

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
October 30, 2006**

The Board of Supervisors of Maricopa County Arizona convened in Informal Session at 10:00 a.m., October 30, 2006, in the Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Andrew Kunasek, District 3, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Fulton Brock, Vice Chairman, District 1 (entered during the Executive Session portion of the meeting.) Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager; and Vicki Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

CHAIRMAN'S PREROGATIVE

After a request by a group of citizens in the audience, the Chairman announced that he would allow a short amount of time for public comment at the end of the meeting.

LIQUOR LICENSE APPLICATION

Chairman Stapley called for a public hearing on the following special event liquor license. No protests having been received and no speakers coming forth on the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve this Special Event Liquor License.

Application filed by Donald E. Majdecki for a Special Event Liquor License: (SELL749) (F23192)

Business Name:	Catholic Daughters of America
Location:	15800 Del Webb Boulevard, Sun City, 85351
Date/Time:	November 1, 2006, 3:00 p.m. – 7:00 p.m.

REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS

Item: The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval 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)

No School District vouchers or warrants were presented for approval at this meeting, and there were no updates from staff.

MEMORANDUM OF AGREEMENT WITH U.S. BUREAU OF RECLAMATION

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the Memorandum of Agreement between the U.S. Department of the Interior through the U.S. Bureau of Reclamation and Maricopa County, effective October 16, 2006, where County will become a "Cooperating Agency" pursuant to 40 C.F.R. §1508.5 pertaining to the environmental review regarding Scorpion Bay Marina and Yacht Club, Lake Pleasant Regional Park pursuant to the National

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Environmental Policy Act (NEPA). This agreement will terminate upon completion of fulfilling any and all mitigation measures identified in the NEPA-related decision documents as a condition of Reclamation's approval. There is no financial impact. (C3007013000)

CALL TO THE PUBLIC

Mike Long of 12737 E. Via de Palmas in Chandler acted as spokesperson. Mr. Long stated that he and a group of homeowners who reside on a County island in the Chandler area were concerned about not having any fire protection for their homes. Mr. Long said that his group was requesting a meeting with the Supervisor for their District to discuss the possibility of the formation of an agreement to provide emergency services to their residences.

EXECUTIVE SESSION

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to recess and reconvene in Executive Session in the Tom Sullivan Conference Room to consider items listed below on the Executive Agenda, pursuant to listed statutory authority, as follows.

~ Supervisor Brock entered the meeting ~

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

Compromise Cases – Barbara Caldwell, Outside Counsel
Russo, Christopher

Write-Off Cases – Barbara Caldwell, Outside Counsel
Black, Helen

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) AND (A)(4)**

AMP v. Maricopa County

Joy Rich, Assistant County Manager
Terry Eckhardt, Deputy County Attorney

LEGAL ADVICE – ARS §38-431.03(A)(3)

Legal advice regarding Community Facilities Districts

Joy Rich, Assistant County ~~Attorney~~ Manager
Tom Manos, Chief Financial Officer
Richard Wallace, Acting County Engineer
Michelle D'Andrea, Deputy County Attorney
Terry Eckhardt, Deputy County Attorney

~ Supervisor Wilcox left the meeting and would not return ~

**LEGAL ADVICE; PURCHASE, SALE OR LEASE OF REAL PROPERTY – ARS §38-431.03(A)(3) and
ARS §38-431.03(A)(7)**

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Consideration to purchase downtown property

Tom Manos, Chief Financial Officer
Dennis Lindsey, Manager, Real Estate Services
William Riske, Deputy County Attorney
Debbie Abele, Consultant
Joy Rich, Assistant County Manager

PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(4)

Vickie Greenwood, et al. v. The State of Arizona, et al. CV2003-024562

David Hendershott, Chief Deputy, Sheriff's Office – **did not attend**
Jack McIntyre, Sheriff's Office
Peter Crowley, Risk Manager
Michael J. Frazelle, Outside Counsel
Michael Sullivan, Deputy County Attorney
Bruce White, Deputy County Attorney

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

Falcon v. Maricopa County, et al. Supreme Court No. CV 06-0106 Court of Appeals No. 1 CA CV 04-0801 Superior Court No. CV2003-007711

Christopher Keller, Chief, Civil Division
Bruce White, Deputy County Attorney
Peter Crowley, Risk Manager

PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(4)

Claim of Michael Moore

John Paulsen, Deputy County Attorney
Peter Crowley, Risk Manager
Ted Howard, Claims Manager – **did not attend**

PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(4)

Aida Renta v. Maricopa County CV1996-016474

Keith Russell, Assessor
Roberta Livesay, Outside Counsel
Jean Rice, Deputy County Attorney
Sandi Wilson, Deputy County Manager
Shelby Scharbach, Deputy Finance Director
Brian Hushek, Deputy Budget Director
Joseph Maltagliati, Treasurer's Office

~ Supervisor Wilson declared a conflict and left the room for this item. ~

MEETING ADJOURNED

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At the conclusion of discussion on the above items and 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