-254.04, the Board finds that this distribution of funds will assist in the creation or retention of jobs or will otherwise improve or enhance the economic welfare of the inhabitants of Maricopa County.

Budgetary Details. Upon receipt of the \$245,000, authorized in C2006022000, an appropriation adjustment increasing revenues and expenditures in the amount of \$16,000 will be made to Fund (435) for use on the Human Services Campus. An appropriation adjustment decreasing revenues and expenditures in the amount of \$16,000 will be made to Fund (249). 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 expenditure of local revenues duly adopted by the Board of Supervisors pursuant to A.R.S. §42-17105. This grant award period is from the date of the award to June 30, 2006. (C2006022002)

LAW ENFORCEMENT OFFICERS MERIT SYSTEM RULE 11.01

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an amendment to Law Enforcement Officers Merit System Rule 11.01, Matters Which May Be Appealed, requiring that an appeal be filed not later than 10 business days instead of 10 calendar days. (C3106015600) (ADM3306-001)

PERSONNEL AGENDAS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) 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.

BUDGETING FOR RESULTS – BUDGET ACCOUNTABILITY POLICY

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve revisions to the Budgeting for Results – Budget Accountability Policy (B1001) for all Maricopa County departments/agencies. (C4906023800) (ADM633)

A. Introduction

According to A.R.S. §42-17106, the County may not incur expenditures in excess of the amounts appropriated by the Board of Supervisors in the annual budget. A Special District may not exceed its duly adopted budget without an action by its Board of Directors amending its budget. The purpose of the Budgeting for Results Accountability Policy is to provide Departments/Special Districts with flexibility in managing their allocated public resources to achieve program results, while upholding accountability for spending within legal appropriations.

B. Definitions

Appropriation: Authorization by the Board of Supervisors to incur expenditures for a specific purpose, defined in Maricopa County as total expenditures by Department and fund; "budget items" as referenced in A.R.S. §42-17106. Appropriation for a Special District is the authorization by its Board of Directors to incur expenditures for the purposes specified in the Detailed Budget adopted by the Board of Directors.

Department: All County Departments, including Elected Official Offices, Court Departments, and Appointed Departments.

Detailed Budget: Budget allocation within an appropriation by month, organization unit, program/activity/service, object/source, and position.

Special District: All Maricopa County Special Districts, including the Flood Control District, Library District, and Stadium District.

C. Policy Guidelines

1. Budgets shall be appropriated and controlled by the Board of Supervisors/Board of Directors at the level of Department/Special District and fund and, where applicable, by capital improvement project.
2. Appropriation levels are not guaranteed from one fiscal year to the next. Each year, appropriation amounts for each Department/Special District and fund shall be recommended by OMB for approval by the Board of Supervisors/Board of Directors, based on detailed reviews of spending needs, priorities, expected results, and available funding.
3. Departments/Special Districts shall develop and maintain detailed revenue and expenditure budgets that will be loaded into the main financial system. Detailed budgets will be prepared by month, organization unit, object/source and position according to instructions developed by the Office of Management and Budget. *Beginning in FY 2002-03, detailed budgets will also be allocated to programs and activities.* Detailed budgets shall exactly equal Board appropriations.
4. Appropriations shall be changed during the fiscal year only with Board of Supervisors/Board of Directors approval, with the exception of grants approved by the Board in the previous fiscal year and carried over into the new year. The Office of Management and Budget may approve appropriation adjustments for carried-over grants if the Board of Supervisors/Board of Directors previously appropriated the grant, and the Department of Finance certifies the carried-over grant balance.
5. The Board of Supervisors/Board of Directors must approve all changes in capital improvement project appropriations. All requests for project appropriations must be accompanied by a request for Board approval to amend the five-year capital improvement program.
6. In order to maximize results, Departments/Special Districts will have the flexibility to reallocate their detailed budgets for the remainder of the current fiscal year within appropriations approved by the Board of Supervisors/Board of Directors. Budgetary flexibility is accompanied by the responsibility to produce expected results while absorbing unanticipated spending increases. If a Department/Special District requests an appropriation increase or contingency transfer for an

unanticipated spending increase, the Board of Supervisors/Board of Directors shall determine whether the department will be controlled according to its detailed budget. The Office of Management and Budget shall validate that all detailed budget adjustments balance and reconcile to appropriations set by the Board of Supervisors/Board of Directors.

7. All positions must be fully funded and budgeted in accordance with the *Funded Positions Policy (B3001)*. In order to create new positions, departments/special districts must first verify full-year funding. If a position loses funding, it shall be identified and eliminated.
8. Departments/Special Districts shall recommend for approval any agreements that commit the County/Special District to expenditures for which funding is not identified in future years. Departments/Special Districts shall verify funding for all purchase requisitions or other contracts or agreements.
9. Department/Special District expenditures and revenues shall be monitored and reported on a monthly basis throughout the fiscal year. The Department of Finance shall prepare and submit to the Board a comprehensive monthly analysis of budget variances by Department/Special District and fund, and will investigate any negative year-to-date variances.
10. Any Departments/Special Districts for which the Department of Finance reports a negative year-to-date expenditure or revenue variance must provide a written explanation and corrective action plan to the Department of Finance and the Office of Management and Budget. The Office of Management and Budget and the Department of Finance will review and approve all corrective action plans, and report them to the Board once they are finalized.
11. If there is a significant risk that a Department/Special District will exceed its annual appropriation, the Board of Supervisors/Board of Directors may place restrictions on the ability of a Department/Special District to adjust its detailed budget, and may also control its expenditures according to the detailed budget.
12. Departments/Special Districts shall not exceed their expenditure appropriations. Departments/Special Districts shall be required to reduce expenditures to offset any revenue shortfall. Also, Departments/Special Districts may not exceed the budget for a specific capital improvement project.
13. At the close of the fiscal year, the Department of Finance will prepare and submit to the Board of Supervisors/Board of Directors a comprehensive report of all audited actual expenditures relative to all Department/Special District appropriations. The report will include an explanation of each instance in which expenditures exceed appropriations by the Board of Supervisors/Board of Directors.
14. If a Department/Special District exceeds its annual expenditure appropriation, its expenditures will be reviewed by the Office of Management and Budget. They will identify the causes of the overrun and report the findings, along with a corrective action plan, to the Board of Supervisors/Board of Directors.
15. If a Department/Special District exceeds its expenditure appropriation, the Office of Management and Budget may recommend that the Department's/Special District's appropriation be appropriated and controlled according to the specific line-items in its detailed budget for the entire

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succeeding fiscal year, and any changes in the detailed budget shall require Board of Supervisors/Board of Directors approval.

16. The Board of Supervisors/Board of Directors may reduce a Department or Special District's appropriations for the subsequent fiscal year by an amount equal to the overrun in the previous fiscal year.

PERFORMANCE-BASED SALARY ADVANCEMENT PLAN

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the document, "FY 2006-07 Performance-Based Salary Advancement Plan" for Maricopa County departments. The provisions of this document supersede Section VI, Paragraph A of the Maricopa County Compensation Plan, entitled "Salary Advancements". (C4906028600) (ADM3308)

FY 2006-07 Performance-Based Salary Advancement Plan

Purpose:

The purpose of this plan is to recognize employees' performance in an equitable manner so that they will be motivated to continue to perform.

Background:

The compensation strategy described in this document is a continuation of the pay for performance compensation strategy began in FY 2004-05, which facilitated the County moving to a more regular compensation funding and distribution system.

Applicability:

The guidelines and process outlined in this plan will apply to all performance-based salary advancements awarded in FY 2006-07. No performance-based salary advancements will be awarded outside of this process. Participation in this process is a condition for Board appropriation of funds. For elected and judicial branch agencies, the Office of Management and Budget may approve minor variances from specific guidelines in this plan if they are consistent with the overall direction, and there is no increased annualized budgetary impact.

Upon adoption by the respective boards of directors for the Flood Control District, Stadium District and Library District, the references herein to County departments shall be deemed to refer to the special district as appropriate.

Employee Eligibility:

Employees will be eligible for performance-based salary advancements if they meet the following criteria:

- a) Employed on a full or part-time basis in classified, unclassified or contract status; temporary employees are not eligible.
- b) Employed continuously in their current position/job title for at least one year as of the effective date of their salary advancement. Salary advancements for employees eligible mid-year will be pro-rated based on the remaining time in the fiscal year.

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- c) Employed by any County department except the Maricopa Managed Care System.
- d) Have a current performance appraisal (completed within the last 12 months) on file in Human Resources as of the effective date of the salary advancement, with a performance rating of 3 (Meets or Base Performance) or higher.
- e) May not be on initial or performance probation as of the effective date of their salary advancement.

Department Expenditure Caps:

The annualized cost of each department's implementation plan for performance-based salary advancements may not exceed not more than 3.5% of its budgeted regular salaries and associated variable benefits by fund (excluding amounts budgeted for positions with salaries defined by statute, such as elected officials, and executive-level positions, which will be funded centrally).

Employee Award Guidelines:

Eligible employees will receive performance-based salary adjustments based on their current performance evaluation. Increases will be applied to the employee's current base salary (unless the employee is over the maximum pay rate for their position). Within a department, the highest percentage increase awarded to any employee with a specific performance rating must be less than the lowest percentage increase awarded to any employee with the next highest performance rating. For example, an employee with a rating of "3" may not receive a 5% increase if any other employee in the same department with a rating of "4" is to receive an increase of less than 5%.

Although performance increases must average not more than 3.5% in order for departments to stay within their funding allocation, individual increases may and should vary from this amount based on individual performance ratings. Please note that performance increases exceeding 10% will require approval by the Compensation Review Committee prior to inclusion on the personnel agenda, which may delay implementation of these increases.

Allocation Guidelines:

Given that pay increases will be based solely on performance, department directors are strongly encouraged to meet with their managers and supervisors regarding standards and expectations for performance plans and appraisals. Supervisors and managers are encouraged to attend County-sponsored training on this topic. Managers and supervisors should evaluate employees based on established performance plans, which tie directly to the department's strategic plan and goals. Employees should be evaluated on criteria that are objective and measurable. All employees must be rated on the County's standard five-point scale, unless an exception is requested and granted by the Human Resources Department.

It should be noted that funds have been earmarked in FY 2006-07 to cover market adjustments for some staff. Departmental management is encouraged to communicate with the Employee Compensation Division within OMB on market-based salary concerns. All requests will be prioritized based on demonstrated recruitment and retention difficulties, as well as impact on service delivery and ability to meet departmental goals. Please do not attempt to address market-based salary issues through the performance pay process.

Funding Allocation:

Departments' expenditure appropriated budget targets will be adjusted as necessary to fund implementation of this approved performance-based salary adjustment plan, not to exceed 3.5% of budgeted regular salaries and associated variable benefits by fund (excluding amounts budgeted for positions with salaries defined by statute and executive-level positions).

Effective Dates:

For initially eligible employees, salary advancements will be effective July 3, 2006. For employees who become eligible later in the fiscal year, effective dates may be at the beginning of the next pay period after their eligibility date up to June 30, 2007.

Approval and Implementation:

1. Departments will be provided a standardized spreadsheet which lists all employees. Departments are expected to verify that all employees are included, and that employee-level information (such as position, position entry date, etc.) is correct, and indicate each employee's performance rating. Spreadsheets will be submitted to OMB, Employee Compensation Division for review. Copies of employee evaluations should be sent to Employee Records prior to submission of the pay for performance spreadsheet in order to document the ratings listed in the spreadsheet.
2. OMB will review each department's implementation plan for completeness and adherence to the approved guidelines. Funding will be reserved for employees with less than one year in their position.
3. Once a department plan is approved, the Office of Management and Budget will work with departments to implement the salary advancements as soon as possible. Retroactive pay will be provided if adjustments cannot be implemented by the targeted effective date.

LIFESAVERS 2006 CONFERENCE

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve and accept grant funds and any subsequent amendments, including this award, in the amount of \$1,000.00, which will support out-of-state travel for a Maricopa County employee to attend the Lifesavers 2006 Conference.

Additional Information. This grant, from Arizona Governor's Office of Highway Safety (GOHS), will support out-of-state travel for a Maricopa County Department of Public Health employee to attend the Lifesavers 2006 Conference. Lifesavers is the premier national highway safety meeting in the United States dedicated to reducing the tragic toll of deaths and injuries on our nation's roadways. The conference addresses a wide range of safety topics, from child passenger safety and occupant protection to roadway and vehicle safety and technology. Also to approve and accept grant funds and any subsequent amendments from the GOHS Federal (402) grant, to be awarded to the Maricopa County Department of Public Health, Office of Health Promotion and Education (OHPE). The award is in the amount of \$1,000.00 with a contract term beginning February 1, 2006 and ending April 30, 2006.

Budgetary Details. The Maricopa County Department of Public Health's indirect rate for FY 2005-06 is 16.67%. Indirect costs are not allowed by the grant source. Estimated unrecoverable indirect costs on this

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award are \$166.70. By approving this agenda item, the Board authorizes the Executive Supervisor (or designee) to sign all continuation applications and associated documents. (C8606001301)

SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following:

- a. **Item Summary.** Amendment No.1 to Agreement C86064142, an intergovernmental agreement with the Paradise Valley Unified School District, to provide school-based tobacco use prevention and education services. This amendment will add Desert Cove Elementary School and will increase the amount of the agreement by \$500, from \$45,500 not-to-exceed \$46,000. The term of this amendment, for this school only, is retroactive from December 1, 2005 through May 1, 2006. All other terms and conditions of the original agreement remain in full force and effect. (C8606414201)
- b. **Item Summary.** An intergovernmental agreement with the Mobile Elementary School District to provide school-based tobacco use prevention and education services. The term of the agreement is retroactive from January 1, 2006 through June 1, 2006, for a contract dollar amount not-to-exceed \$1,500. (C8606449200)

LEASE RENEWAL FOR HEAD START CLASSROOM

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve and execute a renewal option for the continued use of a 1,000 square foot Head Start classroom at 221 W. 6th Avenue, Mesa.

Additional Information. The renewal option, for Lease No. L7200 with the Boys and Girls Club of the East Valley, Inc., lessor, includes an option to extend the term of the existing lease through June 30, 2007. The annual rental cost will remain at the current rate of \$6,000. This lease contains a 90-day cancellation clause and does not include any county general funds. (C2203025404)

PARADISE VALLEY GOLF COURSE AMENDMENT

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Amendment No. 4 to Paradise Valley Golf Course Agreement C3002001101 which extends the agreement for a remaining five years. The term of the agreement is from February 26, 2006 to February 25, 2011. There are no renewal options remaining on this agreement.

Additional Information. Maricopa County originally entered into an agreement with B.C.C.O.P. Inc., d.b.a. Sun West Golf (CS-91-375627) effective February 26, 1986, for the construction, management and maintenance of facilities at Paradise Valley Golf Course. Amendment No. 4, upon approval, will activate the second five-year renewal option, establishing terms and conditions for utilities, repairs, payments and rent. Beginning February 26, 2006, the amount of annual rent B.C.C.O.P. shall pay to the county shall be \$224,000, to be paid at the rate of \$14,500 per month, with an additional rent payment of \$50,000 due within thirty days after the end of each contract year. There are no additional renewal options remaining. The total term of the agreement will be from February 26, 1986 through February 25, 2011. (C3002001101)

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IRRIGATION IMPROVEMENTS AT ESTRELLA MOUNTAIN REGIONAL PARK

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to authorize a call for bids to construct the irrigation improvements at Estrella Mountain Regional Park and award a contract to the lowest responsible bidder if the bid does not exceed the landscape architect's estimate by more than 10%.

Budgetary Details. Funding for this project was approved by the Board of Supervisors on September 21, 2005, as a part of agenda item C3006009M00 and is available in the General Government County Improvement Funds (Dept. 470, Fund 445, Org 4713, Function code EMIS). (C3006025500)

PARK REVITALIZATION PROGRAM

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to authorize a call for bids to construct the restroom, entry station, and monument sign improvements "Park Revitalization Program" at Cave Creek, Estrella, McDowell, User, and White Tank Mountain Regional Park and award a contract to the lowest responsible bidder if the bid does not exceed the architect's estimate by more than 10%.

Additional Information. Funding for this project was approved by the Board of Supervisors on September 21, 2005, as a part of Agenda Item C3006009M00, and is available in the General Government County Improvement Funds (Dept. 470, Fund 445, Org 4713, Function ENTR). (C3006026500)

SPOT AWARD TOKEN PROGRAM

Item Summary. In accordance with Section X of the Maricopa County Compensation Plan, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the continuation of a Spot Award Token Program as an employee recognition program for FY 2005-06 and FY 2006-07, in addition to the American Express Card Peak Performer Program (02059-RFP) for the Parks and Recreation Department.

Additional Information. Section X of the Maricopa County's Compensation Plan allows Appointing Authorities to provide recognition rewards to employees for exemplary performance, attendance or other types of job-related achievements. The purpose of the Parks and Recreation Department's Spot Award Token Program is to allow the department to present direct, spot awards throughout the period of the program to employees who have been recognized by their peers for excellent customer service or other types of job-related achievements. The Parks' Spot Award Token Program, initiated in FY 2002-03, supplements the American Express Card Peak Performer Program (02059-RFP) for deserving employees, but expands that program in that it provides recognition to a larger number of deserving employees through the awarding of smaller denomination American Express Gift Cards.

Budgetary Details. Estimated annual cost of the Spot Award Token Program is under \$1,100 and will be absorbed from non-general fund sources within the department (Fund 241 and Fund 240). The program will cover the period from July 1, 2005 through June 30, 2007. (C3006027800) (ADM3336)

NEW HOPE RESCUE PROGRAM – CANINE

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following agreements with Maricopa County under the New

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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. The term of these agreements is from execution by the Board of Supervisors through March 14, 2007.

- a. Pat Daigle, d.b.a. MinPinHaven Rescue, 5728 N. 41st Drive, Phoenix, AZ 85019. Animal Care & Control estimates 20 New Hope rescues over the term of the agreement, for a total of \$540. (C7906081100)
- b. Jennifer Campos, d.b.a. Arizona Labrador & Giant Breed Rescue, P. O. Box 26116, Phoenix, AZ 85068. Animal Care & Control estimates 20 New Hope rescues over the term of the agreement, for a total of \$540. (C7906088100)

NEW HOPE RESCUE PROGRAM – FELINE

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an agreement to rescue animals that have been deemed eligible for the New Hope Program.

Additional Information. This agreement, between Alyssa Fallert, d.b.a. Arizona Maine Coon Cat Rescue, and Maricopa County, allows Arizona Maine Coon Cat Rescue 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, cat license tag (ID tag only) and new owner transfer fee within the first year of rescue for each cat three months of age or older at no cost to the contractor. The cost for these services is \$27 for each animal rescued. Animal Care & Control estimates 10 New Hope rescues over the term of the agreement, for a total of \$270. The term of this agreement is from execution by the Board of Supervisors through March 14, 2007. (C7906093100)

RENEW KENNEL PERMITS

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve kennel permit renewals for the term of March 15, 2006 through March 14, 2007.

- a. Sandra Holtzman, d.b.a. Holtzman Kennels, 3043 E. Grovers Avenue, Phoenix, AZ 85032, Permit #375. The cost of the kennel permit is \$328. (C7906083C00) (ADM2304)
- b. Linda Shively, d.b.a. East Valley Rescue, 8125 E. 5th Avenue, Mesa, AZ 85208, Permit #312. The cost of the kennel permit is \$328. (C7906083C00) (ADM2304)
- c. Sue Nix, d.b.a. Nix Kennels, 2505 E. Louise Drive, Phoenix, AZ 85032, Permit #389. The cost of the kennel permit is \$328. (C7906083C00) (ADM2304)
- d. Marilyn Roden, d.b.a. Roden Kennels, 11400 S. Airport Road, Buckeye, AZ 85326 (P. O. Box 583, Avondale, AZ 85323), Permit #211. The cost of the kennel permit is \$90. (C7906084C00) (ADM2304)

DONATIONS

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the acceptance of the following donations. Donation revenue funds are deposited into Fund (573) as they are received.

- a. PETsMART Charities, Inc., 19601 N. 27th Avenue, Phoenix, AZ 85027, in the amount of \$1,403.25. (C7906082700) (ADM2300)
- b. Philip Siegried, Executor of the Posey Family Trust, on behalf of I. James Posey, deceased, Scottsdale, AZ in the amount of \$10,000. (C7906085700) (ADM2300)
- c. Paul Svancara, Graphic Designer, 5248 E. Ivy Glen Street, Mesa, AZ 85205, for the design of the Animal Care & Control Logo, valued at \$15,000 for the design, artistic work, and time. The Maricopa County Board of Supervisors approved the Department Logo January 4, 2006. (C7906086700) (ADM2300)
- d. Phoenix Flyers Dog Agility Training, 7602 W. John Cabot Road, Glendale, AZ 85308, in the amount of \$437.80. (C7906090700) (ADM2300)
- e. Gene L. Dorr, 1668 W. Glendale Avenue, Phoenix, AZ 85021, in memory of Dorothy M. Franklin, deceased, in the amount of \$3,000. (C7906091700) (ADM2300)
- f. James McGreevy, Attorney-at-Law for the Evelyn M. Crump Estate in the amount of \$100,000. (C7906092700) (ADM2300)

AMERICORP EMPLOYEE FOR ANIMAL CONTROL RESERVE PROGRAM

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an agreement to receive an AmeriCorp employee, at a cost of \$7,000, for program development, capacity building, and creating project sustainability in formulating an Animal Control Reserve Program.

Additional Information. This agreement, between Make A Difference, Phoenix, AZ, a nonprofit 501 (C) 3, and Maricopa County, is designed to partner with the Make A Difference Citizen Action AmeriCorps Program to receive an AmeriCorp employee under the terms of the agreement from March through December 2006, at a cost of \$7,000. AmeriCorps is a part of the Corporation for Nation Service, chaired by President Bush. It was formed to foster a renewed culture of citizenship and offer educational opportunities to people who serve. Each full-time member will serve 35-45 hours a week for ten to twelve months and complete a minimum of 1700 hours of service. Animal Care & Control is in need of an individual that can dedicate their time and experience to program development, capacity building, and creating project sustainability in formulating an Animal Control Reserve Program. The Make A Difference Citizen Action AmeriCorps Program is able to offer an AmeriCorp member for that job.

Budgetary Details. Half of the expenditure is budgeted in FY 2005-06 and the second half is budgeted in FY 2006-07. (C7906087100)

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MEDICALLY NECESSARY EMERGENCY TREATMENT FOR ANIMALS

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an agreement 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.

Additional Information. This agreement, between Lisa Felchle, DVM, d.b.a. Eye Care For Animals – Gilbert, 86 W. Juniper Ave #8, Gilbert, AZ 85233, and Maricopa County, provides under the STAR Program (Special Treatment and Recovery), medically necessary emergency treatment. Animals would be euthanized as a means of relieving the pain and suffering if emergency medical treatment is not available. The term of this agreement is from execution through March 14, 2008. (C7906089000)

FUND TRANSFERS; WARRANTS

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

PURCHASE AND SALE OF LAND WITH CITY OF PEORIA

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve an amendment to a Purchase and Sale Agreement with the City of Peoria that will extend the escrow closing date to no later than December 29, 2006, for the sale to Peoria of 38.55 acres of county-owned land near 79th Avenue and Hatcher Road, in Peoria.

Additional Information. The Purchase and Sale Agreement with the City of Peoria was approved on September 21, 2005. Authorize the Chairman to execute documents necessary to complete the transaction. Under the agreement, the city agreed pay to the county a purchase price of \$5,000,000 for fee title to the land. The balance of the purchase price remaining to be paid into escrow (currently \$4,950,000) will accrue interest and increase based upon an annual interest rate of 10% until close of escrow. The agreement will be effective when executed by both parties. (C1806021101)

LEGAL ADVERTISEMENT AND DOCUMENTS FOR LEASE

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to authorize legal advertisement of a proposed lease of 2,400 square feet of county-owned space to MariSol Federal Credit Union for a branch office located on the County Durango Campus.

Additional Information. Approval includes the authorization to the Chairman to execute necessary lease documents upon completion of the 30-day advertisement period if no challenges are received to the proposed lease. The lease term will commence on the effective date and continue for an initial 120-month term, with the following scheduled annual rent payments, payable quarterly: Year 1 (\$14,400); Year 2 (\$15,000); Year 3 (\$15,600); Year 4 (\$16,200); Year 5 (\$16,800); Year 6 (\$17,400); Year 7 (\$18,000); Year 8 (\$18,600); Year 9 (\$19,200); Year 10 (\$19,800). MariSol will invest approximately \$225,000 for

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required tenant improvements and the space may only be used for credit union operations. (C1806037100)

SOLICITATION SERIALS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) 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)

Awarded:

05167-S

Street Sweeping Services (\$1,500,000 estimate/three years with three one-year renewal options). Price agreement to provide street sweeping services for the Maricopa County Department of Transportation.

o Mr. Dirt of Arizona

PUBLIC SAFETY MICROWAVE SYSTEM

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve a sole source contract to Microwave Networks for the maintenance and support of the county's public safety microwave system, not-to-exceed \$100,000 annually. This maintenance agreement will provide the county with hardware maintenance. Funding for this maintenance will be from the Telecommunications budget. (C4106005100)

TRAVEL REQUEST

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the travel request for Air Quality Department employees and non-employees to travel to Clark County, Nevada for a site review to define best practices.

Additional Information. The Maricopa County Air Quality Department is a regulatory agency whose mission is to ensure clean air standards are upheld for the residents and visitors of Maricopa County. The establishment of the Air Quality Department demonstrates the solid commitment Maricopa County has to cleaning up the air we breathe. We are dedicated to achieving the national ambient air quality standards put forth by the EPA through the Clean Air Act. For the purposes of identifying best practices associated with the management of Air Quality, a team of individuals including county employees and private sector individuals will conduct a site review of Clark County, Nevada. Because of the Clark County accomplishments, Maricopa County will fund the travel expenses for the site review for county personnel as well as certain private sector individuals. The focus of this site review is to define the best practices utilized by Clark County and determine the opportunities available to Maricopa County. These activities are in compliance with the General Travel Policy A2313 as adopted by the Board of Supervisors. (C8506019000) (ADM2375-001)

TEMPORARY ADDITION TO FLEET

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a temporary addition to the Environmental Services vehicle fleet with the retention of four red-lined vehicles.

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Additional Information. The department believes the operating costs will be offset by reductions in the money currently paid for mileage reimbursement and vehicle rental costs.

Budgetary Details. The funding to equip and operate these vehicles will come from the existing FY 2005-06 department operating budget. The estimated operating costs for the remainder of FY 2005-06 are \$3,000. These adjustments will result in a countywide net financial impact of zero. (C8806006M00) (ADM3104)

REMODEL AND EQUIP OFFICE SPACE

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the use of the \$293,000 to support one-time expenditures to remodel and equip office space for Lease L7237 at 1001 N. Central.

Additional Information. As a result of the Air Quality Department separating from the Environmental Services Department on January 1, 2005, Environmental Services needs to complete the building renovations and furniture remodel changes for the new department. This action will authorize the use of the Environmental Services Fund Balance to pay for these one-time expenditures. For FY 2005-06, an initial allotment of \$274,000 was budgeted. Finalized bids have established the total remodeling costs to be \$567,000 for moving and build-out expenses associated with this restructuring of the department. This is \$293,000 greater than was originally budgeted.

Budgetary Details. Pursuant to A.R.S. §42-17106B, this action also approves a transfer of expenditure authority in the amount of \$293,000 between the General Government Grants Fund (Department 470, Fund 249) and the Environmental Services (880) Environmental Services Fund (506). This action will require an expenditure appropriation adjustment decreasing the FY 2005-06 General Government Grants Fund (Department 470, Fund 249) by \$293,000, and increasing the FY 2005-06 Environmental Services Department (880) Environmental Services Fund (506) by \$293,000. These adjustments will result in a countywide net financial impact of zero. (C8806010800) (ADM2350-003)

VEHICLE EXEMPTIONS

Item Summary. Pursuant to A.R.S. §38-538.03, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the exemption from markings of the list of vehicles on file in the Clerk of the Board's office until March 31, 2007.

Additional Information. Departments utilizing vehicles included on file in the Clerk of the Board's office have submitted a statement affirming that their listed vehicles continue to be used for the purposes required under A.R.S. §38-538.03, thus justifying exemption from markings. This is the annual renewal of exemptions that were previously approved by the Board. The exemption from markings is requested due to the vehicles being used for felony investigations, activities of a confidential or sensitive nature and social service work. (C7406005000) (ADM3101V)

DURANGO ANIMAL CARE & CONTROL FULL SERVICE FACILITY

Item Summary. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to correct agenda item C7006010800, which was approved on November 2, 2005.

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Budgetary Details. Replace the language from Agenda Item C7006010800 "Create a new project titled 'Durango Animal Care & Control Full Service Facility' in the amount of \$16,930,000 (Year 1 \$1,600,000; Year 2 \$8,100,000; Year 3 \$7,230,000) and authorize the Facilities Management Department to proceed with the implementation and management of the completion of programming, procurement, design and construction of the project." with the following language:

Create a new project titled "Durango Animal Care & Control Full Service Facility" in County Improvements Fund (435), General Government Department (470). Establish an expenditure project budget of \$16,930,000 (Year 1: \$1,600,000; Year 2: \$8,100,000; Year 3: \$7,230,000), and authorize the Facilities Management Department to proceed with the implementation and management of the completion of programming, procurement, design, and construction of the project. Approve an increase in expenditure authority in the FY 2005-06 budget to General Government (Department 470) Capital Improvement Fund (435) in the amount of \$1,600,000 for the increase in the project. Expenditures in Fund (435) are funded by non-local revenues and are, therefore, not subject to the county's expenditure limitation. 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. (C7006010801) (ADM2300-003)

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

Item Summary. Motion was made by Supervisor Wilson, seconded by Suoervisir Kunasek, and unanimously carried (3-0-2) 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)

A339.015 Project No.: TT187 - Pinnacle Peak Road at 91st Avenue (NW Corner) - Warranty
(LJS) Deed - Parcel No.: 201-16-298 - Montana De Oro Homeowners Association - for the
sum of \$5,000.00

A339.015 Project No.: TT187 - Pinnacle Peak Road at 91st Avenue (NW Corner) - Purchase
(LJS) Agreement and Escrow Instructions - Parcel No.: 201-16-298 - Montana De Oro
Homeowners Association.

MI-1S6E- Project No.: TE203 - Galveston Street (East of Gilbert Road) – Letter Agreement for
30.001 Reimbursement and a Temporary Ingress and Egress - Parcel No.: 304-43-004Q -
(LJS) West Gilbert Charter Elementary School, Inc. and West Gilbert Charter Middle
School, Inc. - for the sum of \$5,000.00.

SR 303L FROM I-10 TO US 60

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve Change Order No. 12 to Contract No. CY 2001-36 with URS Corporation, in an amount not-to-exceed \$17,000, for the SR 303L from I-10 to US 60.

Additional Information. This change order shall increase DMJM Harris' (sub-consultant) fees by \$17,000 in order to complete the environmental assessment and extend the contract performance period through August 30, 2006.

Budgetary Details. Also approves an expenditure decrease of \$150,000 to Year 1 of the current FY 2006-10 Five Year CIP for Project T091, 83rd Avenue: Northern Avenue to Olive Avenue, Transportation Department (640), Capital Improvement Projects Fund (234). Approve an expenditure increase of

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\$150,000 to Project T109, SR 303L from I-10 to US 60, Year 1, Transportation Department (640), Capital Improvement Project Fund (234). The countywide impact will be zero. (C6401241511)

SIGNAL MODERNIZATION

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following solicitation of bids:

- a. **Item Summary.** For Signal Modernization in Sun City, Project No. T236 and 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 approving the recommended FY 2006-07 budget. (C6406191500)
- b. **Item Summary.** For Signal Modernization in Sun City and Sun City West, Project No. T237 and 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. (C6406192500)

CAMELBACK ROAD AT LITCHFIELD ROAD

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the addition of the Camelback Road at Litchfield Road Project with an expenditure budget of \$30,000.

Additional Information. Camelback Road at Litchfield Road is planned for construction/up-grade in FY 2006-07. The intersection requires the addition of left turn arrows with cabinet and pole up-grades. The design will need to be accomplished in FY 2005-06 and this will be achieved with an in-house design team.

Budgetary Details. Also approves the addition of Project #T230 Camelback Road at Litchfield Road with an expenditure budget of \$30,000 to the Department of Transportation's FY 2006 TIP (CIP) budget (Year 1), Department (640), Fund (234). Approves 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 T091, 83rd Avenue: Northern Avenue to Olive Avenue capital budget by \$30,000. This decrease will offset the increase requested above for a countywide impact of zero. (C6406193800)

SIGNAL TIMING COORDINATION SERVICES

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to award an on-call contract for pending and new projects requiring signal timing coordination services.

Additional Information. Contract No. 2005-076, with Morrison Maierie, Inc., is effective for a period of two years with an option to renew for three additional one-year periods following Board of Supervisors' approval or until the expenditure of \$500,000, whichever occurs first. Approval of the expenditure for FY 2006-07 is contingent upon the Board adopting the FY 2006-07 recommended budget. (C6406194500)

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DESIGN AND CONSTRUCTION CONTRACT

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve re-imbusement and acceptance of SRP's Design and Construction Contract for costs incurred in the relocation of their facilities that are in conflict with Maricopa County Department of Transportation, Project T123, Brown Road from 94th Street to Crismon Road. The cost may not exceed the current estimate of \$1,796 by more than 10%. (C6406195100)

ADDITION OF PROJECTS TO CIP

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the addition of projects and corresponding expenditure budget.

Budgetary Details. The projects and corresponding expenditure budget to the Department of Transportation's FY 2006 TIP (CIP) budget (Year 1), Department (640), Fund (234) are as follows:

Project Number	Description	Budget Amount
T015	Geotechnical On-Call Services	\$10,000
T019	AZTech Smart Corridors	\$250,000
T033	PM10 (Phase 2) NW Area	\$1,000
T041	PM10: Saddle Mtn: N. River Rd-12th St	\$45,000
T043	PM10: McNeil: 35th Ave-31st Ave	\$20,000
T058	Estrella Interim Loop 303	\$10,000
T061	McDowell: Pima Fwy to Alma Sch Rd	\$62,336
T064	Baseline: 7th Ave-43rd Ave	\$5,000
T065	Northern: 95th Ave-71st Ave	\$2,500
T072	MC85 at Agua Fria Bridge Scour	\$1,000
T073	Old US80 at Hassayampa/Scour	\$10,000
T103	El Mirage: Bell to Beardsley	\$500,000
T104	El Mirage: Beardsley to SR303L	\$460,000
T116	Laveen Area Conveyance Channel	\$2,500
T117	Power Rd: Williams Field to Ray	\$1,000
T121	MC85: El Mirage to 115th Ave	\$20,000
T124	Pinnacle Peak: Lk Pleasant – 83rd Ave	\$1,000
T140	Meridian Rd: Hunt to Baseline	\$325,000
T151	Contract Overlay: FY04	\$2,500

Also approve an amendment to the current FY 2006-10 five-year CIP for Fund (231) – Transportation Capital Projects Fund adopted by the Board on June 20, 2005, by decreasing the FY 2005-06 (Year 1) capital budget for the following projects:

Project Number	Description	Capital Budget
T098	Williams Fld Rd: Gilbert to Lindsay	\$472,000
T192	Rio Verde Dr: Forest Hills – 136th Dr	\$50,000
T193	T193, Desert Hills at Skunk Creek	\$184,000
T195	Northern Ave: SR303 – Grand Ave	\$502,500
T219	Mingus Box Culvert	\$285,000
T003	Special Projects	\$235,336

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The requested adjustment is necessary to realign project budgets to more closely match the year-end projected expenditure amount, and results in a net impact of zero. (C6406196800) (ADM2000-003)

TRAFFIC CONTROL CHANGES

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following traffic control changes on unincorporated right-of-way:

- a. **Chandler Heights Road from Recker Road to .25 miles east of Hawes Road** – A 45 mph speed limit zone (from a 50/40/35/40 mph speed limit zone). This rescinds the 50 MPH speed limit zone dated August 5, 1974, the 40 MPH speed limit zone dated February 21, 1984, the 35 MPH speed limit zone dated August 5, 1974, the 35 MPH speed limit zone dated February 21, 1984 and the 40 MPH speed limit zone dated February 21, 1984. (C6406198000) (F23193)
- b. **Chandler Heights Road from .25 miles east of Hawes Road to .25 miles west of Ellsworth Road** – A 40 mph speed limit zone (from a 50 mph speed limit zone). This partially rescinds the 50 MPH speed limit zone dated October 15, 1973. (C6406198000) (F23193)
- c. **Chandler Heights Road from .25 west of Ellsworth Road to Ellsworth Road** – A 45 mph speed limit zone (from a 50 mph speed limit zone). This rescinds the 50 MPH speed limit zone dated October 15, 1973. (C6406198000) (F23193)
- d. **Dynamite Boulevard from 40th Street to 56th Street** – A 45 mph speed limit zone (from a 50 mph speed limit zone). This partially rescinds the 50 MPH. speed limit zone dated December 12, 1983. (C6406201000) (F23193)
- e. **Forest Road from Tonto Lane to Rio Verde Road** – A 35 mph speed limit zone (from a 40/50 mph speed limit zone). This rescinds the 40 MPH speed limit zone dated June 15, 1987 and the 50 MPH speed limit zone dated June 15, 1987. (C6406203000) (F23193)
- f. **Ellsworth Road from .70 miles south of Ocotillo Road to .75 miles south of Ocotillo Road** – A 35 mph speed limit zone (from a 40 mph speed limit zone). This partially rescinds the 40 MPH speed limit zone dated June 4, 1979. (C6406204000) (F23193)
- g. **Ellsworth Road from .75 miles south of Ocotillo Road to Chandler Heights Road** – A 45 mph speed limit zone (from a 50 mph speed limit zone). This partially rescinds the 50 MPH speed limit zone dated May 29, 1973. (C6406204000) (F23193)
- h. **Ellsworth Road from 500 Feet north of University Drive to Princess Drive** – A 45 mph speed limit zone (from a 50 mph speed limit zone). This partially rescinds the 50 MPH speed limit zone dated July 1, 1974. (C6406204000) (F23193)

RESCIND TRAFFIC CONTROL

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to rescind existing traffic controls (Designated School Crossing) on unincorporated right-of-way at “a designated school crossing” on Wigwam Creek Boulevard 10 feet south

of Denton Street which was previously approved on October 19, 2005 under C640606500. (C6406199000) (F23166)

NEW TRAFFIC CONTROLS

Item Summary. Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following new traffic controls on unincorporated right-of-way:

- a. **Wigwam Creek Boulevard 60 feet north of Georgia Street** – A Designated School Crossing. (C6406200000) (F23193)
- b. **Lone Mountain Road from 48th Street to 68th Street** – A 45 mph speed limit zone. (C6406202000) (F23193)
- c. **12th Street from 100 feet south of Joy Ranch Road to 100 feet north of Cloud Road** – All traffic to stop before entering or crossing a through street within the prescribed limits. (C6406205000) (F23193)
- d. **11th Avenue from 100 feet north of Cloud Road to 100 feet north of Maddock Road** – All traffic to stop before entering or crossing a through street within the prescribed limits. (C6406205000) (F23193)
- e. **Irvine Road from 100 feet west of 7th Avenue to 100 feet east of 19th Avenue** – All traffic to stop before entering or crossing a through street within the prescribed limits. (C6406205000) (F23193)
- f. **Gopher Road from 100 feet north of Arlington Road 100 feet south of Narramore Road** – All traffic to stop before entering or crossing a through street within the prescribed limits. (C6406206000) (F23193)
- g. **Garnet Road from 100 feet north of Arlington Road to 100 feet south of Narramore Road** – All traffic to stop before entering or crossing a through street within the prescribed limits. (C6406206000) (F23193)
- h. **Hermit Road from 100 feet north of Ray Road to 100 feet south of Arlington Road** – All traffic to stop before entering or crossing a through street within the prescribed limits. (C6406206000) (F23193)
- i. **114th Street from 100 feet south of University Drive to 100 feet north of Apache Trail** – All traffic to stop before entering or crossing a through street within the prescribed limits. (C6406207000) (F23193)
- j. **98th Street from 100 feet south of University Drive to 100 feet south of Billings Street** – All traffic to stop before entering or crossing a through street within the prescribed limits. (C6406207000) (F23193)
- k. **Mercury Drive from 100 feet east of 110th Street to 100 feet east of Signal Butte Road** – All traffic to stop before entering or crossing a through street within the prescribed limits. (C6406207000) (F23193)

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- l. Wier Avenue from 100 feet west of Meridian Road to 100 feet west of 114th Street –**
All traffic to stop before entering or crossing a through street within the prescribed limits.
(C6406207000) (F23193)

- m. Nunnelley Road from 100 feet east of 130th Street to 100 feet west of 132nd Street**
– All traffic to stop before entering or crossing a through street within the prescribed
limits. (C6406207000) (F23193)

APPOINTMENTS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the following appointments:

- a. Board of Health –** Supervisor Kunasek, whose term will be effective from Board of Supervisors' approval through December 31, 2009. (C0606043900) (ADM2101-001)

- b. Maricopa County Commission of Justice System Intervention for SMI –** Chairman Stapley as Chairman and Supervisor Kunasek as Vice Chairman, whose terms will be effective from Board of Supervisors' approval through December 31, 2009. (C0606044900) (ADM1008-001)

- c. Ryan White Planning Council –** Supervisor Wilcox as the Chairman's Nominee, whose term will be effective from Board of Supervisors' approval through February 28, 2007. (C0606045900) (ADM2153-001)

- d. Merit System Commission –** Augustus Shaw, representing Supervisorial District 1, whose term is effective from Board approval through December 31, 2009. (C0606048900) (ADM3315-001)

- e. Park Police Public Safety Personnel Retirement System Local Board –** Re-appoint Anne Lynch as the Chairman's Designee and as Chairman, whose term is effective from Board of Supervisors' approval through January 6, 2010. (C3006028900) (ADM3246-001)

SCHOOL DISTRICT #509

Item: Pursuant to its authority granted in A.R.S. §15-1001, approve or ratify vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and or warrants approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) regarding action on the following vouchers:

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- Ratify Voucher #119 \$338,439.29

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

RESOLUTION FOR GENERAL COUNSEL - CONTINUED

Item Summary. Adopt the Resolution entitled, "Resolution of the Board of Supervisors of Maricopa County Establishing the Office of General Counsel to the Board of Supervisors of Maricopa County and Appointing the General Counsel". This resolution creates the Office of General Counsel of the Board of Supervisors and resolves that the Board of Supervisors will appoint their General Counsel. (ADM406)

This item was continued to the April 5, 2006, meeting.

SETTING OF HEARINGS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to set the following public hearing. All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted:

Franchise – Set a public hearing for 9:00 a.m., Wednesday, April 19, 2006, to solicit comments on the application filed by Circle City Water Co. for a public service franchise extension for a domestic water distribution system. (F23200)

HEARING SET - PLANNING AND ZONING CASES

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for April 19, 2006, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2005-093; Z2005-081; CPA200601

ASRS CLAIMS

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

APPOINTMENT CORRECTION

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to correct the term of the appointment to the Central Arizona Ryan White Title Planning Council on the October 6, 2004 Formal Board Meeting (C8605471900), for Shantell Artley. The correct term is from September 1, 2004 through August 31, 2006. (ADM2153-001)

CANVASS OF ELECTIONS

There were no canvasses of elections reported at this time.

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CLASSIFICATION CHANGES

Pursuant to A.R.S. §42-12054, Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to accept the Assessor's recommended classification changes and/or reduce the valuation of certain properties which are now owner-occupied. (ADM723)

PARCEL NO.	YEAR	OWNER	FROM	TO
173-05-155	2005	David Strike	CI/4	CI/3
173-05-155	2004	David Strike	CI/4	CI/3
173-05-155	2003	David Strike	CI/4	CI/3
503-86-186a	2005	Randy Hoban	CI/4	CI/3
503-86-186a	2004	Randy Hoban	CI/4	CI/3
141-67-548	2005	Marci Williams	CI/4	CI/3
141-67-548	2004	Marci Williams	CI/4	CI/3
302-93-411	2005	Barbara Miller	CI/4	CI/3
302-93-411	2004	Barbara Miller	CI/4	CI/3
302-93-411	2003	Barbara Miller	CI/4	CI/3
301-47-115	2005	Anne Ridgell	CI/4	CI/3
301-47-115	2004	Anne Ridgell	CI/4	CI/3
232-33-098	2005	Edward Sawa	CI/4	CI/3
232-33-098	2005	Edward Sawa	CI/4	CI/3
232-33-098	2004	Edward Sawa	CI/4	CI/3
159-41-592	2005	Nancy Wendler	CI/4	CI/3
159-41-592	2004	Nancy Wendler	CI/4	CI/3
159-41-592	2003	Nancy Wendler	CI/4	CI/3
151-20-046	2005	Cynthia Sokas	CI/4	CI/3
151-20-046	2004	Cynthia Sokas	CI/4	CI/3
151-20-046	2003	Cynthia Sokas	CI/4	CI/3
103-19-203	2005	Gerardo Soto	CI/4	CI/3
103-19-203	2004	Gerardo Soto	CI/4	CI/3
103-19-203	2003	Gerardo Soto	CI/4	CI/3
208-01-439	2005	Steven Crabtree	CI/4	CI/3
208-01-439	2004	Steven Crabtree	CI/4	CI/3
200-56-338	2005	Richard Zambrano	CI/4	CI/3
200-56-338	2004	Richard Zambrano	CI/4	CI/3
200-56-338	2003	Richard Zambrano	CI/4	CI/3
129-20-021	2005	Susan Swartz	CI/4	CI/3
129-20-021	2004	Susan Swartz	CI/4	CI/3
129-20-021	2003	Susan Swartz	CI/4	CI/3
303-78-049	2005	Helene Guinther	CI/4	CI/3
303-78-049	2004	Helene Guinther	CI/4	CI/3
232-33-098	2005	Edward Sawa	CI/4	CI/3
141-80-729a	2005	June Anderson	CI/4	CI/3
141-80-729a	2004	June Anderson	CI/4	CI/3
141-80-729a	2003	June Anderson	CI/4	CI/3
129-20-021	2005	James Swartz	CI/4	CI/3
129-20-021	2004	James Swartz	CI/4	CI/3
129-20-021	2003	James Swartz	CI/4	CI/3
120-30-050	2004	Soto Soto Acando	CI/4	CI/3
120-30-050	2003	Soto Soto Acando	CI/4	CI/3

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PARCEL NO.	YEAR	OWNER	FROM	TO
301-50-854	2005	Sandra Stewart	C/4	C/3
301-50-854	2004	Sandra Stewart	C/4	C/3
301-50-854	2003	Sandra Stewart	C/4	C/3
302-28-175	2005	Marilyn Mandell	C/4	C/3
302-28-175	2004	Marilyn Mandell	C/4	C/3
217-12-697	2005	Jack Fuhrer	C/4	C/3
217-12-697	2004	Jack Fuhrer	C/4	C/3
217-12-697	2003	Jack Fuhrer	C/4	C/3
109-44-075	2005	Simon Pina	C/4	C/3
109-44-075	2004	Simon Pina	C/4	C/3
109-44-075	2003	Simon Pina	C/4	C/3
232-38-846	2005	William Huffer	C/4	C/3
133-35-305	2005	James Palmer	C/4	C/3
133-35-305	2004	James Palmer	C/4	C/3
133-35-305	2003	James Palmer	C/4	C/3
200-31-511	2005	Diana Heitman	C/4	C/3
200-31-511	2004	Diana Heitman	C/4	C/3
200-31-511	2003	Diana Heitman	C/4	C/3

COMPROMISES

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to accept the requested compromises as payment in full, as follows. This item was discussed in Executive Session on February 27, 2006. (ADM407)

NAME	AMOUNT
Pierre Cucharme	\$5,000.00

COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to accept the Treasurer's Statement of Collections and Investment summary reports for January 2006 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4006)

DONATIONS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to accept the donation reports received from county departments for February 2006, as follows: (ADM1810-001)

Sheriff	Cash donation of \$912.25
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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 (3-0-2) to approve issuing duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

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COUNTY

NAME	WARRANT	FUND	AMOUNT
Jessica Nelson	260001452	Expense	\$220.15
Stephanie Hill	360530392	Expense	\$41.51
Stephanie Hill	360530393	Expense	\$55.34

SCHOOL

NAME	SCHOOL	WARRANT	AMOUNT
Mary Susan Collins	Phoenix Elem SD #1	160033518	\$1,475.41
Interstate Brands	Murphy Elem SD #21	460056582	\$1,676.50
Beverly Leas	Liberty SD #25	150098214	\$73.88
Jennifer Nibouar	Laveen SD #59	160066414	\$147.76
Caroline Spaulding	Littleton SD	160015747	\$862.10
SNAAZ	Roosevelt SD #66	460068088	\$784.00
John Deere Landscapes	Agua Fria Union High SD #216	460062466	\$97.85
Ida Morris	Isaac SD	5764213	\$363.22
Cummins Rocky Mountian	Agua Fria Union High SD #216	460059293	\$411.52
Travis Guiney	Agua Fria Union High SD #216	460085480	\$485.61
Antonia Bueno	Fowler SD	1678891	\$270.80
Buckle Down Publishing Co	Murphy Elem SD #21	460073986	\$3,613.84
Harrinder Kaur	Balsz SD #31	160060494	\$184.70
John Deere Landscapes	Agua Fria Union High SD #216	460057405	\$183.52

LIQUOR LICENSE AGENT CHANGE PROCEDURES

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the procedures in the Clerk of the Board's Office for processing a Liquor License Agent Change Application/Request. (ADM664)

MINUTES

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the minutes of the Board of Supervisors meetings held December 19, 2005, December 21, 2005, January 4, 2006, January 10, 2006, January 17, 2006, and January 30, 2006.

MINUTES CORRECTIONS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to accept the typographical corrections to the Board of Supervisors' minutes. (ADM726-001)

Base Information	Incorrect Information	Corrected Information
BOS IGA with SHCD	no ADM #	add ADM 2100-005
SHCD IGA with BOS	no ADM #	Add ADM 4496
Elections Department	no C or ADM #	Add C2105002700 ADM 1709
Facilities Management 2a	no ADM #	add ADM 1820

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Base Information	Incorrect Information	Corrected Information
Facilities Management 2b	no ADM #	add ADM 1820
Facilities Management 2c	no ADM #	add ADM 1820
Facilities Management 2d	no ADM #	add ADM 1820
Facilities Management 2e	no ADM #	add ADM 1820
Facilities Management 2g	no C #s	add C70050188 C70040688
Facilities Management 2h	no ADM #	add ADM 800
MIHS Presentation	no ADM #	add ADM 2100-005
Parks and Recreation	no ADM #	add ADM 3200
Planning	no ADM #	add ADM #
BOS 4a	no ADM #	add ADM 3315
BOS 4b	no ADM #	add ADM 4500-001
BOS	no ADM #	add ADM 2350-003
Flood	no ADM #	add ADM 1900-004
OMB 1a	ADM 1801	ADM 1801-001
OMB 1b	ADM 1801	ADM 1801-001
MAG Award	no ADM #	add ADM 3200
Dedication of new Durango Juvenile Court Facility	no ADM #	add ADM 800
BOS appeal	no ADM #	add ADM 413
Transfer of Excess County Property to Human Services Campus	no ADM #	add ADM 119
Resolution to Rename Freeway	no ADM #	add ADM 4914
Presentation regarding MIHS Strategy	no ADM #	add ADM 2100
Presentation regarding MIHS Financial Condition	no ADM #	add ADM 2100
Presentation on Mental Health Care	no ADM #	add ADM 2131
Resolution supporting Luke Air Force Base	no ADM #	add ADM 3423
Special Health Care District IGA	no ADM #	add ADM 4496-001
Judicial Branch litigation	no ADM #	add ADM 413
MIHS 2a	no ADM #	add ADM 409
MIHS 2b	no ADM #	add ADM 409
MIHS 2c	no ADM #	add ADM 409
MIHS	no ADM #s	add ADM 2100 ADM 2100-005
Resolution regarding Natural Gas Storage Facility	no ADM #s	add ADM 3423 ADM 681
MedPro Contract	no "C" #	add C90020591
Opening paragraph in special board 1	February 22, 2004	February 22, 2005
Legislative Packet	no ADM #	add ADM1650
Legislative Packet	no "C" #	add C2005002M00 and clerks note that c# was w/d in ac
Travel Reduction Presentation	no ADM #	add ADM2358-003

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Base Information	Incorrect Information	Corrected Information
Travel Reduction Presentation	C# doesn't match	add clerks note that c# was w/dinac
Commonwealth presentation	no ADM #	add ADM1650
IGA w/ SHCD	no motion and vote	add motion and vote
Social Security Coverage and ASRS	no ADMs	add ADM4496
Social Security Coverage and ASRS	no "C" #	add C3905019200
Lease - Jefferson Square	no "C" #	add C5204005402
Compensation increases	no ADM #s	Add ADM0825, ADM3308
Hayden Bldg Contract	Ratifies previous item	Add Clerk's note to clarify
ASRS	State claims approved	no claims submitted
Reimbursement to Salt River	no ADM	Add ADM2000-006
SRP Design and Construction contract	wrong ADM #	remove ADM number

PRECINCT COMMITTEEMEN

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) 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 March 15, 2006, as submitted by the Elections Supervisor, 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 Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

DATE	FROM NO.	TO NO.	AMOUNT
1999	60179	60179	-\$879.56
2004	60178	60178	-\$3,036.86

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the settlement of tax cases dated March 15, 2006. (ADM704)

2005
TX 2004-000810
TX 2004-000821
2006
TX 2005-050348

STALE DATED WARRANTS

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to find that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have

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demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

Isabel Romero	\$118.65
Duane Arlyn Reidl	\$90.00
Joan Medlin	\$547.25
Evelyn Amator	\$71.59

TAX ABATEMENTS

No requests for tax abatements were received at this time. (ADM708)

TAX DEEDED LAND SALE

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve the bid of \$1,000 from Calva Products Co., Inc. for Parcel #400-02-009E. This property was properly noticed at the February 2, 1987 Tax Deeded Land Sale. (ADM656)

PUBLIC COMMENT

Edward Staley, citizen, commented that he hoped there was a strategic plan to save Luke Air Force Base. He also commented that it would be a good idea to paint the new football stadium because it looked like a large water tank. Finally, he addressed his concern about the valuation card he had received from the Assessor's Office. He expressed great concern over the possibility that his taxes would double. (ADM605)

SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS

Chairman Stapley said that his home also increased in value, however, he wanted people to understand that this does not mean that property taxes would also rise proportionately. He said that property taxes are set by 10 different jurisdictions and Maricopa County is only one of them. He stated the County has consistently lowered the portion of the tax bill it is responsible for. He explained that the County's primary levy of anyone's property taxes is capped at a 2% increase a year, adding "Your tax can't go up more than 2% as far as the County's portion is concerned." He advised that Maricopa County has just voluntarily capped the secondary tax rate at that same 2% maximum to protect residents. He added, "But this Board does not control other taxing jurisdictions." He said he did not believe that those other jurisdictional budgets would double, which should mean that no one's property tax would double. (ADM606)

Supervisor Kunasek addressed the donations that people make to various County departments and said they were all appreciated, large or small, for the help they provide. He referenced the donation from the estate of Ms. Evelyn M. Crump of \$100,000. He assured residents that County departments often rely on the generosity of citizens to enhance those services mandated by law that are provided by the County.

Supervisor Wilson mentioned that there is definitely a plan to protect Luke Air Force Base that has been in effect for years and has worked very effectively. He said that Luke is a very active base in training pilots, 25% of whom are in Iraq on a rotating basis, and the County has always been a staunch supporter and protector.

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. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Supervisor, 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. **S2005-066** **District 2**
 Applicant: John C. Winderquist
 Location: 25409 N. Vado Court (in the Rio Verde area)
 Request: Replat in the R1-8 RUPD zoning district for Lot 592 of Rio Verde Unit 7 (approx. 0.42 acres)

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to approve this replat.

REGULAR AGENDA DETAIL:

2. **Z 98-103** **District 5 (This item is continued from March 1, 2006) CONTINUED**
 Applicant: Gary Banta
 Location: West of the intersection of 39th Avenue & Broadway Road (in the Laveen/south Phoenix area)
 Request: Rezone from Rural-43 to IND-3 PD with a precise Plan of Development (approx. 2.75 acres) – Banta’s Auto Repair, Restoration & Impound Yard

COMMISSION ACTION: Commissioner Harris moved to recommend approval of Z 98-103, subject to the following stipulations “a” through “q”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 7-0.

- a. The applicant shall provide revised site plans to staff for review and approval within 30 days of Board of Supervisors approval indicating the following changes:
 - o Show all building lighting details (show a maximum parking lot lighting fixture height of 18 feet per the Maricopa County Zoning Ordinance).
 - o Indicate proposed location of monument sign as required by City of Phoenix. Also, indicate landscaping per City of Phoenix standards.
 - o Show correct/actual wall heights (6-foot maximum).
 - o Indicate secondary driveway as existing, not proposed.
 - o Clearly and correctly indicate the required 25-foot clear sight triangles at both driveway intersections.
 - o Indicate depth of proposed parking spaces on plan.

- b. The applicant shall provide a revised narrative report within 30 days of Board of Supervisors approval indicating the following changes:

- o Remove all extraneous materials from the existing bound document including the following: flood plain information, reduced site plan, construction information, deed information and title information.
 - o Provide a business plan section outlining operational details of the business.
 - o Update remaining information as required.
- c. General compliance with the Grading and Drainage plan dated July 29, 2005 and stamped received November 1, 2005, except as modified by these stipulations.
- d. The primary use of the subject site shall be for automotive repair and the restoration of classic cars. Impoundment, storage and dismantling of vehicles shall be an accessory use only.
- e. The applicant shall clean and maintain the landscape area along Broadway Road on a regular basis. Any dead vegetation shall be replaced with new, drought tolerant, vegetation.
- f. 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.
- g. All signs shall be in compliance with IND-3 regulations.
- h. The applicant shall erect a monument sign within the 25-foot wide landscaped front yard area along Broadway Rd. near the primary entrance (outside the clear sight triangles). This sign shall meet County requirements as to height and area. The applicant shall landscape the area around this sign as outlined in the letter from the City of Phoenix dated May 8, 2003.
- i. Prior to zoning clearance, the site shall be sewerred and evidence of such shall be provided to the Maricopa County Environmental Services Department (MCESD) as required. Zoning is conditional upon providing documentation within one (1) year of approval by the Board of Supervisors.
- j. Prior to issuance of any building permits, a signed and recorded utility sewer and water service agreement with the City of Phoenix shall be submitted.
- k. 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.
- l. 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.
- m. 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.

- n. Provide paved driveways within County right-of-way per Maricopa County Department of Transportation (MCDOT) requirements.
- o. Prior to issuance of permits, the applicant shall obtain a Floodplain Use Permit from the Regulatory Division of the Flood Control District of Maricopa County.
- p. 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.
- q. 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 Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to continue this item to the April 5, 2006, meeting, at the request of Supervisor Wilcox.

- 3. Z2005-058 District 3**
- Applicant:** Rick Froeb, Kurt D. Reed Associates, Inc. for Smith's Food and Drug Centers and Kimco Barclay Anthem, LP
- Location:** North of Daisy Mountain Drive and east of Gavilan Peak Parkway (in the Anthem area)
- Request:** Precise Plan of Development for a shopping center in the C-2 CUPD zoning district (Approx. 14.019 acres) – Anthem Crossroads

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2005-058, subject to the following stipulations "a" through "o". Commissioner Masel seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall comply with the context site plan entitled "Anthem Crossroads" – consisting of one (1) full-size sheet, dated revised January 25, 2006, and stamped received January 26, 2006, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled "Anthem Crossroads: Anthem Arizona NEC of Gavilan Peak Parkway & Daisy Mountain Drive", consisting of eighteen (18) pages, revised January 5, 2006, and stamped received January 13, 2006, except as modified by the following stipulations.
- c. Development of the site shall be in conformance with the landscape plan entitled "Anthem Crossroads", consisting of four (4) full-size full-color sheets, dated September 21, 2005, and stamped received January 13, 2006, except as modified by the following stipulations.

- d. Development of the site shall be in conformance with the building elevations entitled "Anthem Crossroads Exterior Elevations", consisting of three (3) full-size sheets, and stamped received January 13, 2006, except as modified by the following stipulations.
- e. Development of the site shall be in conformance with the sign package entitled "Final Sign Package for Anthem Crossroads", consisting of nineteen (19) pages, and stamped received January 13, 2006, except as modified by the following stipulations.
- f. All trees shall be double-staked when installed.
- g. A continuous parapet shall screen all roof-mounted equipment.
- h. 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.
- i. The following Maricopa County Department of Transportation stipulations shall be met:
 - o Install right-turn deceleration lane on Gavilan Peak Parkway at first driveway north of Daisy Mountain Drive as shown on plan.
 - o Modify existing sidewalks with ramps to meet ADA requirements at all new driveways.
 - o See Figure 7.6 of the MCDOT Roadway Design Manual for "half pork chop island" for driveway on Daisy Mountain Drive at median break.
 - o Ensure traffic signal equipment can be accommodated with existing right-of-way (or increase right-of-way) at northeast corner of Gavilan Peak Parkway and Daisy Mountain Drive.
 - o 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 for improvements within the public right-of way.
- j. The following Flood Control District (FCD) stipulation shall be met:
 - o Prior to any development, a Floodplain Use Permit must be obtained from the Flood Control District.
- k. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- l. 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.
- m. 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

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course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.

- n. Major changes to the site plan 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.
- o. 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).

Joy Rich, Deputy County Manager, gave background information on this case, with a recommendation for approval.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "o."

- 4. S2005-027 District 4**
Applicant: Hoskin Ryer Consultants
Location: Northwest corner of Bethany Home Road & 127th Avenue (in the west Glendale area)
Request: Final Plat in the Rural-43 zoning district for Bethany Estates South (approx. 34.92 acres)

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (3-0-2) to concur with the recommendation of 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.

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board