



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

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

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

# FORMAL MEETING MINUTES

## BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, July 23, 2008  
9:00 AM**

1. **INVOCATION**

Father Bill Wack, Andre House, delivered the invocation.

2. **PLEDGE OF ALLEGIANCE**

Mikaela Ober, District 5, led the assemblage in the Pledge of Allegiance.

### **3. ROLL CALL**

The Board of Supervisors of Maricopa County Arizona convened in Formal Session at 9:00 AM on Wednesday, July 23, 2008, in the Supervisors Auditorium with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2; Max Wilson, District 4; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney.

Supervisor Wilcox entered late.

## **BOARD OF SUPERVISORS**

### **4. Pet Showcase by Maricopa County Animal Care and Control.**

Aprille Hollis introduced a 10-month old kitten named "Smokie" from the Maricopa County Animal Care and Control in today's pet showcase. She indicated that Smokie could be adopted later in the day from the new animal center located at 27th Avenue and Durango - 2500 South 27th Avenue. Or call 602-506-PETS - 602-506-7387 - for more information.

## **PRESENTATIONS**

### **5. PRESENTATION TO THE SOUTH PHOENIX INDUSTRY CHALLENGE/GOOD NEIGHBOR PARTNERSHIP**

Joint presentation with the U.S. Environmental Protection Agency to the South Phoenix Industry Challenge/Good Neighbor partnership.

Senior management representatives from the U.S. EPA Region IX office and the Maricopa County BOS/Air Quality Department will award a plaque to recognize all participating South Phoenix ICGN Partners and thank them for their efforts to reduce air emissions, energy use, water use, hazardous waste generation and improve site safety in the South Phoenix area. (ADM650)

Colleen McKaughan, Associate Director, Air Division, EPA (C-85-08-024-9-00)

Colleen McKaughan said the ICGN is a voluntary partnership between Region IX, the County's Air Quality Department, and community leaders and industries located in South Phoenix. The goals of ICGN were to reduce emissions and air pollutants by 20% between 2002 and 2007 and this has been successfully done. Today, eight companies and three individuals will be recognized for their contributions as this partnership comes to an end. She presented unique awards, that were attractively made using recycled bicycle parts, to the following: The Schuff Steel Company; ON Semi-Conductor; UCSC Limited; ERLS Fiberglass, Inc.; Marlin Industries; Able Engineering and Component Services; National Gypsum Company; Kem Research Company, Inc.; Steve Thorne; Trace Teran and Holly Ward.

Supervisor Wilcox expressed her appreciation for these successes saying that the South Mountain area has had an extended problem with heavy pollution and added that the partnership had devised many creative ways to deal with the problem.

## **STATUTORY HEARINGS**

### **Clerk of the Board**

#### **6. LIQUOR LICENSE APPLICATIONS**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the following license applications.

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

##### **a. THREE BARS FEED AND TACK NEW SERIES 10 LIQUOR LICENSE**

Approve an application filed by Judith Amy Klein Romero for a new series 10 liquor license for Three Bars Feed & Tack, located at 47027 N. New River Road, Unit 2, New River, AZ 85087. MCLL #6270, AZ #10-075625. (C-06-08-109-L-00)

##### **b. TONOPAH TRAVELCENTER NEW SERIES 10 LIQUOR LICENSE**

Approve an application filed by Victoria Ann Williams for a new series 10 liquor license, for Tonopah TravelCenter located at 1010 N. 339th Avenue, Tonopah, AZ 85354. MCLL #6271; AZ #10075635. (C-06-08-110-L-00)

##### **c. A&N MARKET NEW SERIES 10 LIQUOR LICENSE APPLICATION**

Approve an application filed by Niran Yosif for a new series 10 liquor license for the A&N Market at 8601 E. Apache Trail, Mesa, AZ 85207. MCLL #6272; AZ #10075646. (C-06-08-111-L-00)

### **Trial Courts**

#### **7. POST DECREE MEDIATION FEE**

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to authorize and approve the Trial Courts in Maricopa County to establish a new Post Decree Mediation fee. The proposed establishment of a \$100.00 per person will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with Post Decree Mediation for this request is based on A.R.S. 11-251.08. The fee will be assessed when the request for mediation is sought following dissolution of marriage and a parenting plan is issued for judicial review. There is a substantial number of staff hours dedicated to these services. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. (ADM1005) (C-38-08-019-8-00)

The Clerk announced the effective date of this item as August 11, 2008, prior to the vote.

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**8. FAMILY COURT SERVICES NO SHOW FEE**

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to authorize and approve the Trial Courts in Maricopa County to establish a new No Show fee. The proposed establishment of a \$100.00 per person will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with No Show for this request is based on A.R.S. 11-251.08. The fee will be assessed when Family Court cases that require a court ordered parenting conference, evaluations, open negotiation, child interview, early resolution conference, child support conference or counseling appointment do not show. There is a substantial number of staff hours dedicated to these services. The Mediation No Show Fee was established in 2004 by the Board of Supervisors in agenda number C-38-04-008-8 and is assessed upon failure of litigants to appear for mediation only. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. (ADM1005) (C-38-08-020-8-00)

The Clerk announced the effective date of this item as August 11, 2008, prior to the vote.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**9. PARENTING CONFERENCE FEE**

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to authorize and approve the Trial Courts in Maricopa County to establish a new Parenting Conference fee. The proposed establishment of a \$200.00 charge per party will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with parenting conferences. Authority for this request is based on A.R.S. 11-251.08. Parenting conferences address a vital component of any family relationship between the child and their parent and the ongoing dynamic between the parents when dealing with their child (ren)'s issues and needs. There is a substantial number of staff hours dedicated to these services. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. (ADM1005) (C-38-08-021-8-00)

The Clerk announced the effective date of this item as August 11, 2008, prior to the vote.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**10. PARENTAL CONFLICT RESOLUTION (PCR) CLASS FEE**

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to authorize and approve the Trial Courts in Maricopa County to establish a new Parental Conflict Resolution (PCR) Class fee. The proposed establishment of a \$50.00 per person will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase will not exceed the actual cost of the product or service being provided. The higher fee will offset increasing costs associated with Parental Conflict Resolution Class (PCR) for this request is based on A.R.S. §11-251.08. The PCR class addresses severe chronic parental conflict, parental access disputes and the risks and effects of parental alienation. The class addresses specific strategies that parents can use to reduce the conflict. Parents are required to attend separate classes. There is a substantial number of staff hours dedicated to these services. The fees are deposited by the Clerk of the Court into the General Fund (100) with the Maricopa County Treasurer. Monies collected are intended for use to offset the material, labor, equipment, and personnel expenses of providing parenting conferences. Parties will be permitted to request a waiver or deferral of fees using the process that is established and no party will be precluded from pursuing relief solely due to inability to pay these costs. Upon Board approval, the effective date for the new fee will be determined at a later date but will not be sooner than August 11, 2008. (ADM1005) (C-38-08-022-8-00)

The Clerk announced the effective date of this item as August 11, 2008, prior to the vote.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**11. TRIAL COURTS TO ESTABLISH AND INCREASE SELF SERVICE CENTER FEES**

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to authorize and approve the Trial Courts in Maricopa County to establish and increase Self Service Center Fees. The proposed fee will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase and newly established fees will not exceed the actual cost of the product or service being provided by the Self Service Centers within the Superior and Justice Courts. The Proposed fees are as follows:

- Increase of the Self-Service Center packets from \$4.00 to \$5.00 per process step;
- Postage prepaid manila Envelopes - \$2.00 per envelope;
- Postage and Handling fee - \$5;
- Pens - \$ .10 per pen; and
- Documents printed from the Superior Court eCourt application at Self-Service Center locations - \$ .10 per page.

Upon Board approval pursuant to A.R.S. §11-251.08, the Self-Service Center will be authorized to charge these fees. The fees are deposited by the Clerk of the Court into a Special Revenue Fund (Fund 259) with the Maricopa County Treasurer for disbursement as appropriate by the Board of Supervisors. The fees are effective upon Board approval.

(ADM1005) (C-38-08-024-8-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **AGENCY ITEMS AND STATUTORY MATTERS COUNTY OFFICERS**

### **Clerk of the Board**

#### **12. PROPOSED NAME OF VETERANS MOUNTAIN**

Direct the Clerk of the Board to notify the Arizona State Board on Geographic and Historic Names regarding the Board of Supervisor' support for the proposed naming of Veterans Mountain in honor of all veterans. Pursuant to A.R.S. 41-835, the Arizona State Board on Geographic and Historic Names is seeking the Maricopa County Board of Supervisors' recommendation to either approve or reject the proposed name of Veterans Mountain. (ADM4914) (C-06-09-006-7-00)

Supervisor Stapley asked for the location of this mountain and what the current name is.

Victoria Mangiapane said it is a peak in the Phoenix Mountains Preserve and currently is unnamed.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Clerk of the Court**

#### **13. BUDGET TRANSFER FOR GENERAL LABORER POSITIONS**

Pursuant to A.R.S. 42-17106, approve a budget transfer of \$129,713 for FY 2008-09 (\$129,713 annualized) from Clerk of the Superior Court General Fund (100) to Adult Probation General Fund (100) operating expenditures representing three FTE General Laborer (Courier) positions.

In July 2003, the Clerk of Superior Court assumed supervision of Adult Probation's General Laborer (Courier) positions in an effort to consolidate services and functions. In FY 2005-06, a budget transfer, including the transfer of three positions, was approved in the adopted budget. Due to budget reductions, the Clerk's office has reorganized the General Laborers' (Couriers) positions and responsibilities. As a result, the three positions that were transferred to the Clerk's office from Adult Probation will be transferred back to Adult Probation. (C-16-09-001-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Constables**

#### **14. DONATION OF TASERS TO THE CONSTABLES**

Approve the acceptance of nine M26 tasers from the City of Youngtown Police Department. The Youngtown Police Department recently purchased new replacement tasers and have

offered these nine older models to the Constables Department. They cannot be sold to the public and have no re-sale value. These serviceable tasers will be issued to Constables and their deputies.

Approval of these tasers will allow the Constables Department to accept the donation from Youngtown Chief of Police Dan Connelly and Youngtown Town Manager Lloyce Robinson. Tasers will only be issued to AZ POST taser-trained personnel and or Constables personnel who have completed the required Sheriff's Office use of force, firearms, and taser training required by Maricopa County policy. The taser is an additional tool for use in situations that require less than deadly force. (C-25-09-002-D-00)

Supervisor Brock asked if all constables have been POST Certified to use a taser.

Constable Ron Myers reported that not all constables have been POST Certified as yet, but a constable must either be POST Certified or go through the County Training Program to qualify to receive a taser.

Supervisor Wilson thanked the Mayor and City Council of Youngtown for donating the tasers.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **County Attorney**

**15. ACCEPT GRANT FUNDS FROM ARIZONA CRIMINAL JUSTICE COMMISSION FOR OBSCENITY OFFENDER PROSECUTION**

Approve the agreement and acceptance of grant funds from Arizona Criminal Justice Commission, Grant No. SP-09-0003, in the amount of \$151,216. These grant funds are for the enhancement of obscenity offender prosecution. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$21,170.24. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$21,170.24. Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant an amount not to exceed \$151,216 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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. (C-19-09-004-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**16. ACCEPT VICTIMS' RIGHTS IMPLEMENTATION FUNDS FROM THE ARIZONA ATTORNEY GENERAL'S OFFICE**

Approve the agreement and acceptance of grant funds from Arizona Attorney General, Grant No. A.G. #2009-008, in the amount of \$521,350. These grant funds are for the support of direct costs of implementing victims' rights laws pursuant to Arizona Revised Statutes Title 13, Chapter 40 and Title 8, Chapter 3, Article 7 impacting prosecutorial agencies. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign

all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$72,989. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$72,989. Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not to exceed \$521,350 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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. (C-19-09-005-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**17. ACCEPT HIGH INTENSITY DRUG TRAFFICKING AREA FUNDS FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DRUG PROSECUTION**

Approve the agreement and acceptance of grant funds from Arizona Criminal Justice Commission, Grant No. HT18-08-1210, in an amount of \$83,519. These grant funds are for the support and enhancement of activities intended to deter, investigate and/or prosecute drug offenders. The grant award begins on October 1, 2007 and ends on September 30, 2009. Operationally, the grant will be in effect from July 1, 2008 through June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$11,692.66. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$11,692.66.

Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not-to-exceed \$83,519 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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. (C-19-09-006-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**18. ACCEPT SPECIAL PROSECUTION GRANT FUNDS FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR GANG PROSECUTION**

Approve the agreement and acceptance of grant funds from Arizona Criminal Justice Commission, Grant No. SP-09-002, in an amount of \$334,933. These grant funds are for enhancement of efforts in the prosecution of gang offenders. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$46,890.62. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$46,890.62.

Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not-to-exceed \$334,933 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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. (C-19-09-007-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**19. ACCEPT VICTIM COMPENSATION GRANT FUNDS FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION**

Approve the agreement and acceptance of grant funds from Arizona Criminal Justice Commission, Grant No. VC-09-056, in the amount of \$1,557,939. These grant funds are for providing compensation awards to victims of criminally injurious conduct occurring within the Operational Unit's jurisdiction. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$218,111.46. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$218,111.46. Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not-to-exceed \$1,557,939 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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. (C-19-09-008-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**20. ACCEPT GRANT FUNDS FROM ARIZONA POST FOR ASSET FORFEITURE CONFERENCE**

Approve the agreement and acceptance of grant funds from Arizona Peace Officers Standards and Training Board, Grant No. 2008-006, in the amount of \$8,000. These grant funds are for reimbursement of expenditures related to the Asset Forfeiture Training Seminar to be held during the month of August, 2008. The grant award begins on June 1, 2008 and ends on September 30, 2008. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$1,120. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$1,120. Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not to exceed \$8,000 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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. (C-19-09-009-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**21. ACCEPT GRANT FUNDS FROM THE ARIZONA AUTOMOBILE THEFT AUTHORITY FOR VERTICAL PROSECUTION OF AUTO THEFT**

Approve the agreement and acceptance of grant funds from Arizona Automobile Theft Authority, Grant No. None, in the amount of \$336,655. These grant funds are for reimbursement of expenditures related to the vertical prosecution of Arizona Vehicle Theft Task Force auto theft cases. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$47,131.70. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$47,131.70. Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not to exceed \$336,655 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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. (C-19-09-010-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**22. ACCEPT GRANT FUNDS FROM THE ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR A VICTIM RESTITUTION PROGRAM**

Approve the agreement and acceptance of grant funds from Arizona Department of Public Safety, Grant No. 2008-116, in the amount of \$52,250. These grant funds are for the assistance of victims of crime needing restitution. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$7,315. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$7,315.

Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not-to-exceed \$52,250 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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 Maricopa County Attorney's Office recognizes that this grant requires a match of \$13,063 and has the resources to provide this match. (C-19-09-002-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**23. SALARY ADJUSTMENT**

Approve a retroactive market range adjustment and a retroactive performance based salary advancement for County Attorney employee Percilla Austin. This action will result in a

market increase adjustment for this employee retroactively effective April 23, 2007, the date of employment. Also, this action will authorize the County Attorney to process a performance based salary adjustment for this employee retroactive to May 5, 2008, the first pay period following the employee's one year anniversary. The resulting increase in compensation will be absorbed by the County Attorney's FY 2008-2009 budget, no budget adjustment is required. (C-19-09-012-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**24. DONATION OF SURPLUS COMPUTERS**

Pursuant to A.R.S. § 11-251(9), approve the donation of 40 computers to the non profit organizations Southeastern Arizona Community Action Program (SEACAP) (Soledad Zuzuárregui, Deputy Director ) and to Volunteer Income Tax Assistance organizations and authorize the Chairman of the Board of Supervisors to execute any necessary conveyance documents. The computers are surplus equipment and/or materials that have little or no value and are unauctionable. The hard drives have been removed and destroyed in accordance with County policy. The computers will not have an operating system. The County Attorney will keep an inventory (list) of these assets for any future Audit that may be conducted. The donation will in no way further encumber the County for future services or cause any liability to be incurred. The PC's will be given AS-IS with no implied quality or workability. (C-19-09-013-D-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**25. ACCEPT BYRNE JAG GRANT FUNDS FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DRUG, GANG AND VIOLENT CRIME PROSECUTION**

Approve the agreement and acceptance of grant funds from Arizona Criminal Justice Commission, Grant No. DC-09-011, in the amount of \$1,498,720. These grant funds are for the enhancement drug, gang, and violent crime prosecution. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$209,820.80. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$209,820.80.

Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not-to-exceed of \$1,498,720 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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. (C-19-09-001-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**26. ACCEPT SPECIAL PROSECUTION GRANT FUNDS FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DOMESTIC VIOLENCE VICTIM ASSISTANCE**

Approve the agreement and acceptance of grant funds from Arizona Criminal Justice Commission, Grant No. SP-09-001, in the amount of \$51,784. These grant funds are for providing victim assistance services to victims of domestic violence cases being prosecuted. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$7,249.76. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$7,249.76. Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not to exceed \$51,784 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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. (C-19-09-003-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**27. ACCEPT GRANT FUNDS FROM ARIZONA CRIMINAL JUSTICE COMMISSION TO PROVIDE SERVICES TO VICTIMS OF CRIME**

Approve the agreement and acceptance of grant funds from Arizona Criminal Justice Commission, Grant No. VA-09-024, in the amount of \$116,000. These grant funds are for the provision of services to victims of crime. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's Office's composite indirect cost rate at 14%, or \$16,240. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$16,240.

Also, approve revenue and expenditure appropriation adjustments to the County Attorney's Office (190) Grants (219) associated with the grant in an amount not-to-exceed \$116,000 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds 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 Maricopa County Attorney recognizes that this grant requires a match of \$116,000 and has the resources to provide this match. (C-19-09-011-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Elections**

**28. POLLING PLACES, ELECTION/TALLEY BOARDS FOR 2008 PRIMARY AND GENERAL ELECTIONS**

Pursuant to A.R.S. §§16-411 and 16-531, for the Primary and General elections to be conducted September 2, 2008 and November 4, 2008: 1) approve polling places for each precinct, including designation of polling places in adjacent precincts due to the lack of a suitable polling place available within a precinct; authorize the Director of Elections to select and designate additional polling places if needed due to changes or unavailability of polling places; 2) approve the appointment of election boards and tally boards necessary to conduct the election upon selection by the Director of Elections and filing with the Clerk of the Board of Supervisors, and authorize payment of election board communication expenses in the amount set by the Director for polling places without telephone access. The list of 1142 polling places is on file with the Clerk of the Board of Supervisors and retained in accordance with ASLAPR approved Retention Schedule. (ADM1709) (ADM1710) (C-21-08-006-7-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**29. COMPENSATE BACK WAGES RESULTING FROM CHANGES IN FLSA STATUS FROM EXEMPT TO NON-EXEMPT**

Approve lump sum payment totaling \$1,115.50 to compensate Election current employee Sue Liebler for back regular over budget (ROB) wages from a change in employment status of exempt employee to non-exempt employee, and approve lump sum payment totaling \$1,378.15 to compensate Recorder current employee Maureen Connolly for back regular over budget (ROB) wages from a change in employment status of exempt employee to non-exempt employee. Both employees have previously have previously been compensated in pay period ending September 23rd, 2007 for overtime hours owed as a result of changing Fair Labor Standards Act (FLSA) status from Exempt to Non-Exempt identified as part of the Compensation Market Study. The full amount of this request will be funded within the department's budget. (C-21-09-001-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Sheriff**

**30. AGREEMENT WITH GOODYEAR POLICE DEPARTMENT FOR PARTICIPATION WITH MCNNET**

Approve the Agreement between the Maricopa County Sheriff's Office and the Goodyear Police Department, whereby one police officer will be assigned to the Maricopa County Neighborhood Narcotics Enforcement Team (MCNNET). The term for this Agreement is July 1, 2008 through June 30, 2009. The amount designated for salary reimbursement is \$71,000 and these funds are budgeted. The Goodyear Police Department has participated in the MCNNET Program for approximately fourteen years. The Sheriff's Office is the administrating agency for the MCNNET grant, funded through the Arizona Criminal Justice Commission, which was approved by the Board of Supervisors on June 18, 2008 meeting (C-50-08-578-3-ZZ; C-50-08-585-3-00).(C-50-09-006-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**31. MEMORANDUM OF UNDERSTANDING COST REIMBURSEMENT AGREEMENT WITH UNITED STATES MARSHALS SERVICE**

Approve the Memorandum of Understanding (MOU) Cost Reimbursement Agreement between the Maricopa County Sheriff's Office (MCSO) and the U.S. Marshals Service, and acceptance of up to \$5,400.00 in overtime reimbursement. This Agreement is for operational support of Operation FALCON and the HEAT Fugitive Task Force. This Agreement is effective until thirty days after completion of the operation. (C-50-09-005-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**32. CANINE RETIREMENT AND TRANSFER OF PERMANENT CUSTODY**

Approve the retirement of Canine Mazie K-93, and the permanent transfer of custody to County Sheriff's Office deputy Christopher Howard. This canine is unable to overcome serious distraction issues and can no longer be used in Sheriff's special investigations. Deputy Howard will be asked to sign a Canine Program Release and Indemnity Agreement. (C-50-09-001-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**33. DONATIONS**

Accept four donations to the Sheriff's Office of \$250 or more totaling \$6,500 as follows: Susu Levy, \$5,000; Beverly Vawter, \$1,000; Richard Harris, \$250; and Robert Marre \$250.

Also, per A.R.S. §42-17106 approve a change in the Sheriff's FY 2009 donation fund (203) revenue and expenditure appropriation of \$80,000. Donations revenues are not local revenues for purpose of the constitutional expenditure limitation, and therefore expenditure of the funds 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 Sheriff's Office also received 116 other cash donations in the month of June totaling \$4,812.47. The adopted FY 2009 Sheriff's donation fund is \$25,800. This amount is significantly less than the actual amount received in FY 2008. In addition to the accumulating fund balance, Sheriff's Office anticipates continued increased support in FY 2009. (C-50-09-003-M-00)

Those registering to speak in favor of approving donations made to the Sheriff's Office included: Martha Payan, Kathryn Kobor, Ross Brown, Robert Haney, Gary Rose and Anna Gaines. All expressed their support of Sheriff Arpaio in his efforts to enforce the laws enacted to control illegal immigration. Many said they had donated money and others had started or signed petitions in support of the Sheriff and recent Sheriff's Office activities with regards to illegal immigration.

Those registering to speak against approval of these donations to the Sheriff's Office included Rev. Myron Jackson, a former resident who contrasted earlier leadership with current leadership; and Raquel Teran, Maricopa Citizens for Safety and Accountability,

who believes the Sheriff should use funds to fight "real criminals" and added that it isn't about illegal immigration but about keeping our County safe.

Those registering to speak without giving a priority: Tom Husband said we cannot be free unless we can be safe and law enforcement provides us with that opportunity. He encouraged support for all law enforcement and especially for Sheriff Arpaio.

Chairman Kunasek responded to charges of dangerous budget cuts made to the Sheriff's Office, explaining that the Board had asked all County departments to cut their budgets by 5-10-15 percent when the bottom dropped out of County revenues during this tough economic time. He added that Maricopa County is one government that operates in the black and within their budget every year by conservative forecasting and prudently planning ahead. But, like any family when revenue is drastically cut, if you don't increase your revenue then you have to cut expenses. He said that all County departments have cut their budgets by at least five percent to help get through this financial crisis and the Sheriff's Office was able to cut over \$4 million from its budget.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilson  
Nays: Wilcox

**34. AMENDMENT TO IGA WITH PIMA COUNTY SHERIFF'S OFFICE FOR HIDTA XV GRANT FUNDS**

Approve Amendment No. 3 to the Intergovernmental Agreement (IGA) with the Pima County Sheriff's Department and acceptance of \$14,545 in additional grant funds for the Maricopa County Methamphetamine Task Force, High Intensity Drug Trafficking Area (HIDTA) Initiative XV. This increase will bring the total award from \$371,700 to \$386,245 and extend the end date of the IGA from June, 30, 2008 to June 30, 2009. The Sheriff's Office indirect cost rate for FY 2009 is 12.2% the unrecoverable indirect cost associated with this funding is \$1,775.

Also, approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-09 not-to-exceed \$14,545. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds 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 Sheriff's Office has been receiving HIDTA Initiative grant funding for approximately ten years. (C-50-05-551-3-04)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**35. AMENDMENT TO INTERAGENCY SERVICE AGREEMENT (ISA) WITH PIMA COUNTY SHERIFF OFFICE FOR HIDTA GRANT FUNDS**

Approve Amendment No. 1 to the Interagency Service Agreement (ISA) with the Pima County Sheriff's Department and acceptance of \$5,456 in additional grant funds for the Maricopa County Methamphetamine Task Force, High Intensity Drug Trafficking Area (HIDTA) Initiative XIV. This increase will bring the total award from \$366,437.00 to \$371,893 and extend the end date of the ISA from September, 30, 2006 to December 31, 2008. The Sheriff's Office indirect cost rate for FY 2009 is 12.2% the unrecoverable indirect cost associated with this funding is \$666.

Also, approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-2009 not-to-exceed by \$5,456. These revenues are not "local

revenues” for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds 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 Sheriff's Office has participated in the HIDTA program for the past 10 years. (C-50-04-545-3-01)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**36. SALE OF OBSOLETE SURPLUS LIGHT AND SIREN EQUIPMENT TO COUNTY POSSE GROUPS**

Pursuant to A.R.S. 11-251(9), authorize the sale and transfer of obsolete, surplus Unitrol Light and Siren Controllers for \$1.00 per unit to county posse groups as follows: Five (5) to the Medical Rescue Posse, Inc.; ten to the Jeep Posse; and four to the Crime Prevention Posse. The Sheriff's Office has switched the siren and light controller units for patrol vehicles to TouchMaster Delta from Unitrol. (ADM109) (C-50-09-002-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Treasurer**

**37. COUNTY TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT**

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for May 2008, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-08-023-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**38. SETTLEMENT IN NEW MAGMA IRRIGATION AND DRAINAGE DISTRICT V. MARICOPA COUNTY**

Approve the Settlement in the amount of \$5,957.40 between Maricopa County and Plaintiff(s), in New Magma Irrigation and Drainage District v. Maricopa County, et al, concerning Maricopa County Superior Court No.CV2008-051109. Authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. This item was discussed in Executive Session on April 21, 2008 and May 19, 2008. (C-19-09-014-S-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **COUNTY MANAGER**

### **Crime Prevention - Meth Program**

#### **39. DONATION FOR THE AZ METH PROJECT**

Accept donation of \$25,000 from Blue Cross Blue Shield of Arizona for the AZ METH PROJECT. This action will require an appropriation adjustment to General Fund (100) Appropriated Fund Balance (470) Other Programs (4712) line item titled "Meth Project," increasing the FY2008-09 revenue and expenditure budgets by \$25,000. Donation revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C-42-08-023-D-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Government Relations**

#### **40. RESOLUTION TO APPLY AND ACCEPT TRIBAL GAMING FUNDS FOR THE AMERICAN RED CROSS GRAND CANYON CHAPTER'S FAMILY AND CHILDREN RELIEF**

Pursuant to A.R.S.5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the American Red Cross Grand Canyon Chapter's Family and Children Relief Fund in an amount NTE \$40,000 for FY2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. Pursuant to ARS § 42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not to exceed \$40,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to ARS 42-17105.

As the direct financial assistance arm of the Disaster Services Program, the Family and Children Relief Fund allows the Chapter to meet the immediate emergency needs of disaster victims (food, shelter, clothing, replacement of health-related items), helping them to get through the difficult days and weeks after their home and belongings have been destroyed. (C-20-09-003-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **41. RESOLUTION TO APPLY AND ACCEPT TRIBAL GAMING FUNDS FROM THE SALT RIVER PIMA FOR AMERICAN RED CROSS GRAND CANYON CHAPTER'S FAMILY**

Pursuant to A.R.S.5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Salt River Pima-Maricopa Indian Community for the American Red Cross Grand Canyon Chapter's Family and Children Relief Fund in an amount NTE \$25,000 for FY2008-09. Authorize the

execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. Pursuant to ARS § 42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not to exceed \$25,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to ARS 42-17105.

As the direct financial assistance arm of the Disaster Services Program, the Family and Children Relief Fund allows the Chapter to meet the immediate emergency needs of disaster victims (food, shelter, clothing, replacement of health-related items), helping them to get through the difficult days and weeks after their home and belongings have been destroyed. (C-20-09-008-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**42. RESOLUTION TO APPLY FOR AND ACCEPT TRIBAL GAMING FUNDS FOR SUN CITIES AREA TRANSIT SYSTEM, INC. DIAL-A-RIDE**

Pursuant to A.R.S.5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the Sun Cities Area Transit System, Inc. Dial-A-Ride in an amount NTE \$10,000 for FY2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. If awarded, pursuant to ARS § 42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not to exceed \$10,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to ARS 42-17105.

Sun Cities Area Transit System, Inc. Dial-A-Ride enables seniors in the communities served to leave the area for a day of recreation. This program is intended to serve those that do not have transportation or the ability to drive to catch shuttles. (C-20-09-009-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**43. RESOLUTION TO APPLY AND ACCEPT TRIBAL GAMING FUNDS FOR DESERT MARIGOLD SCHOOL-COMMUNITY FOODS DEVELOPMENT PROJECT**

Pursuant to A.R.S.5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for Desert Marigold School – Community Foods Development Project in an amount NTE \$561,675 for FY2008-FY2011. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of

acceptance and distribution of funds, upon review and approval of assigned legal counsel. If funds are awarded, pursuant to ARS § 42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not to exceed \$187,225. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to ARS 42-17105.

Funds will be used to expand the school-community's gardening capacity to over two acres and fund the construction of a 5,000 square foot classroom kitchen/café and dining pavilion at the garden. Funds will also be used to establish an on-site urban community farmer's market benefitting schools and neighboring residents. (C-20-09-004-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**44. RESOLUTION TO APPLY AND ACCEPT TRIBAL GAMING FUNDS FOR JUVENILE DIABETES RESEARCH FOUNDATION'S WALK**

Pursuant to A.R.S.5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the Juvenile Diabetes Research Foundation's Walk to Cure Diabetes and Outreach Program in an amount NTE \$500,000 for FY2009-FY2013. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. Pursuant to ARS § 42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not to exceed \$100,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to ARS 42-17105.

To fund the annual Walk to Cure Diabetes and Outreach Program for the Juvenile Diabetes Research Foundation. (C-20-09-005-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**45. APPLY AND ACCEPT FUNDS FROM EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND MEMORANDUM OF UNDERSTANDING**

1) Approve the retroactive application for and the acceptance of grant funding from the Edward Byrne Memorial Justice Assistance Grant (JAG) dollars in the total amount of \$578,399 from the Bureau of Justice Assistance (BJA).

2) Approve a Memorandum of Understanding (MOU) between Maricopa County and the Cities of Glendale, Phoenix, Mesa, and Tempe. This MOU is required pursuant to the grant application requirements. This MOU also includes a negotiated reallocation to Maricopa County of \$283,667.56 and \$294,731.44 in funds to be reallocated to the Cities of Phoenix - \$201,658.24, Mesa - \$46,536.60, Glendale - \$23,268.30, and Tempe - \$23,268.30. Funds

received by Maricopa County will be used to support projects in Adult Probation, County Attorney's Office, Juvenile Probation, and the Sheriff's Office. Further, grant awards are to be expended within a four (4) year period of time, starting October 1, 2007 and ending not more than 48 months later. The JAG grant does allow up to 10 percent of the award for costs associated with administering JAG funds, and Maricopa County Juvenile Probation Department has been designated as the fiscal agent for this consortium of municipalities.3. Approve an increase to the FY2008-09 revenue and expenditure budgets of the following departments: Adult Probation's Grant Fund 211 by \$16,443; County Attorney's Grant Fund 219 by \$90,281; Juvenile Probation's Grant Fund 227 by \$79,312; Sheriff's Office Grant Fund 251 by \$97,632. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and, therefore, the budget law does not prohibit expenditure of these revenues. These budget adjustments do not alter the budget constraining the expenditures of local revenues duly adopted by the Board of Supervisors pursuant to A.R.S. § 42-17105.4. Approve the waiver of indirect costs. Adult Probation will receive a total of \$16,442.87; at their indirect rate of 9.1%, their indirect costs are \$1,496.30 of which \$0.00 is unallowable and \$1,496.30 is waived. The County Attorney's Office will receive a total of \$90,280.63; at their indirect rate of 14.0%, their indirect costs are \$12,639.29 of which \$3,611.23 is unallowable and \$9,028.06 is waived. Juvenile Probation will receive a total of \$79,311.96; at their indirect rate of 32.1%, their indirect costs are \$25,459.14 of which \$17,527.94 is unallowable and \$7,931.20 is waived. Sheriff's Office will receive a total of \$97,632.10; at their indirect rate of 12.2%, their indirect costs are \$11,911.11 of which \$2,147.90 is unallowable and \$9,763.21 is waived. Total indirect costs are \$51,505.84 of which \$23,287.07 is unallowable and \$28,218.77 is waived. These indirect costs are not being sought so that all money can be used to maintain existing programs.

The LLEBG procedures included a provision to protect counties from major funding disparities that resulted from the block grant formula. The formula allocated funds to communities by rate of violent crime arrests (predominantly by municipal police agencies), failing to reflect the substantial responsibilities of counties for adjudicating these high level crimes (including incarceration, prosecution, defense, and court processing). If declared disparate, communities were required to concur in a reallocation of the award amounts or no distribution of LLEBG funds occurred. As a result of the request for consideration by Maricopa County, in FY 2004 the Arizona Attorney General certified that the cities of Phoenix, Mesa, and Glendale were scheduled to receive an award twice as much as the projected County award. As the County allocates more than 50% of the local incarceration or prosecution expenditures for Part I, violent crimes, the Attorney General declared that the local funding of LLEBG dollars was disparate. Because of this decision, the 2008 JAG grant again requires a collaboration of the cities of Phoenix, Mesa, Glendale, and Tempe with Maricopa County. The following is the result of the negotiation process whereby Maricopa County would be allocated \$283,667.56 of the total award. Adult Probation will receive \$16,442.87 for the Community Service Program On-Call Crew Supervisors program. The County Attorney's Office will receive \$90,280.63 for the Gun Prosecution program. Juvenile Probation will receive \$79,311.96 for Juvenile Electronic Monitoring program. The Sheriff's Office will receive \$21,318.26 for the Parcel Interdiction program, and \$76,313.84 for the MCNNET program. BJA does allow for the recovery of Indirect Costs up to 10 percent of the total award. The individual departments in coordination with the Office of Management and Budget, however, determined that it was in the best interest of the County to absorb any and all indirect costs for the award funds. The attached Detail of Allocations shows the individual awards. Juvenile Probation has agreed to continue administering the grant for all of the departments and the city partners. County Administration did not solicit new proposals from participating departments, but requested proposals for level funding to continue projects already in place with these dollars. Proposals were assessed upon their consistency with the grant requirements, their crime prevention potential, their potential as alternatives to reducing or preventing detention, and the Board of Supervisors' policy and budget priorities.

A detailed description of those projects best aligning with the criteria, and therefore recommended to receive these funds, is on file with the Clerk of the Board's office. (C-20-09-006-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**46. RESOLUTION TO APPLY AND ACCEPT TRIBAL GAMING FUNDS FOR PARKS AND RECREATION INTERPRETIVE DISPLAYS**

Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to and acceptance of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community and Maricopa County for the Parks and Recreation Interpretive Displays in an amount not-to-exceed \$120,000 for FY2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. If funds are awarded pursuant to A.R.S. 42-17106(b), approve an appropriation adjustment Parks and Recreation (300) Parks Grant Fund (230) increasing the FY 2008-09 revenue and expenditure budgets by not-to-exceed \$120,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

If awarded, the grant funds will be used to design and construct interpretive displays for ecosystem environmental and cultural education and awareness at Estrella Mountain Regional Park and Cave Creek Regional Park Visitor Centers. (C-20-09-001-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**47. RESOLUTION TO APPLY FOR AND ACCEPT TRIBAL GAMING GRANT FUNDS FOR THE PARKS AND RECREATION INTERPRETIVE DISPLAYS**

Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to and acceptance of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Salt River Pima-Maricopa Indian Community and Maricopa County for the Parks and Recreation Interpretive Displays in an amount not-to-exceed \$120,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Salt River Pima-Maricopa Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel. If funds are awarded, pursuant to A.R.S. 42-17106(b), approve an appropriation adjustment Parks and Recreation (300) Parks Grant Fund (230), increasing the FY 2008-09 revenue and expenditure budgets by not-to-exceed \$120,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

If grant funds are received, they will be used to design and construct interpretive displays for ecosystem environmental and cultural education and awareness at Estrella Mountain Regional Park and Cave Creek Regional Park Visitor Centers. (C-20-09-002-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **Justice System Planning and Information**

#### **48. IGA WITH ARIZONA BOARD OF REGENTS FOR THE CREATION AND IMPLEMENTATION OF THE COMMUNITY CRIME ANALYSIS CENTER**

Approve Intergovernmental Agreement (IGA) in the amount of \$387,616 with the Arizona Board of Regents for and on behalf of Arizona State University and its Center for Violence Prevention and Community Safety for the creation and implementation of the Community Crime Analysis Center (CCAC). The effective date of this IGA is July 1, 2008 through June 30, 2009. This agreement may be renewed, by written mutual agreement, for additional one (1)-year periods, unless either party gives 30 days written notice to the other for termination. Also, approve an adjustment to the FY 2008-09 budget, once adopted, transferring \$387,616 from the Non-Departmental (470) General Fund (100) Other Programs (4712) "Crime Prevention Grants" line to a new line in Non-Departmental (470) General Fund (100) Other Programs (4712) entitled "Community Crime Analysis Center". This amount will be used to fund the CCAC IGA during FY 2009. Approval of this action will allow the Arizona State University Center for Violence Prevention and Community Safety to provide research, analysis and consulting services to the Board of Supervisors, county agencies, local governments and community organizations through a research partnership between Arizona State University and Maricopa County. This item was continued from the June 18, 2008 meeting.(C-42-08-022-0-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **DEPUTY COUNTY MANAGER**

#### **Management and Budget**

#### **49. PERSONNEL AGENDA**

Approve the personnel agenda for the last two quarters of FY 2007-08 consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. (C-49-09-005-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **50. HIRING AND CAPITAL PURCHASING FREEZE**

Approve immediate implementation of both a hiring and capital purchasing freeze to be implemented in all judicial branch, elected and appointed departments.

The FY 2007-08 hiring and capital purchasing freezes expired on June 30, 2008. Since updated revenue forecasts show further decline, the Office of Management and Budget recommends that both the FY 2007-08 hiring and capital freezes be implemented immediately for FY 2008-09. The process used during FY 2007-08 will remain the same. (C-49-09-004-6-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**51. MAINTAINING PAPPAS SCHOOL PROPERTY**

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$218,000 from FY 2008-09 Non-Departmental (470) General Fund (100) General Fund Contingency (4711) Operating (0000) to a new line item in Non-Departmental (470) General Fund (100) Other Programs (4712) Operating (0000) entitled "Pappas Security and Utilities". Approval of this action will provide funding through December 31, 2008, for 24 hour security and utility charges. These adjustments will result in a net impact of zero to the County budget.

On June 28, 2008, Maricopa County began 24 hour security of the former Thomas J. Pappas School located at 355 N. 5th Avenue in Phoenix. The \$218,000 provides funding for utilities and security services through December 31, 2008. (C-49-09-002-2-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**52. TRANSFER OF EXPENDITURE AUTHORITY**

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority from Non-Departmental (470) Non-Departmental Grant Fund (249) Non-Departmental Grants (4711) Non-Recurring (0001) to Public Works Department (910) Solid Waste Management Fund (580) Non-Recurring (0001) in the amount of \$375,030 for payment to the Hassayampa Steering Committee for Maricopa County's obligation of the Hassayampa Landfill for FY 2007-08. This action will require expenditure appropriation adjustments decreasing the FY 2008-09 Non-Departmental (470) Non-Departmental Grant Fund (249) Non-Departmental Grants (4711) Non-Recurring (0001) by \$375,030 and increasing the FY 2008-09 Public Works Department (910) Solid Waste Management Fund (580) Non-Recurring (0001) by \$375,030. The adjustment will result in a countywide net impact of zero. Balance from the Solid Waste Management Fund (580) will be used for the expenditure. Also, per A.R.S. § 42-17106(b), approve the transfer of expenditure authority from Non-Departmental (470) Non-Departmental Grant Fund (249) Non-Departmental Grants (4711) Operating (0000) to Public Works Department (910) Solid Waste Management Fund (580) Operating (0000) in the amount of \$396,000 for payment to the Hassayampa Steering Committee for Maricopa County's obligation of the Hassayampa Landfill for FY 2008-09. This action will require expenditure appropriation adjustments decreasing the FY 2008-09 Non-Departmental (470) Non-Departmental Grant Fund (249) Non-Departmental Grants (4711) Operating (0000) by \$396,000 and increasing the FY 2008-09 Public Works Department (910) Solid Waste Management Fund (580) Operating (0000) by \$396,000. The adjustment will result in a countywide net impact of zero. Balance from the Solid Waste Management Fund (580) will be used for the expenditure. Also, pursuant to ARS 42-17106(B), approve an FY 2008-09 fund transfer of \$375,030 from the Public Works (910) Solid Waste Management Fund (580) Non-Recurring (0001) to Non-Departmental (470) Non-Recurring (0001). This transfer requires adjustments increasing the FY 2008-09 Non-Departmental (470) Non-Recurring (0001) expenditure appropriation by \$375,030 and decreasing the FY 2008-09 Public Works (910) Solid Waste Management Fund (580) Non-Recurring (0001) by \$375,030, with offsetting expenditure appropriation adjustments in the Eliminations (980) Eliminations Fund (900).

Approval of this action will provide the Public Works-Solid Waste Department budget authority to fulfill its obligation for the FY 2007-08 and FY 2008-09 payments as part of the consent decree for the Hassayampa costs. (C-49-09-003-2-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Office of Enterprise Technology**

**53. ADDITION TO THE COUNTY FLEET OF TWO UTILITY CARTS**

Approve the Permanent addition to fleet of 2 2008 utility carts, four wheel 4x2 ~~gas powered~~, valued at \$20,830 for the purpose of moving technology equipment between County facilities. Funding for this vehicle is Office of Enterprise Technology (41), Telecommunications Fund and Non-Departmental (470) General Fund (681 & 100). Annual operating and maintenance costs are estimated at \$880 to be paid out of Telecommunications Fund 681. A detailed cross-referenced list of vehicle identification numbers is kept on file in the Clerk of the Board's Office. (C-41-09-001-V-00)

The Clerk announced the deletion of the words "gas powered" prior to the vote.

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**54. TRANSFER OF EXPENDITURE AUTHORITY FOR TELECOM CLOSET BUILD OUT**

Pursuant to A.R.S. §42-17106(B), approve the transfer of expenditure authority between Non-Departmental (470) Grants Fund (249) Non-Departmental Grants (4711) Non-Recurring (0001) and the Office of Enterprise Technology (410), Telecommunications Fund (681) Non-Recurring (0001) of \$1,000,000 for the telecommunications closet build out for six building in the downtown campus. This action will require an expenditure appropriation adjustment decreasing the FY 2008-09 Non-Departmental (470) Grants Fund (249) Non-Departmental Grants (4711) Non-Recurring (0001) by \$1,000,000 and increasing the FY 2008-09 Office of Enterprise Technology (410) Telecommunications Fund (681) Non-Recurring (0001) by \$1,000,000. This is one-time funding from Telecommunications fund-balance that will be used to purchase materials and services to ensure downtown telecommunication closets are upgraded for power and environmental standards. (C-41-09-003-M-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**55. LEASE WITH IO CAPITAL PRINCESS, LLC FOR DISASTER RECOVERY SPACE**

Approve and execute a modified gross lease No.L-7407 with IO Capital Princess, LLC, as Lessor, for approximately 2,000 square feet of disaster recovery data center space located at 8521 East Princess Drive, Scottsdale, AZ. The 120 month lease will commence on or about October 1, 2008, and terminate on or about September 30, 2018. To cost effectively maximize the extensive set-up expenses associated with establishing a back-up data center, authorize an exception to County Policy A-1920 which limits lease terms to 60 months. Base rent will being at \$19 per square foot per month plus electrical expenses at a 1.6 multiplier. Base rent will increase at 3% per year compounded annually. With proper notice, the County may terminate the lease after September 30, 2013 provided the County pays a termination penalty of the Lessor's unamortized marketing costs at a 7% interest rate. The base rental rate is: Months - Base Rent - Annual 1-12 - \$228.00/sf - \$456,000 plus expenses and rental tax 13-24 - \$234.84/sf - \$469,680 plus expenses and rental tax 25-36 - \$241.89/sf - \$483,780 plus expenses and rental tax 37-48 - \$249.14/sf - \$498,280 plus expenses and rental tax 49-60 - \$256.62/sf - \$513,240 plus expenses and rental tax 61-72 - \$264.31/sf - \$528,620 plus expenses and rental tax 73-84 - \$272.24/sf - \$544,480 plus expenses and

rental tax85-96 - \$280.41/sf - \$560,820 plus expenses and rental tax97-108 - \$288.82/sf - \$577,640 plus expenses and rental tax109-120 -\$297.49/sf - \$594,980 plus expenses and rental tax Also, approve an amount not to exceed \$100,000 plus tax for landlord's fit-up costs to make ready the leased space. (C-41-09-002-1-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Public Health**

### **56. AGREEMENT WITH MADISON SCHOOL DISTRICT FOR DIETETIC INTERNSHIP**

Approve a(n) Affiliation Agreement between Madison School District and Maricopa County through the Department of Public Health, for the purpose of providing clinical nutrition experience for graduate students in the dietetic internship. This Affiliation Agreement is non-financial and is effective from July 1, 2008 until June 30, 2013.

As part of its established accredited dietetic internship program, the Department of Public Health seeks to provide its dietetic interns with a broad and diverse practicum experience. This agreement with the Madison School District (MSD) would allow dietetic interns to receive approved dietetic student and practicum experience in clinical nutrition. Supervised by MSD registered dietitians and MSD facilities, interns would continue to be responsible to Public Health. This agreement is non-financial and does not affect the County general fund. (C-86-08-401-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **57. PURCHASE ORDER FROM ADHS FOR HIV PREVENTION SERVICES**

Approve Purchase Order (PO) NO. E8H24190 to increase the grant funding for the Intergovernmental Agreement (IGA) Contract No. HG652198 between Arizona Department of Health Services (ADHS) and Maricopa County through the Department of Public Health for HIV Prevention Services. This PO is for the budget period of January 1, 2008 to December 31, 2008 for the amount not to exceed \$754,683.

MCDPH's indirect rate is 18% for FY2008-09. The grant indirect costs are reimbursable at a rate of 10%. Full indirect cost are estimated at \$115,121, of which \$68,608 is recoverable and \$48,513 is unrecoverable. Funds for this IGA are provided by ADHS and do not increase the County's general fund. (C-86-06-075-2-03)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **58. CONTRACT SUMMARY WITH PHOENIX CHILDREN'S HOSPITAL FOR ELECTRIC BREAST PUMP EXCHANGE**

Approve Contract Summary between the Phoenix Children's Hospital (PCH) and Maricopa County (MC) through the Department of Public Health to provide the Women, Infants and Children (WIC) Electric Breast Pump Equipment Exchange program. PCH partners with MC WIC to provide WIC electric breast pump to current WIC participants when the participant is not able to receive the pump at a WIC clinic. The electric breast pumps are provided by WIC to PCH for the WIC participant and PCH requests non responsibility for the breast pump equipment. (C-86-09-010-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**59. AMENDMENT TO IGA WITH ADHS FOR GRANT FUNDS FOR WIC NUTRITIONAL SERVICES**

Approve a(n) Amendment No. 2 to Intergovernmental Agreement (IGA) (HG861080) between Arizona Department of Health Service (ADHS) and Maricopa County through the Department of Public Health for grant funding for Women, Infants and Children (WIC) Nutritional Services. The budget period is from October 1, 2008 through September 31, 2009, for the amount of not-to-exceed \$9,775,362. Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$228,390 for FY2008-09. Appropriation adjustment is necessary because these funds were not included in the FY2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The Department of Public Health's indirect rate for FY2008-09 is 18%. Grant indirect expenses are fully recoverable and are estimated at \$1,491,157. Funds for this IGA are provided by ADHS and do not increase the County's general fund. (C-86-08-025-2-02)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**60. AMENDMENT TO IGA WITH ADHS FOR FOLIC ACID DISTRIBUTION AND EDUCATIONAL PURPOSES**

Approve Amendment No. 1 to a(n) Intergovernmental Agreement between Arizona Department of Health Services (ADHS) (HG861120) and Maricopa County through the Department of Public Health in the not-to-exceed amount of 75,000. The purpose of this amendment is to (1) Revise Scope of Work, pg. 12, section 4.e., second sentence to read "CERS shall be submitted October 15, January 15, April 15 and July 15." (2) Revise Scope of Work, pg.13, section 5 to read "All services shall be provided by the end of the State fiscal year, June 30th." (3) Revise Scope of Work, pg.13, section 7.a. to read "Contractors Expenditure Report due October 15, January 15, April 15 and July 15". This amendment is effective from 7/1/08 to 6/30/09. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

Maricopa County's indirect rate for the FY 2008-09 is 18%. The grant indirect cost is estimated at \$11,441 and is fully recoverable. Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$18,750. The appropriations adjustment is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of 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. \$56,250 of the grant award was included in the FY2009 adopted budget. Funding for this IGA is administered by the Arizona Department of Health Services (ADHS), and does not increase the County general fund. (C-86-08-027-2-01)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**61. AMEND CONTRACT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR NEWBORN INTENSIVE CARE PROGRAM**

Approve Amendment No. 6 to a(n) Contract between Arizona Department of Health Services (ADHS) (HP461413-004) and Maricopa County through the Department of Public Health in the not-to-exceed amount of \$849,001. The purpose of this amendment is to extend the contract period through 6/30/09. This amendment is effective from July 1, 2008 to June 30, 2009. All other terms and conditions of the Contract remain in full force and effect.

Grant reimbursements are on a per unit rate as per agreement price sheet. The Department of Public Health's indirect rate for FY2008-09 is 18%. Grant indirect expenses are fully recoverable and are estimated at \$129,509. Also approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$12,001 for FY 2008-09. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of 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. Funding for this agreement is provided by a grant from ADHS and will not impact the County general fund budget. (C-86-05-024-2-06)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**62. AMENDMENT TO LEASE WITH DAVID J MCHENRY FAMILY TRUST**

Approve and execute Amendment No. 5 to Lease No. L-7217 with David J McHenry Family Trust for the property located at 2821 N 33rd Avenue, Suite 9, Phoenix, AZ 85009. The purpose of this amendment is to extend the early lease termination date to October 31, 2008 and to adjust the monthly rent schedule. This amendment is effective from September 1, 2008 to October 31, 2008. (C-86-96-073-4-05)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**63. TERMINATION OF INTERAGENCY SERVICE AGREEMENT CONTRACT WITH AZ DEPARTMENT OF JUVENILE CORRECTIONS**

Approve the Letter of Termination of Interagency Service Agreement (ISA), Contract No. J94057 between the Arizona Department of Juvenile Corrections (ADJC) and Maricopa County (C8697088200) through the Department of Public Health (MCDPH). MCDPH and ADJC have determined there is no longer a need to have an on-going contract for MCDPH to provide medical support services to ADJC for chest x-rays to screen inmates for Tuberculosis. This process is inactive and the contract is no longer necessary. (C-86-09-013-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**64. IGA WITH ADHS FOR USE OF PERSONNEL TO SUPPORT VITAL RECORDS REQUESTS**

Approve an Intergovernmental Agreement between Arizona Department of Health Services (ADHS) and Maricopa County through the Department of Public Health, for the purpose of allowing Maricopa County Department of Public Health's Office of Vital Registration (MCDPH OVR) to assign support staff at the Arizona Department of Health Services Office of Vital Records (ADHS OVR) to provide vital registration/records services to Maricopa County residents at the ADHS OVR. This Intergovernmental Agreement is non-financial and is effective from July 31, 2008 until July 30, 2009. (C-86-09-014-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**65. SCOTTSDALE HEALTHCARE - RESIDENT ROTATION AGREEMENT**

Approve a non-financial Resident Rotation Agreement between Scottsdale Healthcare (SCH) and Maricopa County through the Department of Public Health (MCDPH), for the purpose of providing public health training experience for SHC physician residents in the Sexually Transmitted Disease Control clinic and other clinics, and to develop a working partnership with MCDPH. This Agreement is effective from July 1, 2008 until June 30, 2013. (C-86-08-402-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**66. PHOENIX BAPTIST HOSPITAL - RESIDENT ROTATION AGREEMENT**

Approve a non-financial Resident Rotation Agreement between VHS of Phoenix, d.b.a. Phoenix Baptist Hospital (PBH) and Maricopa County through the Department of Public Health (MCDPH), for the purpose of providing public health training experience for PBH physician residents in the Sexually Transmitted Disease Control clinic and other clinics, and to develop a working partnership with MCDPH. This agreement is effective from July 1, 2008 until June 30, 2013. (C-86-08-403-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**67. ANTHEM COLLEGE - STUDENT ROTATION AGREEMENT**

Approve a non-financial Student Rotation Agreement between Anthem College and Maricopa County through the Department of Public Health (MCDPH), for the purpose of providing public health training experience for Anthem College students in the Sexually Transmitted Disease Control clinic and other clinics, and to develop a working partnership with MCDPH. This agreement is effective from July 1, 2008 until June 30, 2013. (C-86-08-404-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**68. AMENDMENT TO CONTRACT WITH CLINICA ADELANTE, INC.**

Approve Amendment No. 5 to a(n) Contract between Clinica Adelante and Maricopa County through the Department of Public Health in the not-to-exceed amount of \$20,000. The purpose of this amendment is to extend contract term to June 30, 2009 and revise Attachment A to the original contract.. This amendment is effective from July 1, 2008 to June 30, 2009. All other terms and conditions of the Contract remain in full force and effect.

This agreement is a subcontract to the Intergovernmental Agreement (HG761266) between MCDPH and the Arizona Department of Health Services, and does not increase the County general fund. Reimbursement to subcontractors are on a per client enrollee basis at a rate established by ADHS. Clinica Adelante, Inc. was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on 7/01/05 (PH ROQ 05-010). (C-86-06-018-1-07)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**69. EXCEPTION TO THE POLICY FOR ADMINISTERING GRANTS**

Approve an exception to the Policy for Administering Grants (A2505) Section D. 1 to the Department of Public Health (MCDPH), for FY 2008-09 that would allow the MCDPH to apply for unnamed public health related grants that may or may not allow full indirect cost recovery. MCDPH's indirect rate for FY 2008-09 is 18%. This authorizes application only and MCDPH will return to the Board for approval to accept and execute any specific awarded grants. Each subsequent request to accept grants will be a new agenda item with a unique number. (C-86-09-007-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**70. IGA WITH ADHS FOR GRANT FUNDING FOR PROP 201**

Approve the Intergovernmental Agreement (IGA) between Arizona Department of Health Services (ADHS) (HG854527) and Maricopa County through the Department of Public Health to provide grant funding for PROP 201 Education and Compliance Activities (Prop 201). Prop 201 will provide education and compliance activities in accordance with the Smoke Free Arizona Act. The term for this IGA is from July 01, 2008 through June 30, 2013. The budget period is July 01, 2008 to June 30, 2009 for a budget amount of \$282,500. Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$282,500 for FY2008-09. Appropriation adjustment is necessary because these funds are not included in the FY2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The Department of Public Health's indirect rate for FY2008-09 is 18%. The full indirect costs are estimated at \$43,093 all of which are recoverable. Funds for this IGA are provided by a grant from ADHS and do not increase the County's general fund. (C-86-09-015-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**71. ANONYMOUS GRANT FOR THE HOMELESS CLINIC**

Approve an Unsolicited Anonymous Grant awarded to Maricopa County through its Department of Public Health's Healthcare for the Homeless Clinic (HCH). This anonymous grant provides HCH with funds in the amount of \$5,000 for grant term 5/12/08 through 1/11/09. These funds will be used to benefit homeless residents of Maricopa County during the 2008 holiday season. This action authorizes the Clerk of the Board to execute all documents necessary to receive this donation and grant on behalf of the Department of Public Health. Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$5,000. The appropriations adjustment is necessary because these funds are additional and were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The Department of Public Health's Indirect Rate for FY2008-09 is 18%. Terms of the grant contract state that "funds should not be used to support the operating budget for the organization"; indirect expenses estimated at \$900 are unrecoverable. Funding for this grant is provided by an anonymous source and does not affect the County general fund. (C-86-09-009-G-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**72. CONTRACT FOR PUBLIC INFORMATION LINE WITH BANNER HEALTH SYSTEM D.B.A. BANNER GOOD SAMARITAN MEDICAL CENTER**

Approve a Sole Source Contract for Services between Banner Health System d.b.a. Banner Good Samaritan Medical Center (BGSMC) and Maricopa County through the Department of Public Health to provide a Public Information Line (PIL). BGSMC will provide a PIL hotline that will operate 24-hours a day, seven (7) days a week. This contract enables the Poison Control Center to receive calls from the public for public health information, disease reporting line and as needed, catastrophe response line. The contract term is from July 1, 2008 through June 30, 2009 for the budget amount is not-to-exceed \$134,000. Maricopa County has the right to extend this contract for additional periods, not-to-exceed a total term of five (5) years.

Funds for the contract come from a grant from a pass-through grant from Centers for Disease Control to Arizona Department of Health Services and do not effect the County's general fund. (C-86-09-011-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Workforce Management and Development**

**73. EXECUTIVE COMPENSATION PACKAGE – ADDITIONAL LEAVE REQUEST**

Approve an Executive Compensation Package (ECP) for Helen Dusick, an unclassified Project Manager in Workforce Management & Development, authorizing a deposit of 80 hours of PTO and 80 hours of FML to her leave balances. (C-31-08-011-2-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

**Animal Care & Control Services**

**74. CONTRACT WITH ANTHEM COLLEGE SCHOOL OF VETERINARY TECHNOLOGY**

Approve a(n) Contract between Anthem College School of Veterinary Technology and Maricopa County through the Animal Care & Control, for the purpose of Maricopa County Animal Care and Control (MCACC) will provide animals for diagnostic and medical attention on an as-needed basis to Anthem College for specific educational modules being taught by Anthem College School of Veterinary Technology such as dental procedures, spay and neuter, and grooming. Animals will receive disease elevations and medical treatment not provided by MCACC. This Contract is non-financial and is effective from July 23, 2008 until July 22, 2009. (C-79-08-128-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**75. AGREEMENT WITH ARIZONA BOSTON TERRIER RESCUE FOR THE NEW HOPE PROGRAM**

Approve an Agreement between Megan Thomas, d.b.a. Arizona Boston Terrier Rescue, 7031 E. Loma Land Drive, Scottsdale, AZ 85257, and Maricopa County to allow Arizona Boston Terrier 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, 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 \$39 for each animal rescued. Animal Care & Control estimates 15 new hope rescues over the term of the agreement, for a total of \$585. The term of this Agreement is from July 23, 2008 through June 30, 2011. (C-79-08-136-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**76. AGREEMENT WITH GRAND CANYON STATE BERNESE MOUNTAIN DOG CLUB FOR THE NEW HOPE PROGRAM**

Approve an Agreement between Grand Canyon State Bernese Mountain Dog Club, a 501 (c)(3) not for profit corporation, 8033 S. Mill Avenue, Tempe, AZ 85284, and Maricopa County to allow Grand Canyon State Bernese Mountain Dog Club under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the

Contractor. The cost for these services is \$39 for each animal rescued. Animal Care & Control estimates five new hope rescues over the term of the agreement, for a total of \$195. The term of this Agreement is from July 23, 2008 through June 30, 2009. (C-79-08-135-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**77. AGREEMENT WITH NINE LIVES FOUNDATION FOR THE NEW HOPE PROGRAM**

Approve an Agreement between Nine Lives Foundation, a 501 (c)(3) not for profit corporation d.b.a. Desert Paws Rescue, 1825 E. Hazelwood Street, Phoenix AZ 85016, and Maricopa County to allow Desert Paws 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, 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 \$40 for each animal rescued. Animal Care & Control estimates 20 new hope rescues over the term of the agreement, for a total of \$800. The term of this Agreement is from July 23, 2008 through June 30, 2009. (C-79-09-005-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**78. IGA WITH SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY FOR SHELTER SERVICES**

Approve an Intergovernmental Agreement (IGA), between Maricopa County Animal Care & Control and the Salt River Pima-Maricopa Indian Community for Animal Control Shelter Services. This IGA is effective from July 23, 2008 through June 30, 2011. The Salt River Pima-Maricopa Indian Community agrees to pay full cost recovery for shelter services for Fiscal Year 2008-2009 estimated to be \$42,920 based on fees approved by the Board of Supervisors on November 2, 2005 (C-79-06-024-7-00) and historical levels of service for this jurisdiction. This action will require an increase in revenue and expenditure appropriation authority for the FY 2008-09 Animal Care and Control (790) Animal Care and Control Shelter-Licensing Fund (572) in the amount of \$42,920. In accordance with A.R.S. 42-17106(B), approve the transfer of revenue and expenditure authority between Non-Departmental (470), Non-Departmental Grants Fund (249) and the Animal Care and Control Department (790) Animal Care and Control License/Shelter Fund (572). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2008-09 Non-Departmental (470), Non-Departmental Grants Fund (249) by \$42,920 and increasing the FY 2008-09 Animal Care and Control Department (790) Animal Care and Control License/Shelter Fund (572) by \$42,920. Also, authorize the Office of Management and Budget to adjust the revenue and expenditures for FY 2009-2010 and FY 2010-11 based on service levels. (C-79-09-003-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**79. IGA WITH SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY FOR ANIMAL CONTROL FIELD SERVICES**

Approve Intergovernmental Agreement (IGA) between Maricopa County through Maricopa County Animal Care & Control and the Salt River Pima-Maricopa Indian Community, for Animal Control Field Services. This IGA is effective from July 23, 2008 through June 30,

2011. The Salt River Pima-Maricopa Indian Community agrees to pay full cost recovery for field services for Fiscal Year 2008-2009 estimated to be \$15,564 based on historical levels of service for this jurisdiction. This action will require an increase in revenue and expenditure appropriation authority for the FY 2008-09 Animal Care and Control (790) Animal Care and Control Field Enforcement Fund (574) in the amount of \$15,564. In accordance with A.R.S. 42-17106(B), approve the transfer of revenue and expenditure authority between Non-Departmental (470), Non-Departmental Grants Fund (249) and the Animal Care and Control Department (790) Animal Care and Control Field Operation Fund (574). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2008-09 Non-Departmental (470), Non-Departmental Grants Fund (249) by \$15,564 and increasing the FY 2008-09 Animal Care and Control Department (790) Animal Care and Control Field Operation Fund (574) by \$15,564. Also, authorize the Office of Management and Budget to adjust the revenue and expenditures for FY2009-10 and FY2010-11, based on service levels. (C-79-09-004-3-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **80. DONATIONS**

Accept the following donations. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105:

- a. Monetary donation from Vernice Windus of Chandler, AZ in the amount of \$250 for the care of the animals. (C-79-08-134-D-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- b. Restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ in the amount of \$219,412 to fund various spay and neuter programs and \$7,435.66 for continuation of two MCACC staff positions for Maricopa County Animal Care & Control (MCACC). A total of \$226,847.66 donation funds were received. (C-79-09-002-D-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- c. Monetary donation from PETCO Foundation of San Diego, CA in the amount of \$368 and Roberta Pederson of Phoenix, AZ in the amount of \$500 for the care of the animals. The total of the donations is \$868. Donation revenue funds are deposited into Fund (573) as they are received. (C-79-09-007-D-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **81. KENNEL PERMITS**

Pursuant to A.R.S. §11-1009, approve the following kennel permits for the term of July 23, 2008 through July 22, 2009:

- a. Kennel permit #375 for Shannon Holtzman, d.b.a. Holtzman Kennels, located at 3043 E. Grovers Avenue, Phoenix, AZ 85032 in District 3.

Kennel permit #410 for Nancy Chapman, d.b.a. Chapman Kennels, located at 4201 W. Tierra Buena Lane, Phoenix, AZ 85032 in District 4.

Kennel permit #435 for Alvin Reed, d.b.a. Big A Kennels, located at 1110 W. Mohave Street, Phoenix, AZ 85007 in District 5.

The cost of each kennel permit is \$328. (C-79-08-129-L-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- b. Kennel permit #330 for Donna Bissing, d.b.a. Bissing Kennels located at 9264 S. 415th Avenue, Tonopah AZ 85322, in District 4. The cost of a kennel permit is \$328, plus a return trip fee of \$49, totaling \$377. (C-79-09-001-L-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- c. Kennel permit #320 for Patricia Bolcerek, d.b.a. Bolcerek Kennels, located at 23129 E. Munoz Street, Queen Creek, AZ 85242 in District 1.

Kennel permit #396 for Judy O'Connell, d.b.a. O'connell Kennels, located at 11005 E. Vallejos Street, Chandler, AZ 85248 in District 1 .

Kennel permit #081 for Bonnie Yarnell, d.b.a. Bimini Kennels, located at 21039 S. 158th Street, Gilbert, AZ 85296 in District 1.

Kennel permit #052 for Ann Tipton, d.b.a. Tipton's Kennels, located at 8442 N. 99th Avenue, Peoria, AZ 85345 in District 4.

The cost of a kennel permit is \$328. (C-79-08-131-L-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- d. Kennel permit #335 for Gwen Brown, d.b.a. Eye Dog Foundation Kennels located at 8252 S. 15th Avenue, Phoenix AZ 85041, in District 5. The cost of a kennel permit is \$328.00, plus a late fee of \$25, totaling \$353. (C-79-08-130-L-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- e. Kennel permit #338 for Susan Anderson, d.b.a. Clearwater Kennels, located at 7601 N. 185th Avenue, Waddell, AZ 85355 in District 4.

Kennel permit #443 for Jasmine Baltazar, d.b.a. Baltazar Kennels, located at 429 W. Euclid Avenue, Phoenix, AZ 85041 in District 5.

The cost of a kennel permit is \$328. (C-79-09-006-L-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Human Services**

### **82. HEAD START POLICY COUNCIL BY LAWS**

Approve the Maricopa County Head Start Zero-Five Program's Policy Council Bylaws. The Bylaws outline the Purpose and Function, Membership and Duties, Officers, Meetings, Executive Committee, and Standing Committees of the Policy Council. The Bylaws were unanimously approved by the Maricopa County Head Start Zero-Five Program Policy Council on May 30, 2008.

The purpose of the Policy Council is to provide program parents and other community representatives with the authority and opportunity to participate in shared decision-making with the Maricopa County Board of Supervisors and with key management staff concerning the design and implementation of the Maricopa County Head Start Zero-Five program, as provided for in the Head Start Performance Standards. A copy of the Policy Council Bylaws and a one page summary are included for the Board of Supervisors review and approval. Maricopa County has been providing Head Start and Early Head Start services in Maricopa County, outside the City of Phoenix, since 1965. Federal regulations require every Head Start program to establish a Policy Council that shares responsibility with the Board of Supervisors for overseeing the delivery of high quality services to children and families. The Policy Council is made up of program parents and other community representatives. The Board of Supervisors and the Policy Council have entered into a Memorandum of Understanding (MOU) that outlines the roles and responsibilities of the Board and the Policy Council in shared governance for the County's Head Start Zero-Five Program. The Policy Council meets once per month, generally on the last Friday of the month. Meetings are held at the Mesa Office. The new term begins at the Policy Council's September 27, 2008 meeting. (ADM2502) (C-22-09-080-M-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **83. HEAD START ZERO-FIVE PROGRAM'S ELIGIBILITY /SELECTION CRITERIA**

Approve the Maricopa County Head Start Zero-Five Program's Eligibility/Selection Criteria for Program Year 2008-2009, as outlined in the Head Start Act Amended on December 12, 2007. The Eligibility/Selection Criteria outlines the eligibility requirements and criteria for selecting children that are in the greatest need of Head Start and Early Head Start services. The Eligibility/Selection Criteria was unanimously approved by the Maricopa County Head Start Zero-Five Program Policy Council on March 28, 2008.

Maricopa County has been providing Head Start and Early Head Start services in Maricopa County, outside the City of Phoenix, since 1965. Federal regulations require every Head Start program to establish a Policy Council that shares responsibility with the Board of Supervisors for overseeing the delivery of high quality services to children and families. The Eligibility/Selection Criteria is reviewed and updated every year by program staff. It is then presented to the Family and Community Partnerships Policy Council Standing Committee for review and approval before submission to the Policy Council for final approval. (C-22-09-083-M-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**84. CONTRACT WITH SUN HEALTH/OLIVE BRANCH SENIOR CENTER**

Approve a Contract between Sun Health/Olive Branch Senior Center and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$20,000.00 The purpose of this Contract is to support the provision of a comprehensive array of supportive services to elderly individuals. This Contract is effective from July 1, 2008 until June 30, 2009.

Approval of this item is contingent on the approval of the FY 2008-2009 Final Budget which includes an appropriation for this purpose. Funding for the contract with Sun Health/Olive Branch Senior Center is through an appropriation in the budget planned by the Board of Supervisors for FY 2009. The purpose of this contract is to provide general senior center supportive services to protect the physical, emotional, and mental well being of eligible elderly individuals and to assist them in maintaining self-sufficiency. The goal of the services is to decrease the need for public support for elderly individuals. Through this contract with Olive Branch Senior Center, funding will be used in conjunction with other funding from various local municipalities, federal, state, and local sources to provide 37,000 meals and grocery bags and 220 units of counseling and information and referral services for elderly individuals in Maricopa County. There is no long term commitment on the part of the County beyond the terms of this contract. (C-22-09-074-3-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**85. CONTRACT WITH CENTRAL ARIZONA SHELTER SERVICES**

Approve a(n) Contract between Central Arizona Shelter Services and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$665,297 The purpose of this Contract is to provide emergency shelter services, low demand shelter services and comprehensive supportive services for the homeless. This Contract is effective from July 1, 2008 until June 30, 2009.

Approval of this item is contingent on the approval of the FY 2008-2009 Final Budget which includes an appropriation for this purpose. The purpose of this contract is to provide shelter and support services protecting the physical, emotional, and mental well being of eligible homeless individuals and families while assisting them to become self-sufficient. CASS will provide, through emergency shelter, 140,000 nights of emergency shelter and comprehensive supportive services for approximately 4,000 unduplicated homeless individuals, 36,000 nights of emergency shelter for 200 unduplicated families. CASS will also provide through the low demand shelter, 47,100 nights of lodging for approximately 1,650 unduplicated homeless men in Maricopa County, regardless of origin of residence, from July 1, 2008 through November 15, 2008. Support services include, but are not limited to assessment, case management, referral, and access to other important services such as job training and child day care. The goal is to increase the level of self-sufficiency and decrease the need for public support services for homeless individuals and families. There is no long term commitment on the part of the County beyond the terms of this contract. (C-22-09-081-3-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **CHIEF FINANCIAL OFFICER**

### **Finance**

#### **86. FUNDS TRANSFERS; WARRANTS**

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.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **87. DECLARATION OF OFFICIAL INTENT FOR THE CRIMINAL COURT TOWER AND THE DURANGO 911 AND CRIME LAB PROJECTS**

Approve and authorize the Chairman to sign the Declaration of Official Intent for the Criminal Court Tower and the Durango 911 and Crime Lab projects. The Declaration will allow the Capital Project Fund; Financing Series 2008 (Fund 441) to be reimbursed for capital expenditures should the County decide to issue tax exempt borrowings to fund these projects. A Declaration of Official Intent for these projects was previously approved in C-18-08-009-8-0. These funds have been budgeted by the Office of Management and Budget. Capital expenditures budgeted for FY09 in Fund (441) are \$67,122,027 (\$55,213,727 Criminal Court Tower and \$11,908,300 Durango 911 and Crime Lab). The Declaration of Official Intent will not exceed budget authority of \$67,122,027.

According to the Criminal Justice Master Plan, additional Criminal Court space is required necessitating the construction of a Downtown Court Tower. The project will be built on the site of the current Madison Street parking garage. Estimated completion of the Criminal Court Tower project is early 2012. According to the Criminal Justice Master Plan, additional space is required necessitating the construction and relocation of the MCSO 911 Dispatch Center, Crime\Photo Lab and Telecommunications functions due to the Criminal Court Tower project. The project will be built at the Durango Complex. Estimated completion of the Durango 911 and Crime Lab project is early 2010. Spending for the Court Tower and Durango 911 and Crime Lab projects for FY 2009 indicates combined project expenditures estimated at \$67,122,027. If the decision is made to finance these projects, the financing will come from tax exempt borrowings. Until such time, expenditures will come from Fund (441) (Financing Series 2008). When and if the proceeds from the borrowing have been received, Fund (441) Financing Series 2008 will be reimbursed. Internal Revenue Service regulations require that the issuer formally declare their intent to reimburse no later than 60 days after the payment of the original expenditure. Capital outlay expenditures from bond proceeds and the corresponding debt service payments for principal and interest are not subject to the County Expenditure Limitation (ELR). (C-18-08-060-2-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**88. AMENDMENT TO LICENSE AGREEMENT WITH MEADOW VALLEY CONTRACTORS, INC.**

Approve an Amendment to a License Agreement with Meadow Valley Contractors, Inc. for use of a vacant county owned parcel of land for staging and material stockpile in support of freeway improvement work. The current License term expires on August 15, 2008. The Amendment will extend the term for a period of four months. The Licensee will pay a license fee of Six Thousand Eight Hundred dollars (\$6,800.00) for the additional four months. The term extension will commence on August 15, 2008 and expire on December 15, 2008. The parcel is adjacent to the County owned Paradise Valley golf course southwest of the intersection of SR-51 and Union Hills Drive. All other terms and conditions of the License will remain the same. (C-18-08-002-B-01)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**89. LICENSE AGREEMENT WITH ALTERED TAILS INC. FOR USE OF ANIMAL CARE AND CONTROL SURGICAL FACILITY**

Approve new license Agreement No. P-50111 with Altered Tails Inc., an Arizona non profit corporation, Licensee, for limited use of the Animal Care and Control Department surgical facility, (the Premises) at 500 S. 27th Avenue, Phoenix, Arizona. The License will allow Licensee to schedule and access the Premises on Sundays to perform pet sterilization procedures. In consideration, Licensee will perform sterilization of animals in County custody equal to 15% of the total number of surgeries performed by Licensee on animals not in County custody. The initial one-year term will commence upon approval by the Board of Supervisors and, with mutual consent of the Parties, automatically renew for not more than two consecutive one-year terms. This License request has been reviewed and endorsed by the Facilities Review Committee. (C-18-09-005-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**90. LICENSE AGREEMENT WITH CANINE CONNECTIONS LLC FOR STAFFED WORK STATION**

Approve new license Agreement No. P-50112 with Canine Connections LLC, (an Arizona Domestic LLC) to permit placement of a staffed work station in the lobby of the Maricopa County Animal Care and Control (MCACC) facility located at 2700 S. 27th Avenue, Phoenix, AZ. The staffed work station will offer personality and lifestyle evaluation services for owners and pets to ensure compatible matches between adopted pets and their owners. This license request has been reviewed and endorsed by the Facilities Review Committee. (C-18-09-003-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**91. AGREEMENT WITH NATIONWIDE RETIREMENT SOLUTIONS, INC.**

Approve a recordkeeping, administrative, and investment services agreement with Nationwide Retirement Solutions, Inc., under the Maricopa County Deferred Compensation Plan, for a period of five years effective July 23, 2008 with the option to renew annually thereafter.

The duties of Nationwide's personnel shall include, but not be limited to, the following: provide information about the County's Plan, provide personal financial education information to Participants, and assist Participants in properly diversifying their portfolios and making investment decisions using a risk assessment questionnaire. All such personnel shall possess any licenses required by any applicable statute or regulation, and shall be responsible for obtaining and maintaining such licenses. (C-18-09-006-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**92. INVESTMENT ADVISORY SERVICES CONTRACT WITH AMERICH MASSENA AND ASSOCIATES**

Approve an investment advisory services contract with Americh Massena and Associates (Contractor), under the Maricopa County Deferred Compensation Plan, for a period of one year beginning on the 23rd day of July, 2008 and ending the 1st day of August 2009, with the option to renew the term annually up to four years. The contractor shall provide investment selection, measurement, monitoring, and reporting and general plan consulting for the Maricopa County Deferred Compensation Plan Committee.

Americh Massena and Associates shall furnish all necessary labor, materials, equipment and space needed to provide investment advice on the selection of appropriate asset classes, recommending managers or mutual fund investment options appropriate for such asset classes, monitoring funds and replacing them as appropriate and prudent, performance measurement, monitoring and reporting. Maintain and develop the investment policy statement to guide these decisions. (C-18-09-007-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**93. APPROPRIATION ADJUSTMENT TO FUND ONE FTE FOR THE DEFERRED COMPENSATION PROGRAM**

Pursuant to A.R.S. §42-17106(b), approve an expenditure appropriation adjustment decreasing the FY 2008-09 Non-Departmental (470), General Fund (100), Operating (0000) Unreserved Contingency (4711) by \$93,000 and increasing the FY 2008-09 Non-Departmental (470), General Fund (100) Operating (0000) Central Service Costs (4714) by \$93,000, in order to fund one Full Time Equivalent (FTE) to be the Deferred Compensation Program Administrator in the Workforce Management and Development Department. This funding request will fund this position for one year, although investment earning revenue could partially fund this position in FY 2008-09, but it will be fully funded beginning in FY 2009-10.

The Deferred Compensation Program Administrator will serve as the Executive Director of the Deferred Compensation Committee and be responsible for monitoring of plan documents and contracts, coordination of marketing and employee/participation education, ensure services are customer focused, and coordinate employee enrollment and participation toward achieving a goal of 55% employee participation. (ADM3312) (C-18-09-008-2-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**94. EXECUTE ALL CAPITAL LEASE DOCUMENTS REQUIRED FOR THE FINANCING OF COUNTY DEPARTMENTAL COMPUTER EQUIPMENT**

Approve and authorize the Chairman to execute all capital lease documents, including the "Declaration of Official Intent," required for the financing of County departmental computer equipment in an amount not to exceed \$10,400,000 (principal). Authorize appropriate departmental representatives to sign lease documents pertaining to their respective departments. All capital lease documents are subject to County Attorney Civil Division approval. The Department of Finance will facilitate the three-year reimbursement capital lease. The Office of Enterprise Technology will be expending funds for the capital equipment and will be reimbursed for their expenditures from the proceeds of the capital lease. Estimated total capital lease payments, with an approximate 5.00% (estimated) interest rate for the maximum principal amount financed of \$10,400,000 equates to yearly debt service payments of approximately \$3,745,000 (principal and interest); monthly capital lease payments will be approximately \$315,000 (principal and interest). The funds are budgeted.

The Office of Enterprise Technology and Office of Management and Budget have determined a need for the County to enter into three-year capital leases for computer equipment. Computer equipment will include personal computers, servers, laptops and printers. This will allow most County departments to recycle one third of their computers every fiscal year. Most departments will not purchase computer equipment outright, but will enter into a three-year capital lease for computer equipment facilitated by the Office of Enterprise Technology. The Office of Enterprise Technology will coordinate the purchase of departmental computer equipment, make vendor payments, and maintain the Technology Finance Program database. The database will also be used to support the departmental lease charges. The Office of Enterprise Technology will process the entries to charge user departments. The Finance Department will enter into periodic reimbursement capital leases for the Technology Finance Program equipment. The Declaration of Intent will satisfy the 60-day reimbursement period for reimbursement of original expenditures, as required by Treasury Regulation §1.150-2(d)(1) (1993). Capital outlay expenditures from capital lease proceeds and the corresponding debt service payments for principal and interest are not subject to the County Expenditure Limitation Report. (C-18-09-001-2-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**95. EXECUTE ALL CAPITAL LEASE DOCUMENTS FOR THE OFFICE OF ENTERPRISE TECHNOLOGY'S NETWORK INFRASTRUCTURE TECHNOLOGY EQUIPMENT**

Approve and authorize the Chairman to execute all capital lease documents, including the "Declaration of Official Intent," required for the financing of the Office of Enterprise Technology's network infrastructure technology equipment in an amount not to exceed \$18,000,000 (principal). Authorize appropriate departmental representatives to sign lease documents pertaining to their respective departments. All capital lease documents are subject to County Attorney Civil Division approval. The Department of Finance will facilitate the three-year reimbursement capital lease. The Office of Enterprise Technology will be expending funds for the capital equipment and will be reimbursed for their expenditures from the proceeds of the capital lease. Estimated total capital lease payments, with an approximate 5.00% (estimated) interest rate for the maximum principal amount financed of \$18,000,000 equates to yearly debt service payments of approximately \$6,475,000 (principal and interest); monthly capital lease payments will be approximately \$540,000 (principal and interest). The funds are budgeted.

The Office of Enterprise Technology and Office of Management and Budget have determined a need for the County to enter into capital leases for network technology infrastructure equipment, as initially approved in agenda number C-41-07-012-1-00 for the Downtown Campus and Clustered Data Centers. Agenda C-41-07-012-10-00 indicated that the equipment will be purchased and phased in over a six-year period while the capital lease financing will be over a three-year period. The Office of Enterprise Technology will coordinate the purchase of network infrastructure equipment, make vendor payments, and maintain the capital asset listing for purchased infrastructure equipment. The funds are budgeted and the payment over time has been included in the Office of Enterprise Technology budget projections. The Finance Department will enter into periodic reimbursement capital leases for the network infrastructure equipment. The Declaration of Intent will satisfy the 60-day reimbursement period for reimbursement of original expenditures, as required by Treasury Regulation §1.150-2(d)(1) (1993). Capital outlay expenditures from capital lease proceeds and the corresponding debt service payments for principal and interest are not subject to the County Expenditure Limitation Report. (C-18-09-002-2-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
 Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Materials Management**

**96. SOLICITATION SERIALS**

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.

**a. 04084-C, FOODS: PERISHABLE, FRESH FRUITS & VEGETABLES RECOMMENDATION FOR INCREASE**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments. (C-73-09-009-7-00)

Serial	Item	Amount	Current Amount	Amount After	Explanation
04084-C	Foods: Perishable, Fresh Fruits & Vegetables	\$700,000.00	\$2,400,000.00	\$3,100,000.00	Continued purchase of these food items through agreement expiration date of September 30, 2010.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
 Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. 08076-S, VOUCHER PROGRAM SPAY/NEUTER SERVICES CATS & DOGS**

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.

Serial	Item	Estimate	Terms & Renewal	Explanation	Awardee
08076-S	Voucher Program Spay/Neuter Services Cats & Dogs	\$10,000,000.00	5yrs w 5 - 1yr options	Allows the Maricopa County Animal Care & Control Agency to accept provider	

Awardees will be paid from Donation to the ACCS. No county funds will be used for these vouchers. (C-73-09-008-7-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
 Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**97. 03095-S, BLUEPRINTING SERVICES**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments. (C-73-09-006-7-00)

Serial	Item	Amount	Current Amount	Amount After	Explanation
03095-S	Blueprinting Services	\$550,000.00	\$109,500.00	\$659,500.00	blueprinting services as may be required for the new Court Tower project.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
 Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**98. 08048-C, LABORATORY EQUIPMENT: MASS SPECTROMETER & ACCESSORIES**

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. (C-73-09-001-7-00)

Serial	Item	Estimate	Terms & Renewal	Explanation	Awardee
08048-C	Laboratory Equipment: Mass Spectrometer & Accessories	\$284,500.00	1 Year	Purchase of a liquid chromatograph/mass spectrometer/mass spectrometer (LC/MS/MS) for the Medical Examiners Office.	Applera Corporation

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
 Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**99. 08054-C PRICE AGREEMENT FOR THE PURCHASE OF MISCELLANEOUS FOODS AND GROCERY ITEMS**

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. (C-73-09-002-7-00)

Serial	Item	Estimate	Terms & Renewal	Explanation	Awardee
08054-C	Miscellaneous Foods And Staple Grocery Items	\$3,400,000.00	1 Year	Price agreement for the purchase of miscellaneous foods and grocery items for the Sheriff' jails.	All American Poly Bakemark Bernard Food Industries, Inc Boritex, Inc Custom Food Service, Inc Epicurean Foods JNS Foods, LLC Kellogg Supply, Inc Shamrock Foods US Foodservice

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
 Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**100. 05113-S, MOBILE ULTRASOUND AND RADIOLOGY READING SERVICES - RENEWAL**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.) (C-73-09-005-7-00)

Serial	Item	Estimate	Terms & Renewal	Explanation	Awardee
05113-S	Mobile Ultrasound And Radiology Reading Services	\$575,000.00	To cover period ending October 31, 2011	Price agreement renewal to provide mobile ultrasound and radiology reading services for Correctional Health Services.	Arcadia Radiology & Breast Center, Ltd

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
 Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**101. 05194-C, BIO-DIESEL (PETRO/AGRI BLENDS) BULK FUEL PURCHASE & DELIVERY**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments. (C-73-09-003-7-00)

Serial	Item	Amount	Current Amount	Amount After	Explanation
05194-C	Bio-Diesel (Petro/Agri Blends) Bulk Fuel Purchase & Delivery	\$4,540,000.00	\$7,260,000.00	\$11,800,000.00	Continuous source of supply for the County fleet

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
 Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**102. 03225-S, TELECOMMUNICATIONS CABLING SERVICES - PRICE INCREASE**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments. (C-73-09-007-7-00)

Serial	Item	Amount	Current Amount	Amount After	Explanation
03225-S	Telecommunications Cabling Services	\$3,000,000.00	\$4,000,000.00	\$7,000,000.00	Requested by the Office of Enterprise Technology to cover future services through term of contract ending March 31, 2010.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
 Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Parks and Recreation**

### **103. IGA WITH CITY OF PEORIA FOR MARICOPA TRAIL SEGMENTS**

Approve a(n) Intergovernmental Agreement between City of Peoria and Maricopa County through the Parks and Recreation Department, in the not-to-exceed amount of \$250,000. The purpose of this Intergovernmental Agreement is to provide support for the Maricopa Trail segments that are proposed by the County and which are part of the City's Trail Master Plan. This Intergovernmental Agreement is effective from July 23, 2008 until July 22, 2018.

The County will design and construct, trail segments subject to the agreement. The County will provide signage designating the segment as the Maricopa Trail and partner with and/or support the City in future efforts to secure funding for trail improvements. The City will maintain the Trail Segment to City trail standards, including any improvements to the surfacing of the trail. The City will assure that the Trail Segment will remain as part of the City's Trail System. (C-30-08-036-5-00)

Supervisor Wilson thanked the City of Peoria for partnering on this segment of the trail

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **104. LICENSE AGREEMENT WITH AT&T FOR ACCESS TO USERY MOUNTAIN REGIONAL PARK**

Approve a License Agreement between AT&T Corp, a New York corporation and Maricopa County, through the Parks & Recreation department, for the purpose of access across Usery Mountain Regional Park to operate, manage and maintain a communications complex owned by AT&T located outside the Park, and authorize the Chairman to execute all necessary documents approved by County Counsel to complete the License Agreement. The term of this Agreement is for ten years, beginning July 23, 2008 and ending July 22, 2018. This Agreement shall renew automatically for additional terms of ten (10) years unless sooner terminated by mutual agreement of the Parties should reasonable access become available outside Usery Mountain Regional Park. This License Agreement will replace the existing Temporary Easement Agreement (C-30-98-035-A) which expires on December 2, 2008. There is no financial impact. (C-30-09-001-3-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Risk Management**

### **105. SETTLEMENT IN THE WORKER'S COMPENSATION CLAIM OF ALLEN DAVID GUTIERREZ**

Approve \$5,453.50 settlement proposal between Maricopa County and Occidental Fire and Casualty Co., insurer of third party involved in accident with County employee, Allen David Gutierrez, which gave rise to a workers compensation claim (claim no. WCMAR 2007528956) and a claim payment lien. (C-75-09-001-S-00)

Raquel Teran, resident, asked for an explanation of this item.

Peter Crowley, Risk Manager, said this is a partial waive of a worker's compensation third party lien for an injury to a County employee on the job. The insurance settlement is not enough to pay the entire lien and a settlement was negotiated for the remaining

costs.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**106. SETTLEMENT IN THE MATTER PETERSON V. MARICOPA COUNTY**

Approve a settlement in the amount of \$140,000.00 in the matter of Kayloni Peterson, Risk Management claim number GL5005001033611, and authorize the Chairman to sign any necessary documents upon counsel's review and approval as to form. This matter was discussed with the Board in Executive Session on July 21, 2008. (C-75-09-002-S-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

**Air Quality Department**

**107. AMENDMENT TO IGA WITH REGIONAL PUBLIC TRANSPORTATION AUTHORITY**

Approve Amendment No. 3 to a(n) Intergovernmental Agreement between Regional Public Transportation Authority (RPTA) and Maricopa County through the Air Quality Department in the not-to-exceed amount of \$400,000. The purpose of this amendment is to continue implementation of the Trip Reduction Program (TRP). This program is part of the State of Arizona Implementation Plan to improve air quality in Maricopa County and helps prevent federal government delays with issuance of highway funds to the State of Arizona. This amendment is effective from July 1, 2008 to June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect. (C-85-07-003-1-03)

Motion to continue this item to the August 6, 2008, meeting by: Supervisor Wilcox,  
Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**108. AMENDMENT TO CONTRACT WITH ADEQ FOR VOLUNTARY VEHICLE REPAIR AND RETROFIT PROGRAM**

Approve Amendment No. 3 to a(n) Contract between Arizona Department of Environmental Quality and Maricopa County through the Air Quality Department in the not-to-exceed amount of \$725,000. The purpose of this amendment is to continue the Voluntary Vehicle Repair and Retrofit program. This amendment is effective from July 1, 2008 to June 30, 2009. All other terms and conditions of the Contract remain in full force and effect. (C-85-06-029-3-02)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**109. AMENDMENT TO CONTRACT WITH ADEQ FOR TRIP REDUCTION PROGRAM**

Approve Amendment No. 3 to a(n) Contract between Arizona Department of Environmental Quality and Maricopa County through the Air Quality Department in the not-to-exceed amount of \$948,575.00. This amendment is funded by a grant from Arizona Department of Environmental Quality, Contract EV06-0006. The purpose of this amendment is to continue implementation of the Trip Reduction Program that is part of the State's Implementation Plan

to improve air quality in Maricopa County. This amendment is effective from July 1, 2008 to June 30, 2009. All other terms and conditions of the Contract remain in full force and effect. (C-85-06-028-3-02)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**110. AMENDMENT TO CONTRACT WITH KACHINA AUTOMOTIVE EQUIPMENT, INC. FOR VOLUNTARY REPAIR AND RETROFIT SERVICES**

Approve Amendment No. 2 to a(n) Sole Source Contract between Kachina Automotive Equipment, Inc. and Maricopa County through the Air Quality Department in the not-to-exceed amount of \$287,500. The purpose of this amendment is to continue to allow Kachina Automotive Equipment, Inc. to coordinate the VVR&R services. This amendment is effective from July 1, 2008 to December 31, 2008. All other terms and conditions of the Sole Source Contract remain in full force and effect. (C-85-07-001-1-02)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

**Facilities Management**

**111. CHANGE ORDER TO CONCORD GENERAL FOR SECURITY BUILDING RENOVATIONS**

Approve Change Order No. 16 to contract C-70-04-039-8-00, Concord General Contracting, in the amount of \$882,074. This contract is for the continued design-build and related professional services for the renovation of the Security Building for Phase VI, primarily – construction associated with the south core restroom remodels for basement and floors 2, 3, 4, 5, 6 and penthouse, upgrade domestic hot water expansion tank and general conditions through December 31, 2008. This project is located in District 5.

On December 3, 2003, the Board of Supervisors authorized the Public Notice legal advertisement and award of a design-build construction contract for "Security Building Renovation," Project #2000131164E. The project called for the renovation of the Security Building to house the Office of the Public Defender and the Office of the Legal Defender. On May 17, 2004, a contract was awarded to Concord General Contracting for \$7,455,597. The work has been divided into phases: Phase I for the Office of Legal Defender renovations and Phase II for the Office of the Public Defender renovation. Phase I was substantially completed February 2005. Phase II was not started as a hold was placed on the relocation of the Office of the Public Defender to the Security Building. As of March 2005, floors 8 and 9 of the Security Building were designated as space to house the Arizona State University College of Architecture Phoenix Urban Research laboratory (PURL). Phase III included renovations of specific areas on floors 4 through 7 for relocation of County staff. Phase III was substantially completed June 2006. Phase IV included the following: movement of the security station, infrastructure improvements to the HVAC, waterproofing of the 8th floor, elevator cab upgrades, upgrades to the structure to accommodate the new freight elevator including pre-purchase of the elevator, renovations to the 2nd, 4th and 5th floors, new air handler units and life safety improvements to the fire systems. Phase V will continue the structural changes to the facility for the freight elevator and additional infrastructure improvements. Phase VI will continue infrastructure improvements to the facility. Other departments, recommended by the Facilities Review Committee, have also been identified to relocate to the facility. (C-70-04-039-8-11)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**112. JOB ORDER CONTRACT WITH DP ELECTRIC, INC.**

Approve a Contract between DP Electric, Inc. and Maricopa County through the Facilities Management Department, in the not-to-exceed amount of \$15,000,000. The purpose of this Contract is to provide on-call electrical contractor Job Order Contracting services for Major Maintenance, CIP and Department funded projects. This Contract is effective from July 1, 2008 until June 30, 2013.

Job Order Contracting is authorized by Article 5 of the Procurement Code to enable the county to expediently complete smaller construction projects using pre-qualified contractors with a structured pricing basis. The Facilities Management Department (FMD) will develop the scope of work and approve the contractor's cost proposal based on pre-determined contract terms, prior to the contractor starting work on a specific job order task. The costs will be paid by budgeted funds from Major Maintenance, CIP and Departmental budgets. DP Electric, Inc. was selected through a qualifications-based selection conducted in accordance with the Maricopa County Procurement Code and Article 5 Procurement Procedures. This procurement was presented to the Facilities Review Committee and recommended on February 28, 2008. (C-70-09-003-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**113. JOB ORDER CONTRACT WITH HYDE ELECTRIC, INC.**

Approve a(n) Contract between Hyde Electric, Inc. and Maricopa County through the Facilities Management Department, in the not-to-exceed amount of \$15,000,000 The purpose of this Contract is to provide on-call electrical contracting Job Order Contract services for Major Maintenance, CIP and Department funded projects. This Contract is effective from July 1, 2008 until June 30, 2013.

Job Order Contracting is authorized by Article 5 of the Procurement Code to enable the county to expediently complete smaller construction projects using pre-qualified contractors with a structured pricing basis. The Facilities Management Department (FMD) will develop the scope of work and approve the contractor's cost proposal based on pre-determined contract terms, prior to the contractor starting work on a specific job order task. The costs will be paid by budgeted funds from Major Maintenance, CIP and Departmental project budgets. Hyde Electric, Inc. was selected through a qualifications-based selection conducted in accordance with the Maricopa County Procurement Code and Article 5 Procurement Procedures. This procurement was presented to the Facilities Review Committee and recommended on February 28, 2008. (C-70-09-002-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**114. CONTRACT WITH GILBANE BUILDING COMPANY FOR GENERAL CONSTRUCTION SERVICES FOR THE DOWNTOWN COURT TOWER-GMP #1**

Approve and authorize the execution of Construction Manager at Risk (CMR) GMP #1, Contract No. FMD-09-001, C-70-08-022-5-00, with Gilbane Building Company of Phoenix, Arizona, in an amount not to exceed \$5,100,000, to provide general construction services for the Downtown Court Tower, Phoenix, Arizona, (FMD project #3325-07-380).

GMP#1 - \$5,100,000 (NTE). The execution of contract No. FMD-09-001 for GMP#1 will allow Gilbane Construction Company to mobilize on site, to complete the relocation of the 42" water line and the demolition of the Madison Street Garage.  
(C-70-09-001-5-00)

Supervisor Stapley commented on items 114, 115, 116, that deal with the projected new Court Tower. He said this has been in the planning stage for some time and was gratified to finally be moving into the demolition phase so that construction of the Tower can begin because there is such a desperate need for it.

Supervisor Brock said that with the current court climate and the growth being experienced by the County, adequate court facilities are very necessary.

Supervisor Wilcox said it is a major achievement and congratulated all who contributed to getting everything to this stage.

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**115. USE OF NORTHWIND PHOENIX, LLC FOR COOLING SERVICES FOR COURT TOWER**

Approve the recommendation of the County's Engineering Consultant and authorize staff to proceed with the design of the Court Tower to change the scope of the project to reflect that cooling for the facility will be contracted through a contract amendment with Northwind Phoenix, LLC under bid serial #99214-RFP in lieu of building a central plant facility. The final amendment to the contract will be brought forward for approval through the Materials Management Department.

The project team has performed extensive analysis to define the best method of providing cooling to the facility over a 25 year life cycle approach. Based on negotiations with Northwind Phoenix, LLC, reviews of estimated construction costs, operating costs and other value added benefits, the project engineering consultants have provided a recommendation that the County proceed with finalizing negotiations and a contract amendment with Northwind Phoenix, LLC to provide cooling service to this facility to realize the most efficient and economical long-term costs. Since the Board's approval of this project, two issues have been identified that were not included in the original scope and the original project budget. These are the APS power issue and the Risk Management Owner Controlled Insurance Program. A financial analysis will be completed for these two additional costs and the savings identified related to the elimination of the central plant. Until this analysis is completed, there will not be any scope changes made and/or project budget adjustments until these issues are fully analyzed. Once the analysis is finalized, an action item will be brought back to the Board of Supervisors for formal approval at a future date. County staff concurs with this decision. (C-70-09-006-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**116. COURT TOWER - GMP #2 WITH GILBANE CONSTRUCTION COMPANY**

Approve and authorize the execution of Construction Manager at Risk (CMR) GMP #2, Contract No. FMD-07-380, C-70-08-022-5-00, with Gilbane Building Company of Phoenix, Arizona, in an amount not to exceed \$19,900,000 to provide general construction services and to permit the procurement of steel for the structure for the Downtown Court Tower,

Phoenix, Arizona, (FMD project #3325-07-380). An independent analysis of a steel versus concrete structural system was completed and based on the findings staff recommends the structural system be steel.

GMP#2 - \$19,900,000. The execution of the contract for GMP#2 will allow Gilbane Construction Company to place the steel mill order package for the project so that the County can lock in steel pricing at current rates and avoid additional risks. Over the last twelve months steel prices have risen approximately 13% and that trend is expected to continue. An independent analysis of a concrete versus steel structural system was completed by Gilbane Construction and Parsons. Both analyses determined that the base structural system should be steel based on costs, time and other benefits to the project. Staff concurs with this recommendation. (C-70-09-005-5-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Public Works**

### **117. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

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. The list is on file in the Clerk of the Board's Office. (C-06-09-015-7-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **118. CONSULTANT SERVICES CONTRACT WITH PB AMERICAS, INC.**

Approve the Consultant Services Contract No. 2008-006 with PB Americas, Inc. in the amount not-to-exceed \$840,792.65 for construction administration services for MCDOT Project MAG ALCP Projects (ALCP), El Mirage Road: Deer Valley Road to Loop 303, Job No. T104A.

This project will construct a six-lane roadway from the Deer Valley Road alignment north to Loop 303 on the El Mirage Road alignment. This project is in Supervisor District 4. (C-91-08-001-3-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **119. DEVELOPMENT AGREEMENT WITH GOLDFIELD PRESERVE DEVELOPMENT, LLC.**

Approve a Development Agreement with Goldfield Preserve Development, LLC, as recommended in the previously approved Development Master Plan case for The Preserve at Goldfield Ranch, DMP-2006-018, as approved December 19, 2007 in stipulations t.2 and t.3.

The Development Agreement details financial contributions the developer will make for future regional transportation improvements in the vicinity of State Route 87 and Burntwater Road. These future improvements will be identified and constructed either by the county or subsequent development. Supervisor District: 2 (C-91-09-010-L-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**120. CONSULTANT SERVICES CONTRACT WITH STANLEY CONSULTANTS, INC.**

Approve the Consultant Services Contract No. 2008-005 with Stanley Consultants, Inc. in the amount not-to-exceed \$828,458.25 for construction administration services for MCDOT Project County Arterials (ARTS), Gavilan Peak Parkway: Carefree Highway to Joy Ranch Road, Job No. T243.

This project will construct a two-lane roadway from Gavilan Peak Parkway to Joy Ranch Road, which will provide an alternate route to Anthem from Carefree Highway. This project is in Supervisor District 3. (C-91-09-001-5-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**121. DECLARE AS EXCESS LAND - LINDSEY ROAD PROJECT**

Approve to declare approximately 1.173 +/- acres as excess land, for sale beginning in FY 2008-2009. MCDOT will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be fair market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at fair market value without an auction. If an auction takes place, this parcel will be sold to the highest bidder at public auction per Arizona Revised Statute 11-251. Parcel APN#304-55-008C (MCDOT Parcel # W2-0004-EX) is a remnant of the Lindsey Road Project 68860. It is located just north of the San Tan 202 Freeway, on Lindsey Road. It has been determined by Maricopa County Department of Transportation staff as excess to the project. This parcel will be sold to the highest bidder at public auction per Arizona Revised Statute 11-251 or to a government entity.

Approve this property as excess land so that it can be sold at public auction or to a governmental entity and reduce Department liability and maintenance. Property will be sold at fair market value that will be established through the appraisal process. The property has been estimated to be worth approximately \$25,000. Supervisory District No(s). 2 (C-91-08-005-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**122. NEW TRAFFIC CONTROLS ON R H JOHNSON BOULEVARD**

Approve the new traffic controls (No Stopping, Standing, Parking Any Time) on unincorporated right-of-way at the following location:

A NO STOPPING, STANDING, PARKING ANY TIME ZONE on R H Johnson Boulevard from Stardust Boulevard to 855 Feet East of Stardust Boulevard. (South Side only).

A NO STOPPING, STANDING, PARKING ANY TIME ZONE on Stardust Boulevard 490 Feet South of R H Johnson Boulevard to 620 Feet North of R H Johnson Boulevard on (East Side only). Supervisory District No. 4 (C-91-09-004-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**123. TRAFFIC CONTROL CHANGES**

Approve the following traffic control changes on unincorporated right-of-way at the following locations:

**a. LOWER BUCKEYE ROAD AND LITCHFIELD ROAD**

A Four Way Stop (from a Two-Way east/west Stop) at Lower Buckeye Road and Litchfield Road. Supervisory District No(s). 4 and 5 (C-91-09-006-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. HAWES ROAD FROM BROADWAY ROAD TO APACHE TRAIL**

A 40 MPH SPEED LIMIT ZONE (from a 45 MPH SPEED LIMIT ZONE) on Hawes Road from Broadway Road to Apache Trail. This rescinds the 45 MPH speed limit zone dated September 17 1984. Supervisory District No. 2 (C-91-09-002-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. FORT MCDOWELL ROAD FROM STATE ROUTE 87**

A 35 MPH SPEED LIMIT ZONE (from a 45 MPH SPEED LIMIT ZONE) on Fort McDowell Road from State Route 87 to .63 miles north of State Route 87. This partially rescinds the 45 MPH speed limit zone dated November 4 2006. Supervisory District No. 2 (C-91-09-003-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. NORTHERN AVENUE AND CITRUS ROAD**

A Four Way Stop (from a Two-Way north/south Stop) at Northern Avenue and Citrus Road. This partially rescinds the Through Street Resolution on Northern Avenue dated August 14, 1989. (C-91-09-005-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**BOARD OF SUPERVISORS**

**Clerk of the Board**

**124. APPOINTMENT TO AGGREGATE MINING OPERATIONS ZONING DISTRICT #1 RECOMMENDATION COMMITTEE**

Approve the appointment of Charles Ullman as a private citizen alternate to the Aggregate Mining Operations Zoning District #1 Recommendation Committee. Alternate members serve until they are replaced by requested action of the group they are representing. (C-06-08-114-9-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**125. REAPPOINTMENT TO COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

Approve the reappointment of James Warner to the Community Development Advisory Committee representing Supervisorial District 2. The term of the appointment will be effective as of the date of Board approval through June 30, 2009. (C-06-09-001-9-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**126. RE-APPOINTMENT TO MARICOPA COUNTY HEAD START ZERO-FIVE POLICY COUNCIL**

Approve the request of the Maricopa County's Head Start Zero-Five Program that the Board of Supervisors re-appoint Mary Rose Wilcox as the Board's representative to Maricopa County's Head Start Zero-Five Policy Council. This will be Supervisor Wilcox's third and final term as a member of the Policy Council. Each year, the Board of Supervisors appoints a representative from among their members, or a representative from the community to serve on its behalf, as its Designee to serve a one-year term, from September through September to the Maricopa County Head Start Zero-Five Policy Council. The new term begins at the Policy Council's September 27, 2008 meeting. (C-22-09-079-9-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**127. APPOINTMENTS TO MARICOPA WORKFORCE CONNECTIONS**

Approve the appoint of the following individuals approved by the Maricopa Workforce Connections Full Board on April 24, 2008, to the Maricopa Workforce Connections representing private industry and a mandated partner. The term of the appointment(s) will be effective July 23, 2008 through June 30, 2010. (ADM2512-001) (C-22-09-075-9-00)

- Kayong Holston, Director of Business Programs for Ottawa University
- Ben Candler, Manager for Intellichoice Financial Services
- Trish Georgeff, Interim Director for the Maricopa County Human Services Department

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**128. APPOINTMENTS TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (CDAC) TO REPRESENT THE TOWN OF GILA BEND**

Appoint Gila Bend Council member Armida Gonzalez as Primary Representative and Gila Bend Council member James Bud Turner as Alternate Representative to the Community Development Advisory Committee to serve the remainder of a FY08-09 term which expires June 30, 2009. (C-17-09-044-9-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**129. ADMINISTRATIVE CORRECTION TO PREVIOUS APPOINTMENT**

Approve an administrative correction to the action taken on May 21, 2008 (C-06-08-087-9-00) regarding the appointment of Scott Higginson to the following four boards:

- County Attorney Investigator's Public Safety Personnel Retirement Plan Local Board
- Parks and Recreation Park Police Public Safety Personnel Retirement Plan Local Board
- Sheriff's Office Public Safety Personnel Retirement Plan Local Board
- Corrections Officer Retirement Plan Local Board This correction changes the effective date from May 21, 2008 to July 23, 2008. Mr. Higginson was officially elected Chairman of the Merit System Commission on July 2, 2008. The previous election date provided was incorrect therefore the Clerk's office is processing a correction to the effective date of the term. Mr. Higginson will now fill the unexpired term of former Chairman Thomas Nixon on the four local boards as a citizen member effective July 23, 2008 through December 31, 2009. (C-06-09-010-9-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**SETTING OF HEARINGS**

\*\*\*All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted\*\*\*

**Planning and Development**

**130. PUBLIC HEARING ON ZONING CASES**

Scheduled Planning and Development public hearings on zoning cases and other matters for the August 6, 2008 meeting. (C-44-09-006-7-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Public Works**

**131. ROAD FILE DECLARATIONS**

Set a public hearing to declare the following roads into the county highway system for Wednesday, August 20, 2008.

**a. ROAD FILE NO. A412**

Approve and adopt resolution setting hearing on Road File No. 412, said alignment is also known as Said roadway also known as Burnt Water Road from State Route 87, North approximately 765.5 (alignment), lying within Supervisorial District 2.

**OPEN AND DECLAREROAD FILE NO. A412**

That portion of Parcel 2 as shown on "Goldfield Ranch Phase III" per Book 195, Page 23, Records of Maricopa County, Arizona being a portion of the Southeast quarter of Section 22, Township 3 North, Range 7 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a found 3-1/4" United States Department of Interior – Bureau of Land Management brass cap in pot hole accepted as the southeast corner of said Section 22 from which a found brass cap accepted as the south quarter corner thereof bears South 89 degrees 51 minutes 42 seconds West a distance of 2641.87 feet; Thence along the southerly line of said Southeast quarter, South 89 degrees 51 minutes 42 seconds West a distance of 551.28 feet; Thence leaving said southerly line, North 00 degrees 08 minutes 18 seconds West a distance of 422.61 feet to the northerly line of "State Highway 87 (Beeline Highway)" as described in Docket 7636, Page 783, Records of Maricopa County, Arizona being the POINT OF BEGINNING, also being the beginning of a non-tangent curve concave to the northwest having a radius of 14236.39 feet the center of which bears North 15 degrees 09 minutes 57 seconds West; Thence southwesterly along said northerly line and along said curve through a central angle of 00 degrees 13 minutes 40 seconds an arc length of 56.62 feet to a point on non-tangency; Thence leaving said northerly line and said curve, North 01 degrees 17 minutes 41 seconds West a distance of 130.35 feet to the beginning of a curve concave to the southeast having a radius of 395.00 feet; Thence northeasterly along said curve through a central angle 42 degrees 50 minutes 31 seconds an arc length of 295.35 feet; Thence north 41 degrees 32 minutes 50 seconds East a distance of 174.75 feet; Thence north 44 degrees 48 minutes 55 seconds East a distance of 165.03 feet to the beginning of a non-tangent curve concave to the northwest having a radius of 310.00 feet the center of which bears North 79 degrees 55 minutes 16 seconds West; Thence southwesterly along said curve through a central angle of 31 degrees 28 minutes 06 seconds an arc length of 170.26 feet; Thence South 41 degrees 32 minutes 50 seconds West a distance of 177.69 feet to the beginning of a curve concave to the southeast having a radius of 340.00 feet; Thence southerly along said curve through a central angle of 42 degrees 50 minutes 31 seconds an arc length of 254.23 feet; Thence South 01 degrees 17 minutes 41 seconds East a distance of 116.88 feet to the POINT OF BEGINNING. Said roadway also known as Burnt Water Road from State Route 87, North approximately 765.5 (alignment). This action is in accordance with A.R.S. Title 28- 6701, 6702 and 6703. (Supervisory District 2) (C-91-09-008-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. ROAD FILE NO. A408**

Approve and adopt resolution setting hearing on Road File No. A408, said alignment is also known as Banff Lane from 71st Avenue to 68th Drive, lying within Supervisory District 4.

**OPEN AND DECLARE ROAD FILE NO. A408**

A roadway alignment, together with all appurtenant rights, being 50 feet in width and lying within the Northeast quarter of Section 12, Township 3 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more particularly described as follows: The South 25 feet of the North half of the Southwest quarter of the Northeast quarter; and The North 25 feet of the South half of the Southwest quarter of the Northeast quarter; and The South 25 feet of the West half of the Northwest quarter of the Southeast quarter of the Northeast quarter; and The North 25 feet of the West half of the Southwest quarter of the Southeast quarter of the Northeast quarter, all in said Section 12. (Said roadway also known as Banff Lane from 71st Avenue to 68th Drive and lying in Supervisory District 4). This action is in accordance with A.R.S. Title 28- 6701, 6702 and 6703. (Supervisory District 4) (C-91-09-007-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. ROAD FILE NO. A411**

Approve and adopt resolution setting hearing on Road File No. A411, said alignment is also known as Planada Lane, from 87th Avenue to 83rd Avenue, lying within Supervisorial District 4.

**OPEN AND DECLAREROAD FILE NO. A411**

A roadway alignment, together with all appurtenant rights, being 50 feet in width and lying within the Northeast quarter of Section 15, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and being more particularly described as follows: The North 25 feet of the South half of the North half of the Northeast quarter of said Section 15; Except the West 40 feet thereof; and Except the East 40 feet thereof; and The South 25 feet of the North half of the North half of the Northeast quarter of said Section 15; Except the West 40 feet thereof; and Except the East 40 feet thereof. This action is in accordance with A.R.S. Title 28- 6701, 6702 and 6703. (Supervisorial District 4)(C-91-09-011-M-00)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**CONSENT AGENDA**

**Clerk of the Board**

**132. ARIZONA METH PROJECT DONATIONS**

Authorize the acceptance of cash donations and in-kind contributions received for the month of May 2008, for the purpose of the Arizona Meth Project. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**133. DONATIONS**

Accept the annual reports received from Animal Care and Control Department for FY 2008-09 as on file in the Clerk of the Board's Office. (C-06-09-013-D-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**134. DONATIONS**

Accept the donation reports received from the Sheriff's Office for June 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-014-D-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilson  
Nays: Wilcox

**135. GOVERNMENT PROPERTY LEASE TAX**

Pursuant to A.R.S. §42-11102, acknowledge receipt of the notification from the Arizona State Retirement System to the Assessor of the intention to have its one property in Maricopa County, located at 3300 N. Central Avenue, Phoenix, (APN No. 118-37-021N) taxed under the Government Property Lease Tax (GPLET) framework. ASRS occupies 23.46% of the building, which is exempt from taxation. (ADM303)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**136. MARKET RANGES**

Approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-012-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**137. MINUTES**

Approve the minutes of the Board of Supervisors meetings held January 17, 2007, April 21, 2008, May 5, 2008 and June 23, 2008. (C-06-09-011-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**138. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS**

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 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) (C-06-09-009-2-00)

Motion to Approve, regarding action on the District vouchers, as submitted, by:  
Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**139. SECURED TAX ROLL CORRECTIONS**

Approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions are on file in the Clerk of the Board's Office. (C-06-09-021-7-00)

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**140. TAX ABATEMENTS**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-020-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**BOARD OF SUPERVISORS ADDENDUM**

**Clerk of the Board**

**A-1. DUPLICATE WARRANTS**

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. Duplicate Warrants are on file in the Clerk of the Board's Office. (C-06-09-022-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**A-2. PRECINCT COMMITTEEMEN**

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-09-026-7-00)

Motion to Approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING RECESSED**

Chairman Kunasek recessed the Board of Supervisors and convened as the Board of Directors of Various Districts.

**MEETING RECONVENED**

Chairman Kunasek reconvened the Board of Supervisors.

**CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

- 141. PUBLIC COMMENT:** On matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the

meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman).

Those residents registering and wishing to speak included: Kate Goodhart; Rob Haney; Anna Gaines, American Citizens United; Martha E. Payan, U.S. Citizens and Sheriff Arpaio; Kathryn Kobor; Susan Swartz; Larry Fontaine; Dan Peitzmeyer; Ivan Brickman; Donna Grantehouse; Raquel Teran; Sarah Mykleburst; Doinna Greenhouse; Mari Alvarado; Joseph Larios; Tason Odhner; Annette Sexton-Ruiz; Reverand Jackson; Hector Y Turralde; Lydia Guzman; Kimberly Wallace; Maria Ontreiros; Gary Rose, American Citizens United; Linda Brown and James Sena. Others registering but giving no indication of wanting to speak included: Emmanuel Gallarro; Raymond Beekmann, MCSA and Antonio Bustamark.

Speakers were divided in their criticism and praise of the elected officials and on the issues.

The majority of speakers chose to speak on issues and areas of disagreement with the Sheriff's Office; Sheriff Arpaio; equitable protection of residents; how budget monies are directed and spent activity-wise; and Board of Supervisor responsibility and accountability.

Several speakers rose to defend the Sheriff's activities and affirm their belief that those coming to America illegally are breaking the law and should be treated accordingly.

#### **142. SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS.**

Supervisor Stapley explained that it is not legal for Board Members to respond to or comment on anything said in public comment. He indicated that item 142 limits Members to comments on public or government events or issues that are germane to County business. He said that any Board Member who responds to comments made by the public would be called out-of-order by the Board's attorney. He asked the public for their understanding on this matter.

\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\*

### **PLANNING AND ZONING AGENDA**

David Smith and Victoria Mangiapane 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, Lynn Favour, Deputy Planning and Development Director, and Kevin Costello, 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**

##### **1. CASA DE LOS CABALLOS (C-44-09-004-7-00)**

**Case Number:** Z99-78  
**Supervisory District:** 2  
**Applicant:** Phillip Mazzio  
**Location:** West of the southwest corner of Lone Mountain Rd. & 152nd St. (in the Rio Verde area)  
**Request:** Partial removal of a Special Use Permit (SUP) for a Public Riding and

Boarding Facility in the Rural-190 zoning district  
**Commission Action:** REMOVE the SUP overlay from APN219-40-062B (by unanimous vote of 6-0)

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**2. VERIZON WIRELESS COMMUNICATION FACILITY (C-44-09-001-7-00)**

**Case Number:** Z2007100  
**Supervisory District:** 4  
**Applicant:** Technical Solutions on behalf of Verizon Wireless  
**Location:** Northeast corner of 175th Ave. & W. Sweetwater Rd. (in the Surprise area)  
**Request:** Renewal of a Special Use Permit (SUP) in the Rural-43 zoning district and in Wireless Communication Facility Use District 2  
**Commission Action:** Approved by unanimous vote of 7-0 with stipulations "a" through "l"

Motion to Approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**REGULAR AGENDA**

**3. THE CARILLONS (C-44-09-002-7-00)**

**Case Number:** Z2007027  
**Supervisory District:** 4  
**Applicant:** Dowl Engineers  
**Location:** South of Royal Oak Rd. and east of 103 Ave. (in the Sun City area)  
**Request:** Special Use Permit (SUP) in R-5 zoning district with a Senior Citizen zoning overlay (8.1 acres) and Zone Change from C-3 to R-5 (5.06 acres)  
**Commission Action:** Approved by unanimous vote of 7-0 with stipulations "a" through "s" and revision of stipulation "o"

Lynn Favour, Deputy Director of Planning and Development, gave a background report on this case. She said there is no known opposition and staff recommends approval.

Tom Meehan, representing Dowl Engineers and the owner of this facility, thanked staff for their help and said they approve the stipulations.

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**4. WEST VALLEY GOLF CAR FACILITY (C-44-09-003-7-00)**

**Case Number:** Z2007148  
**Supervisory District:** 4  
**Applicant:** Tiffany & Bosco, PA  
**Location:** Southeast corner of Sarival Ave. & Claremont Rd. (in the west Glendale area)  
**Request:** Special Use Permit (SUP) in Rural-43 zoning district, Airport Zone 3 overlay zoning district and LAFB 70-75 Ldn noise contour  
**Commission Action:** Approved with stipulations "a" through "y"

Lynn Favour, Assistant Deputy Director of Planning and Development, reported on previous action for this item. She said a petition in opposition was received that was signed by 25 residents, none of whom lived within one-half mile of the proposed facility. One letter of support was also received. The Rural-43 zoning is compatible with this application's use and Luke AFB encourages this type of industry to locate in this area that is zoned for high-density noise. The recommendation is for approval.

Shane Alleman, for the applicant, said this company has been in operation to repair and maintain golf cars in the West Valley for eight years and this location is excellent for a small expansion facility as it is near 10 of the area golf courses. All work will be done in an enclosed steel building.

Lisa A. LaBarre, R-43-Plus Neighborhood Group, said their group lives in the "famous donut hole" of 300 homes that Glendale is leaving behind unannexed, while surrounding them with annexed land acquisitions. Ms. LaBarre also mentioned an issue with the 303 corridor and the northwest expressway - she maintained Glendale wants to annex, rezone and sell-off the property. She asked if MAG, RPTA and Arizona State are aware of this.

Chairman Kunasek said these concerns, while valid to Ms. LaBarre, were getting too far from the topic of this case. He asked for other comments, and then called for a motion.

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**5. 129TH AVE. & GLENDALE AVE. SUBDIVISION (C-44-09-005-7-00)**

**Case Number:** S2008007  
**Supervisory District:** 4  
**Applicant:** Stantec Consulting, Inc.  
**Location:** Southeast corner of 129th Ave. & Glendale Ave. (in the west Glendale area)  
**Request:** Time Extension for a Preliminary Plat in the R1-8 RUPD zoning district  
**Commission Action:** Deny (by unanimous vote of 6-0)

Lynn Favour reported on this case that requests a second time extension for the preliminary plat. She said the applicant has shown no progress and seems to have lost interest in this project as nothing has been done. Staff and the Planning Commission recommend denial on this 12-month extension of time.

Supervisor Wilson said the applicant has paid his fees and asked what difference it makes whether it takes another 12 months for him to get started. He added that in this recession there are many properties in all parts of the Valley whose owners are waiting for the market to come back and he didn't want to penalize the applicant with a denial in addition to the penalty he is receiving from the sluggish market.

Supervisor Wilcox said one extension had already been given and she did not want to set precedent by giving a second extension.

Motion to Approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilson  
Nays: Wilcox

**MEETING ADJOURNED**

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

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Andrew Kunasek, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board