

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
December 1, 2004**

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., December 1, 2004, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3, Fulton Brock, District 1, Don Stapley, District 2, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-no-absent-abstain.

INVOCATION

Supervisor Wilcox, District 5, delivered the invocation.

PLEDGE OF ALLEGIANCE

Don McDonald, Elections Department, led the assemblage in the Pledge of Allegiance.

PET OF THE MONTH

"Sparky" was introduced as the "Pet of the Month" from Maricopa County Animal Care & Control. Sparky is a small, part-Chihuahua, older puppy found as a stray in West Phoenix several weeks ago who will be available for adoption this afternoon.

ANTI-BULLYING AWARENESS PROCLAMATION

December 2004 was proclaimed Anti-Bullying Awareness Month on a motion by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0). Supervisor Wilcox said that in visiting Lowell School recently she learned that several of the students had decided there would be "no more bullying in our school" and had taken an active stand against the practice, which has become all too common. Knowing that bullying is a "universal" practice in schools, Ms. Wilcox wrote the proclamation in honor of the stand taken by the Lowell students, and will have Superintendent Sandra Doweling send the proclamation to other County schools to see if they also would like to participate. Several Lowell students and their principal, Alice Trujillo, were present in the audience and Supervisor Wilcox presented them with the printed copy of the proclamation. (ADM654)

WHEREAS bullying is a serious problem with long-lasting effects that can be the root cause of criminal behavior, depression, academic failure and lack of self-esteem later in life, and

WHEREAS, bullying occurs among all genders, races, educational backgrounds and socioeconomic groups, and

WHEREAS, across our country one in three children is affected by bullying, and

WHEREAS, being bullied often leads to fear of school, isolation, depression and low self-esteem problems that can continue into adulthood, and

WHEREAS, the problem of bullying is widespread and is cited as a contributing factor in the recent cases of school shootings – with 2/3rds of students involved in school shootings saying they had felt persecuted, bullied or threatened by others, and

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WHEREAS, a strong correlation appears to exist between bullying other students during the school years and experiencing legal or criminal troubles as adults; with bullies at an even greater risk of suicide than their targets, and

WHEREAS, school-based intervention programs that involve all students, parents and school staff can reduce bullying by 30 – 50 percent, and help ensure that all students can learn in a safe and fear-free environment.

NOW, THEREFORE, BE IT RESOLVED, that the Maricopa County Board of Supervisors does hereby proclaim December 2004 as ANTI-BULLYING AWARENESS MONTH in Maricopa County.

DATED this 1st Day of December 2004.

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

/s/ Mary Rose Wilcox, Supervisor, District 5

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

REWARDING IDEAS AWARDS

Susan Schuerman, a member of the Suggestion Board Committee, presented information on the most recent employees whose creative ideas on improving service and saving money for the County and its taxpayers won them a Certificate of Appreciation and a check from the County's Rewarding Ideas Program Committee. These three suggestions will result in an annual savings of \$118,867 to the County and its taxpayers. (ADM3333-002)

NAME AND DEPARTMENT	IDEA	SAVINGS	AWARD
Karen Gaddis, Sheriff's office	Change in inmate shoe distribution	\$9,725	\$1,945
Thomas Daly, Facilities Mgt.	Timers for external lights	\$1,142	\$288
Karen Gaddis, Sheriff's office	Lightweight blanket use for inmates	\$108,000	\$2,500

WISNER V. MARICOPA COUNTY SETTLEMENT

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve: Wisner v. Maricopa County, CV2003-007506 for \$150,000.00 as discussed in the Board of Supervisor's Executive Session of November 29, 2004. (Addendum item A-1) (C7505005100) (ADM4090)

ACTION REGARDING PURCHASE OF FLU VACCINE

Item: Reserve an amount not to exceed \$250,000 in General Government (Department 470), General Fund – General Contingency (100-4711) to purchase influenza vaccines from the Arizona Department of Health Services (ADHS) for administration to high-risk individuals who previously applied for them. Direct the Office of Management and Budget to transfer expenditure appropriations up to the reserved amount at the close of the fiscal year to Public Health (Department 860), General Fund (100) as necessary to cover the cost of purchasing and administering the vaccinations. (Addendum item A-2) (ADM2150)

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Supervisor Stapley thanked the professionals in the Department of Public Health for their response to the Board's concern on the shortage of flu vaccine and efforts to obtain enough vaccine to fulfill vaccinations promised during the recent lottery. He felt it was important to let the public know the County is filling the void to the best degree possible but he stressed that it is the private sector's responsibility to provide the necessary vaccines through private providers. Nevertheless, he said the County will strive to play its role given the circumstances of the shortage.

Supervisor Wilcox asked if there would be a website to inform the public what is being done by the County and where people can get the shots. Dr. Weisbuch, Chief Health Officer, said that a method would be developed for this. He thanked Supervisor Stapley for his understanding and said he believed the vaccine would arrive soon.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to reserve an amount not to exceed \$250,000 for the purchase of influenza vaccine.

GRANT FROM ARIZONA CRIMINAL JUSTICE COMMISSION AND BUDGET ADJUSTMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve receipt of additional grant funds from the Arizona Criminal Justice Commission as part of a redistribution of FY 2003-2004 Crime Victim Compensation Program funds in the amount of \$8,721. The Arizona Criminal Justice Commission certification number is VC-05-056. The funding shall commence on July 1, 2004 and will terminate on June 30, 2005. The grant funds may not be expended for any indirect costs that may be incurred by the Maricopa 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 composite indirect cost rate at 16.0%. The non-recoverable indirect cost of administering this grant is \$1,395.

This action also, authorizes an \$8,721 increase in the County Attorney Grant Fund (219) for the current fiscal year because this supplemental funding was not included in the FY 2004-05 MCAO budget. This amendment will increase the County Attorney's revenue and expenditure levels for FY04/05 by \$8,721. 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. (C1905011302)

SALE OF TWO DUNE BUGGIES TO THE TACTICAL VEHICLE POSSE

A roll call vote was required on this motion made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (5-0) with Supervisors Brock, Stapley, Wilson, Wilcox and Kunasek voting "aye" to approve the sale of two 1990 Recon Dune Buggies for \$1.00 to the Tactical Vehicle Posse, a not-for-profit Sheriff's Office volunteer organization, for the purpose of law enforcement support activities. Equipment numbers 590 and 591, VINs AZ-224887 and AZ-224888. This action is pursuant to ARS 11-251(9). (C5005027M00) (ADM3104) (ADM3900-002)

DONATIONS FROM INDIVIDUALS AND ORGANIZATIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the acceptance of six donations to the Sheriff's Office totaling \$3,485 from various individuals and organizations. Of this amount, \$985 was donated to the MCSO Animal Safe Hospice (MASH) Unit,

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which included \$700 from Alexander and Jane Boyd and various individuals. A donation for \$1,500 from the Kachina Kennel Club was designated for the Sheriff's Office Canine Unit and the Wal-Mart Foundation donated \$1,000 to help fight street crime. (C5005033M00) (ADM3900)

AGREEMENTS FOR MALL PATROL

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following Holiday Mall Patrol police service agreements:

- a) Agreement between the Maricopa County Sheriff's Office and the Westcor Partners and Macerich Company-Westcor for the Sheriff's Office to provide Holiday Mall Patrol police services. The term of this Agreement is November 26, 2004 through December 26, 2004. Westcor Partners and Macerich Company-Westcor will reimburse the Sheriff's Office for police services in the amount of \$38,000 for up to 1055 hours of patrol. (Approve an Agreement between the Maricopa County Sheriff's Office and the Westcor Partners and Macerich Company-Westcor for the Sheriff's Office to provide Holiday Mall Patrol police services. The term of this Agreement is November 26, 2004 through December 26, 2004. Westcor Partners and Macerich Company-Westcor will reimburse the Sheriff's Office for police services in the amount of \$38,000 for up to 1055 hours of patrol. (C5005034100)

- b) Agreement between the Maricopa County Sheriff's Office and Arizona Mills, LLC, for the Sheriff's Office to provide Holiday Mall Patrol police services. The term of this Agreement is November 26, 2004 through December 26, 2004. Arizona Mills, LLC will reimburse the Sheriff's Office for police services in the amount of \$5,800 for 161 hours of service. (C5005035100)

CONTINGENCY FUNDS FOR FINGERPRINT ANALYSTS

Per A.R.S. 42-17106, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to transfer expenditure authority from FY 2004-05 contingency funds in the amount of \$307,154(annualized impact is \$516,838) from General Government (470) Detention Fund (Fund 255) Reserved Contingency (4711) for "New Facility Operating Costs" to the Sheriff's Office (500) Detention Fund (255) Central Intake (5134). Approval of this action will allow the Sheriff's Office to meet a critical need to hire 11 additional Fingerprint Analysts, beginning December 1, 2004, to meet the demands of the new Central Intake at the new 4th Avenue Jail. (C5005503800) (ADM3900-00)

APPLICATION AND ACCEPT AWARD OF GRANT FROM DEPT. OF EDUCATION

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve application and acceptance of \$8,930 in funding from the Arizona Department of Education for the IDEA-Paperwork Reduction Grant. This funding is for the purchase of "Bryte IEP" and "Bryte MET" Special Program Site Licenses which the Sheriff's Office will purchase on behalf of the Secure Care Education Committee. The term of this funding is July 1, 2004 through June 30, 2005. The Sheriff's Office indirect cost rate for FY2005 is 14%. There is no indirect cost on capital outlay. Unrecoverable indirect costs associated with this funding are estimated to be \$1,250.

Also approve a corresponding increase to the Sheriff's Office FY2004-05 Grant Fund (251) revenue and expenditure budget of \$8,930. Arizona Constitution, Article 9, § 20(3)(d)(iv), excludes from the definition of "local revenues" any "amounts received as grants and aid of any type received from the federal

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government ...”, 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. (C5005522300)

ACCEPT GRANTS FOR THE ADULT PROBATION DEPARTMENT

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to accept the FY 04-05 grants for the Adult Probation Department of the Judicial Branch. The indirect cost rate as of 7/04 is 9.3% as calculated by the Department of Finance. Most of the grants for FY 04-05 do not allow the indirect cost recovery, as reflected in the funding agreements. The status of indirect costs for each grant is noted on the attached summary sheets. For FY 04-05 we anticipate accepting nineteen new grant awards for \$4,913,269 and carrying over balances of \$1,212,480 on ten previously accepted awards. On the new grants indirect costs are estimated to be \$447,598 with \$88,007 of indirect costs recoverable and \$359,591 unrecoverable. Accepting these grants will necessitate an increase to Adult Probation’s grant fund (211) revenue and expenditures in the amount of \$505,973.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure 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. (C1105003300)

BUDGET TRANSFER TO TRIAL COURTS GENERAL FUND

Per ARS §42-17106, motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve a budget transfer of \$99,023 for FY 2004-05 and \$132,538 annualized from Clerk of the Superior Court General Fund (100) operating expenditures to Trial Courts General Fund (100) operating expenditures representing special work assignment salary increases no longer necessary due to the reduction in courtroom clerks assigned the duties and responsibilities for the electronic recording of the official court record in lieu of court reporters. (C1605003800) (ADM1000-003)

JUDICIAL COLLECTION ENHANCEMENT FUNDS

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the receipt of grant funds from the Arizona Supreme Court, Administrative Office of the Courts, for \$93,000 representing the initial award of State Judicial Collection Enhancement Funds to the Clerk of the Superior Court for the Integrated Financial Information Systems (IFIS) project. The non-recoverable indirect costs of administering this grant (based upon a rate of 39.96% as calculated by the Department of Finance) are \$37,163. By approving this agenda item, a budget amendment will increase the Clerk of the Superior Court's revenue and expenditure level for FY 2004-05 by \$93,000. 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. (C1605004300)

APPLICATION AND ACCEPTANCE OF GRANTS FOR JUVENILE PROBATION

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the application for and acceptance of the FY 04/05 grants for the Juvenile Probation Department of the Judicial Branch. Approval of the grants will decrease the Grants budget by \$448,808 because actual

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grant funding received is less than anticipated and budgeted. Therefore, also approve a decrease to the Juvenile Probation (270) Grants Fund (227) Revenue and Expenditure appropriations by \$448,808.

Grant revenues are not local revenues for the purpose of constitutional expenditure limitation, and therefore, expenditure 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.

The indirect cost rate as of July 1, 2004 is 24.2%, as calculated by the Department of Finance. Most of the grants for FY 04/05 do not allow for indirect cost recovery, as reflected in the funding agreements. The status of the indirect costs for each grant is noted on the attached summary sheet. (C2705003300) (ADM1400)

APPOINTMENT OF SUPERIOR COURT JUDGES

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to appoint Attorneys (List on file in the Clerk of the Board's Office) as Superior Court Judges Pro Tempore, in accordance with Arizona Revised Statutes § 12-141. This serves the interests of judicial economy and promotes sound case flow management. The Attorneys will serve as Judges Pro Tempore without any compensation. The appointment will be for the period commencing January 1, 2005 through December 31, 2005. (C3805010700) (ADM1001)

APPOINTMENT OF ATTORNEYS AS JUSTICE OF THE PEACE PRO TEMPORE

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to appoint Attorneys (List on file in the Clerk of the Board's Office) as Justice of the Peace Judges Pro Tempore, in accordance with Arizona Revised Statutes § 22-121. This serves the interests of judicial economy and promotes sound case flow management. The Attorneys will serve as a Justice of the Peace Judges Pro Tempore without any compensation. The appointment will be for the period commencing January 1, 2005 through December 31, 2005. (C3805011700) (ADM1001)

APPOINTMENT OF JUSTICE OF THE PEACE PRO TEMPORE

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to appoint Tom Freestone, Hercules Dellas, and Harrell Boyster as Justice of the Peace Judges Pro Tempore, in accordance with Arizona Revised Statutes § 22-121. This serves the interests of judicial economy and promotes sound case flow management. Tom Freestone, Hercules Dellas, and Harrell Boyster would serve as a Justice of the Peace Judges Pro Tempore without any compensation. The appointment will be for the period commencing January 1, 2005 through December 31, 2005. (C3805012700) (ADM1001)

ACCEPT THE GRANTS FOR THE TRIAL COURTS DEPARTMENT AND BUDGET ADJUSTMENTS

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to accept FY 04-05 grants for the Trial Courts Department of the Judicial Branch in the amount of \$3,425,454. Also, approve revenue and expenditure appropriation adjustments of \$364,547 in the Superior Courts Grants Fund (238) and \$22,156 in the Fill the Gap Grants Fund (264). The indirect costs (based upon a rate of 43.556% calculated by the Dept. of Finance) of \$1,252,536 are not fully recoverable from the funding, as most of the FY 04-05 grants do not allow for indirect cost recovery (only

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\$47,641 of indirect cost recovery has been authorized from existing grants). Grant revenues are not local revenues for the purpose of constitutional expenditure limitation, and therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105. (C3805013300)

TRANSFER OF EXPENDITURE AUTHORITY

Per A.R.S. 42-17106, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to transfer expenditure appropriation from FY 2004-05 contingency funds in the amount of \$113,462 (annualized impact is \$218,124) from General Government (470) General Fund (100) General Contingency (4711) to the Trial Court's (100) General Fund (100). Approval of this action will allow the Courts to establish a cost-recovery program for indigent defense representation through the establishment of an Indigent Defense Reimbursement Unit. (C3805014800)(ADM1002)

APPROPRIATION TRANSFER TO CREATE TWO POSITIONS

Per A.R.S. 42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to transfer expenditure appropriation from FY 2004-05 contingency funds in an amount not to exceed \$126,492 (annualized impact not to exceed \$97,454) from the General Government (470) General Fund (100) "Contract Counsel Reserve" Contingency (4711) to the Office of Contract Counsel (560) General Fund (100). This transfer will allow the Office of Contract Counsel create two positions to handle increasing contract-related workload. The additional staff positions, unfortunately, cannot be accommodated in existing office space. Relocation options will be researched by Real Estate and reviewed by OMB prior to any lease negotiations. Any new lease, if necessary, will be submitted for final approval by the Board. (C5605001800) (ADM530)

FILL THE GAP REVENUE AND EXPENDITURES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve a budget adjustment to the Legal Defender's FY 2004-05 Fill the Gap Revenue and Expenditure budget (Fund 263, Dept 540) by \$2,000 and accept any and all funds received in FY 2004-05 from the Legal Defender allotment of the Fill the Gap funding. The FY 2004-05 indirect cost rate is 22.8% for the departmental indirect cost rate, and 7.9% for the Central Service indirect cost rate. The unallowable indirect costs for this grant funding increase are estimated to be \$614 (total for the grant is \$14,122). The Legal Defender's Office receives its share of the Fill the Gap revenue from the funding stream collected at the State level. As a result, 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. (C5405001300) (ADM520)

CONTINGENCY FUNDS FOR STAFF TO SUPPORT CASE MANAGEMENT SYSTEM

In accordance with A.R.S. 42-17106(b), motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize an FY 2004-05 appropriated expenditure budget transfer from the General Government (470) General Fund General Contingency (100) to the Office of the Public Defender (520) General Fund (100) in the amount of \$84,840. Approval of this action will allow the department to add 1.5 FTE staff to support the implementation of a new case management system for the four indigent defense offices in Maricopa County. Approval of this action will require an appropriation

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adjustment reducing General Government (Dept 470), General Fund (100) budget and increasing the Office of the Public Defender (520) General Fund (100) in the amount of \$84,840 for a countywide net impact of zero for FY 2004-05. The annualized impact for this request for FY 2005-06 will be \$106,671. (C5205005800) (ADM510)

APPROPRIATION TRANSFER FOR A MANAGEMENT SPECIALIST POSITION

Per A.R.S. 42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to transfer expenditure appropriation from FY 2004-05 contingency funds in an amount not to exceed \$50,674 (annualized impact not to exceed \$59,621) from the General Government (470) General Fund (100) "Contract Counsel Reserve" Contingency (4711) to the Public Defender (520) General Fund (100). This transfer will allow the Public Defender's Office (PD) to add a Management Specialist position to address financial and statistical workload increases resulting from the additional responsibilities assumed on September 27, 2004, for the Office of Contract Counsel and to address potential compensation adjustments to existing staff.

Also, per A.R.S. 42-17106, transfer expenditure appropriation by decreasing the Public Defender (520) General Fund (100) appropriation by \$12,216 (\$24,432 annualized) and increasing the Legal Defender (540) General Fund (100) by \$8,144 (\$16,288 annualized) and increasing the Contract Counsel (560) General Fund (100) by \$4,072 (\$8,144 annualized). Approval of these actions will allow the salary for Public Defender Financial Services Manager to be properly allocated to the three offices supported by that position. Seventy percent of the salary will be charged to Public Defender, twenty percent to Legal Defender, and ten percent to the Office of Contract Counsel. (C5205006800) (ADM510)

SETTLEMENT OF CLAIMS FOR THE ARIZONA STATE HOSPITAL

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve a settlement of potential claims by the State of Arizona for treatment of county jail inmates at the Arizona State Hospital. The terms of the settlement were presented to the BOS in Executive Session on October 18, 2004. The State has agreed with the County's initial calculation of the County's obligation under the applicable statute, A.R.S. § 13-4512. This agreement substantially reduces the amounts initially claimed by the State of Arizona from \$207,243 to \$49,490 and will eliminate any potential claim for prejudgment interest or attorney's fees. (C3905020M00) (ADM409)

PERSONNEL AGENDAS

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

GAINSHARING AWARD FOR THE PRE-AHCCCS CLAIMS PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an annual (07/01/03 through 06/30/04) gainsharing award to an eligible employee who participated in the "Pre-AHCCCS Claims Loss Reduction Action Requested Gainsharing Program" for Health Care Mandates and was inadvertently left off the previous award list. The Board of Supervisors approved this program on 11/05/2003 (Agenda Number: C-35-04-016-0-00) and approved the award payment on 10/20/2004 (Agenda Number: C-35-05-12-8-00). Also, in accordance with A.R.S. 42-17106B, approve the transfer of \$1,360 in expenditure appropriation from Appropriated Fund Balance (480)

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General Fund (Fund 100) General Contingency (4811) to Appropriated Fund Balance (480) General Fund (Fund 100) Other Programs (4812) "Gainsharing Program Awards" to fund this award. (C3505012801) (ADM3345-002)

GAINSHARING PLAN FOR THE PRE-AHCCCS CLAIM LOSS REDUCTION PROGRAM

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the FY 2005 "Pre-AHCCCS Claim Loss Reduction" Gainsharing Program for Health Care Mandates (see attached copy) per the Employee Gainsharing Program Policy (HR2419). (The Plan is on file in the Clerk of the Board's Office) (C3505013000) (ADM3345-001)

HERITAGE FUND GRANT

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

- 1) Accept the awarded Heritage Fund Grant from Arizona State Parks. The award is for \$150,000 and will be utilized for construction of a Competitive Track restroom/shower building at McDowell Mountain Regional Park. (C3005016300)
- 2) Adjust the 5 year CIP, Fund 445, Dept 470, to decrease year 1 by \$52,000, from \$80,900 to \$28,900 and increase year 2 by \$52,000, from \$0 to \$52,000. (C3005016300) (ADM3200-003)
- 3) Increase FY05 revenues for fund 230 by \$49,000.
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 revenue adjustment does not alter the budget duly adopted by the Board in accordance with A.R.S 42-17105." (C3005016300) (ADM3200-003)

ACCEPT GRANT FROM THE STATE LAKE IMPROVEMENT FUND

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the awarded State Lake Improvement Fund from Arizona State Parks. The award is for \$54,337.00 and will be utilized for the Lake Pleasant Sunset Ridge Day-Use Area. (C3005019300)

GRANT FOR CAVE CREEK REGIONAL PARK

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the awarded Heritage Fund Grant from Arizona State Parks. The award is for \$39,000 and will be utilized for Cave Creek Regional Park, renovation of the Go John Trail. (C3005020300)

REAPPOINT TOM MANOS TO THE LOCAL RETIREMENT BOARD

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to reappoint Tom Manos, Maricopa County Finance Director, to the Parks and Recreation Department Public Safety Personnel Retirement System (PSPRS), Local Retirement Board. (C3005021900) (ADM3246-001)

FUND TRANSFERS

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

SOLICITATION SERIALS

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

Award of Solicitation Serials

04103-C SAFETY SHOES AND RELATED ITEMS (\$250,000.00 est. Three (3) Years w/ Three (3) One-Year Renewal Options) Pricing agreement for a qualifying requirements contract for Safety Shoes and Related Items for various county agencies.

- Industrial Shoe Of Arizona
- Iron Age Safety Shoes Robinson
- Lehigh Safety Shoe Co LLC
- Martins Uniforms

04142-C COMMERCIAL KITCHEN EQUIPMENT AND UTENSILS (\$1,000,000.00 est. Three (3) Years w/ Three (3) One-Year Renewal Options) Pricing agreement to purchase commercial kitchen equipment and utensils as requested by the Sheriff's Food Service.

- Arizona Restaurant Supply Inc
- Cooks Correctional Kitchen Equipment
- National Restaurant Supply Co Inc
- Shamrock Foods Company
- Southwest Design & Supply Co
- Standard Restaurant Equipment Company
- Trimark Raygal Inc

04144-S COURT REPORTING & TRANSCRIPTION SERVICES (\$2,300,000.00 est. Four (4) Years w/ Two (2) One-Year Renewal Options) Pricing agreement for court reporting and transcription services.

- A/V Tronics Inc
- Capitol Captioning LLC
- Copperstate Reporting Service
- Griffin & Associates
- Premium Business Services
- Quick Response Transcription
- Sunshine Legal Services

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- 04149-C DAIRY PRODUCTS** (\$2,100,000.00 est. Three (3) Years w/ Three (3) One-Year Renewal Options) Pricing agreement to purchase dairy products as requested by the Sheriff's Department.
- Lively Distributing Inc
- 04178-C WATER TRUCK TANK AND SPRAY SYSTEMS** (\$135,000.00 est. Three (3) Years w/ Three (3) One-Year Renewal Options) Pricing agreement to purchase a full line of parts, components and supplies for County owned water truck tanks and spray systems.
- United Truck & Equipment Inc

Correction

The expiration date stated on the November 3, 2004 Board of Supervisor's Agenda for Serial 04056-RFP, Facility Assessment Services, Bank One Ballpark, is corrected from November 30, 2005 to October 31, 2005.

CAPA

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

County Attorney' Office

Maggie Stinson

ICJIS

Mirza Saracevic

Juvenile Probation

Marsha Eritano

Sheriff's Office

Tom Rose

Human Services

Mark Bustamante

Diane Lyons

Scott Nelson

John Schutter

Diana Williams

INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock and unanimously carried (5-0) to approve and execute an Intergovernmental Cooperative Purchasing Agreement with the Florence Unified School District #1. Term of the agreement is from date approved by the Board of Supervisors until cancelled by either party with 30 days notice. (C7305004200)

CHANGES TO THE MARICOPA COUNTY PROCUREMENT CODE

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock and unanimously carried (5-0) to approve changes to the Maricopa County Procurement Code Articles 1, 2, 3, 4, 8, 9, 12 and 13 as shown in the document on file in the Office of the Clerk of the Board of Supervisors. (C7305005600) (ADM3001)

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KENNEL PERMITS

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley and unanimously carried (5-0) to approve the following kennel permit renewals for Betty Yerington, d.b.a. Yerbrier Kennels, 5447 S. El Mirage Rd, Tolleson, AZ 85353, District 5, Permit #090; Maxine Willis, d.b.a. Maxine Willis Kennels, 11302 W. Broadway Rd., Tolleson, AZ 85353, District 5, Permit #264; Jean Fornal, d.b.a. Profile Standard Poodles, 6211 N 126th Ave, Litchfield Park, AZ 85340, District 4, Permit #157; and, Ruth Cherie Williams, d.b.a. RC Kennels, 20546 W. Narramore Rd, Buckeye, AZ 85326, District 5, Permit #372 for the term of December 1, 2004 through November 30, 2005. The cost of each kennel permit is \$90.00. (C7905047C00) (ADM2304)

RE-APPOINT MEMBERS TO THE VOLUNTARY VEHICLE REPAIR AND RETROFIT PROGRAM

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley and unanimously carried (5-0) to re-appointment of the following members to the Voluntary Vehicle Repair and Retrofit (VVR&R) Program Advisory Committee: Mr. Bill Buck and Mr. Gary Kuhstoss representing automobile hobbyists, Ms. Beverly Chenausky representing the Arizona Department of Transportation, and Mr. Dennis Robbins representing the aftermarket products industry. The renewed appointments shall be two-year terms to expire in January 2007. (C8805024700) (ADM2360-001)

RE-APPOINT MEMBERS TO THE TRAVEL REDUCTION PROGRAM

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley and unanimously carried (5-0) to re-appointment of the following members of the Travel Reduction Program (TRP) Task Force: Ms. Lori Singleton (Task Force Chairperson) and Ms. Renee Levin. The renewed appointments shall be two-year terms to expire in January 2007. Re-appointment of Mr. Gary Ewing, Ms. Penny Taylor and Mr. Dow Rigler shall be one-year terms to expire in January 2006. This will ensure that membership is staggered so that no more than two-thirds of the appointed members' terms expire on January 31 of any year. (C8805027900) (ADM2358-001)

ADDITION TO THE FLEET FOR THE MOBILE FOOD PROGRAM

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley and unanimously carried (5-0) to authorization to expand the Environmental Services vehicle fleet with the purchase of one vehicle for the Mobile Food Program at a cost of \$21,000. The funding to purchase this vehicle will come from budgeted expenditure authority. Expenditures required to operate this vehicle will come from the budgeted operations funding. (C8805028M00) (ADM3104)

MOU WITH THE NATIONAL FRATERNAL ORDER OF POLICE FOUNDATION

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley and unanimously carried (5-0) to approve a Memorandum of Understanding (MOU) between the Maricopa County Human Services Department (HSD) and the National Fraternal Order of Police Foundation (FOP) to establish a cooperative working relationship which will assist the FOP in determining the career development and career advancement needs of spouses of fallen sworn law enforcement officers killed in the line of duty between January, 2001, and December, 2006. The FOP will award individual scholarships in amounts up to \$15,000 per person, of which \$750 can be used to cover the expenses related to job training, such as childcare and transportation. It is anticipated that approximately \$75,000 in scholarship funds will be awarded in Fiscal

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Years 2005, 2006, and 2007 respectively, for a total amount of \$225,000 over the three years. (C2205109200)

LEASE AGREEMENT WITH CITY OF CHANDLER

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley and unanimously carried (5-0) to approve and execute Lease Agreement No. L-7178 with the City of Chandler, Lessor, for a Head Start classroom and playground facility located at, 660 South Palm Lane, Chandler, Arizona. The lease term is for three (3) year commencing January 28, 2005 through January 28, 2008 with an automatic option to extend the Lease for one (1) successive two-year term at the rental rate of \$3,750.00 per year through January 28, 2010. The annual rental fee is \$3,600.00 per year plus rental tax. This contract does not include County general funds. (C2205115400)

IGA WITH LIBERTY SCHOOL DISTRICT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley and unanimously carried (5-0) to approve an Intergovernmental Agreement with the Liberty School District to provide school-based tobacco use prevention and education services. The term of the agreement is retroactive from July 1, 2004 through June 30, 2005 for a contract dollar amount NTE \$2000. (C8605423200)

DONATION OF PERSONAL COMPUTERS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley and unanimously carried (5-0) to approve donation by the Department of Public Health of outdated personal computers, that have been removed from production and are marked for salvage, to the Holbrook Indian School. The equipment has minimal or no market value and thus the Board has the legal authority to donate or otherwise dispose of the equipment pursuant to ARS 11-251(9). Public Health will deliver all hard drives to the OCIO Security Officer for permanent disposal. Additionally, Public Health will ensure that all asset transfer documentation is completed before donating equipment. (C8605552M00) (ADM2150)

RYAN WHITE PLANNING COUNCIL APPOINTMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley and unanimously carried (5-0) to appoint five (5) members to the Central Arizona Ryan White Title I Planning Council, as follows:

- Elbert Bernal, General Public Representative; 12/1/04–11/30/06
- Carlos Cantu Pinon, General Public Representative; 12/1/04–11/30/06
- Lonnie Jones, Institutional Member; 12/1/04–11/30/06
- Arcadio Madero, General Public Representative; 12/1/04–11/30/06
- Glen Spencer, General Public Representative 12/1/04–11/30/06 (C8605555900) (ADM2153-001)

SOLE SOURCE CONTRACT WITH COMMVAULT SYSTEMS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley and unanimously carried (5-0) to approve a sole source contract with CommVault Systems, Inc, for the support and maintenance of software, not to exceed \$50,000. The software performs specialized backups on file, print, web, and Exchange software. Funding for this maintenance will be from the existing CIO FY 04-05 budget. (C410500210)

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IGA WITH SURPRISE FOR INSTALLATION OF A SEWER TRUNK LINE

Motion was made by Supervisor Brock, seconded by Supervisor Stapley and unanimously carried (5-0) to approve an IGA authorizing the county to give permitting authority to the city of Surprise for the installation of a sewer trunk line in the north right-of-way line of Peoria Avenue, as extended, from Cotton Road to Citrus Road, subject to County Counsel approval of the final, non-substantive language. (C4405012000)

SETTLEMENT WITH ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Motion was made by Supervisor Brock, seconded by Supervisor Stapley and unanimously carried (5-0) to approve settlement agreement between Maricopa County and State of Arizona, ex rel, Stephen A. Owens, Director, Arizona Department of Environmental Quality, for the Queen Creek landfill. (C6705001M) (ADM409)

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

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

- A078.015 (LJS) Project No: TT028 – PM10 / 11th Avenue (Galvin Street to Cloud Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-54-025H – Ket Talley and Carrie L. Talley – for the sum of \$17,400.00.
- hghhhgA078.015 (LJS) Project No: TT028 – PM10 / 11th Avenue (Galvin Street to Cloud Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-54-025H – Ket Talley and Carrie L. Talley.
- A078.016 (LJS) Project No: TT028 – PM10 / 11th Avenue (Galvin Street to Cloud Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-54-026J – William L. Menniti and Stormie R. Menniti – for the sum of \$27,800.00.
- A078.016 (LJS) Project No: TT028 – PM10 / 11th Avenue (Galvin Street to Cloud Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-54-026J – William L. Menniti and Stormie R. Menniti.
- A078.019 (EGA) Project No: TT028 – PM10 / 11th Avenue (Cloud Road to Maddock Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-54-022 – Lyman H. Rollins and Lois Mae Rollins – for the sum of \$37,100.00.
- A078.019 (EGA) Project No: TT028 – PM10 / 11th Avenue (Cloud Road to Maddock Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-54-022 – Lyman H. Rollins and Lois Mae Rollins.
- A078.020 (EGA) Project No: TT028 – PM10 / 11th Avenue (Cloud Road to Maddock Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-54-031D – Eugenia Marenco Bermudez, Trustee – for the sum of \$22,700.00.

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- A078.020 (EGA) Project No: TT028 – PM10 / 11th Avenue (Cloud Road to Maddock Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-54-031D – Eugenia Marengo Bermudez, Trustee.
- A078.021 (EGA) Project No: TT028 – PM10 / 11th Avenue (Cloud Road to Maddock Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-54-031G – David M. Siroky and Bonnie R. Siroky – for the sum of \$13,900.00.
- A078.021 (EGA) Project No: TT028 – PM10 / 11th Avenue (Cloud Road to Maddock Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-54-031G – David M. Siroky and Bonnie R. Siroky.
- A078.024 (CS) Project No: TT028 – PM10 / 11th Avenue (Galvin to Cloud) – Easement and Agreement for Highway Purposes – Parcel No.: 211-54-023K – Scot Turnquist and Mary Turnquist – for the sum of \$16,100.00.
- A078.024 (CS) Project No: TT028 – PM10 / 11th Avenue (Galvin to Cloud) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-54-023K – Scot Turnquist and Mary Turnquist.
- A078.027 (CS) Project No: TT028 – PM10 / 11th Avenue (Galvin to Cloud) – Easement and Agreement for Highway Purposes – Parcel No.: 211-54-021Q – Quinn Armstrong and Tammy Lee Armstrong – for the sum of \$22,600.00.
- A078.027 (CS) Project No: TT028 – PM10 / 11th Avenue (Galvin to Cloud) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-54-021Q – Quinn Armstrong and Tammy Lee Armstrong.
- A078.037 (CS) Project No: TT028 – PM10 / 11th Avenue (Cloud Road – Maddock Road) Easement and Agreement for Highway Purposes – Parcel No.: 211-51-040A – Joseph B. Martin and Beatrice M. Martin, trustee – for the sum of \$71,300.00.
- A078.037 (CS) Project No: TT028 – PM10 / 11th Avenue (Cloud Road – Maddock Road) Purchase Agreement and Escrow Instructions – Parcel No.: 211-51-040A – Joseph B. Martin and Beatrice M. Martin, trustees.
- A237.005 (CS) Project No: 69010 – 104th Street (MCFCD Canal to McLellen) – Easement and Agreement for Highway Purposes – Parcel No.: 220-05-009A – Irene Balint, Trustee – for the sum of \$2,700.00.
- A237.005 (CS) Project No: 69010 – 104th Street (MCFCD Canal to McLellen) – Purchase Agreement and Escrow Instructions – Parcel No.: 220-05-009A – Irene Balint, Trustee.
- A311.003 (JPM) Project No: 23012620 – MC85 at Miller Road – Agreement for Right of Entry – Parcel No.: 400-36-005 – Amerigas Propane, L.P. – for the sum of \$100.00.
- A331.001 (CS) Project No: TT164 – Power & Monterey Roads – Agreement for Right of Entry – Parcel No.: 304-05-986 & 011Q – Prehab Foundation – for the sum of \$500.00.

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AMENDMENT NO. 1 WITH KLEINFELDER, INC.

Motion was made by Supervisor Brock, seconded by Supervisor Stapley and unanimously carried (5-0) to approve Amendment No. 1 to On Call Inspection services, Contract No. CY 2004-29 with Kleinfelder, Inc., which will extend the contract performance period of the contract by one year through December 31, 2005; the contract amount will not be increased. The remaining contract amount of \$133,758.34 is sufficient for the duration of the Contract. (6404147501)

ON CALL CONTRACT WITH LEE ENGINEERING

Motion was made by Supervisor Brock, seconded by Supervisor Stapley and unanimously carried (5-0) to award On Call Contract No. 2004-105 with Lee Engineering, LLC. for AZTECH Interoperability Grant services for an amount not to exceed \$125,000.00. The contract is effective for seven hundred thirty (730) calendar days following the Board of Supervisor's approval or until the expenditure of \$125,000.00, whichever occurs first. (C6405108500)

CONTRACT WITH CIVTECH, INC FOR ON-CALL TRAFFIC ENGINEERING SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Stapley and unanimously carried (5-0) to award On Call Contract No. 2004-120 with CIVTECH, Inc. for pending and new projects requiring On Call Traffic Engineering services. The contract is effective for seven hundred thirty (730) calendar days following the Board of Supervisors approval or until the expenditure of \$125,000.00, whichever occurs first. (C6405140500)

CONSULTANT SERVICES CONTRACT WITH STANLEY CONSULTANTS, INC.

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the award of Consultant Services Contract No. 2004-93 with Stanley Consultants, Inc. for a total sum amount of \$177,899.14 for project design services on the MC 85 (Extension) SR 85 to Turner Road, Project T171, Work Order No. 69075. Contract price includes a lump sum of \$129,770.14 for essential tasks and \$48,129.00 for optional task allowances such as Surveying, Traffic Data, Pavement Design Data, the Turner Road Analysis, Geotechnical Requirements, and Post Design Services. The contract performance period is 270 calendar days, inclusive of all agency review time. (C6405144500)

IGA WITH THE TOWN OF WICKENBURG – ENTENTE AGREEMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the IGA between Maricopa County and the Town of Wickenburg for the exchange of services or reimbursement of services (Entente Agreement). The Agreement will not exceed five (5) years unless extended by appropriate actions by the County and the Town. Either party may terminate this Agreement at any time prior to the end of its duration by furnishing the other party with a written notice at least thirty (30) days prior to the effective termination date. (C6405145200)

IGA WITH THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve an Intergovernmental Agreement between Maricopa County and the Salt River Pima-Maricopa Indian Community (SRPMIC) for the design and installation of a traffic signal at the intersection of Gilbert Rd. and Thomas Rd. SRPMIC will incur the costs of the improvements. The improvements will be carried

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in conjunction with the previously approved improvements to Gilbert Rd. from McDowell Rd (see Agenda Item C64031352). (C6405154000)

CORRECTION TO AGENDA ITEM REGARDING POSITIONS IN THE NEW PUBLIC WORKS AGENCY

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to amend agenda item C6405158M00, to correct the number of positions transferring from the Flood Control District to the Public Works Agency. A total of eight (8) positions will transfer from the District to Public Works. Also, regarding the position transfers from the Transportation Department to Public Works: reduce the number of transferring positions from thirty-one (31) to thirty (30). The position not being transferred is PCN # 11932. (C6405158M01)

APPOINT MEMBERS TO THE PARITY PARTNERS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to appoint members to the Maricopa County Parity Partners (MCP) to serve a two-year term from time of Board of Supervisors appointment to October 31, 2006. (C6405157500) (ADM685)

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DEVELOPMENT AGREEMENT WITH SECURITY TRUST

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve a Development Agreement with Security Trust as Trustee under Trust No. 51518 and M.T. Peyzack (collectively, the "Dos Rios Master Developer"), as required by previously approved zoning case Z2000-109. (F23120) (C6405162000)

MARICOPA INTEGRATED HEALTH SYSTEM PERSONNEL AGENDA

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Maricopa Integrated Health Systems Personnel Agenda (Exhibit F).

Name	Old Rate	New Rate	Class Title	Code	Effective Date
Dept: 60 Health Plans					
Allen,Donald L	\$45.79	\$48.18	Director Prog & Nwork Dev	Adj	11/7/2004
Barfield,Darla D	\$16.03	\$16.99	Admin Coordinator	Adv	11/7/2004
Cabazos,Linda D	\$0.00	\$14.00	Claims Processor II	Nhc	11/15/2004
Deleon,Yolanda S	\$15.61	\$16.20	Supervisor Claims	Cor	8/2/2004
Hanak,Nancy E	\$0.00	\$19.18	Altcs Case Manager	Reh	11/8/2004
Haren,Patricia H	\$29.68	\$31.82	Altcs Case Mgmt. Adminis	Cor	8/30/2004
House,Paula M	\$0.00	\$14.63	Claims Processor II	Nhc	11/4/2004
King,Barbara J	\$0.00	\$14.00	Claims Processor II	Nhc	11/15/2004
Navas,Devra F	\$32.62	\$35.88	Assistant Controller Hp	Swa	7/4/2004
Nicholas,Susan J	\$36.97	\$45.26	Compliance Specialist	Tc	11/8/2004
Pechnik,Francine	\$25.86	\$30.38	Altcs Case Mgmt. Adminis	Pro	11/8/2004
Shafa,Mehrdad	\$0.00	\$93.87	Managed Care Medical Dir	Nhr	11/18/2004
Sinkeus,Linda D	\$26.60	\$27.34	Utilization Mgmt Coord	Cor	8/16/2004
Smith,Andrew L	\$38.50	\$39.24	Sr. Technical Support Eng	Cor	10/24/2004
Thomas,Valerie E	\$25.13	\$27.36	Altcs Case Mgmt. Manager	Cor	8/30/2004
Watkinson,Patricia B	\$23.75	\$25.18	Contract Specialist	Adv	8/29/2004
Dept: 90 Maricopa Medical Center					
Antillon,Gloria J	\$0.00	\$10.25	Registration Specialist	Nhr	11/8/2004
Arellano,Dino J	\$27.26	\$29.20	Manager It Projects	Pro	11/8/2004
Benaquista,Kathleen	\$47.96	\$43.60	Director Finance Psych Sv	Swa	8/29/2004
Buchmelter,Larry E	\$19.81	\$20.60	General Maint. Worker	Adv	8/29/2004
Bynum-Siafega,Kimber	\$0.00	\$13.50	Resident Prog. Coordinato	Nhr	11/8/2004
Carrasco,Ramon	\$8.93	\$9.35	Evs Associate	Adv	8/29/2004
Carroll,Brenda L	\$0.00	\$8.99	Ltc Attendant (G)	Reh	11/16/2004
Celaya,Angela R	\$0.00	\$11.76	Registration Specialist	Reh	10/24/2004

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Chim,Monica N	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	11/2/2004
Cline,Lewis C	\$0.00	\$10.43	Landscape Worker	Nhr	11/8/2004
Cody,Shirley Y	\$0.00	\$33.00	Ultrasound Tech	Reh	11/16/2004
Crews,Pamela V	\$27.01	\$27.53	Manager Credit/Collection	Cor	9/26/2004
Curtis,Wanda M	\$29.05	\$30.28	Registered Nurse	Coa	10/25/2004
Duffey,James T	\$0.00	\$43.00	Pharmacist	Reh	11/17/2004
Evans,Helen A	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	11/8/2004
Fierro,Monica G	\$0.00	\$11.05	Appoin. Scheduler Clerk	Nhr	10/24/2004
Flores,Frank F	\$18.57	\$19.31	General Maint. Worker	Adv	8/29/2004
Flusche,Barbara R	\$37.37	\$39.52	Nurse Manager	Swa	7/1/2004
Flusche,Barbara R	\$39.52	\$41.11	Nurse Manager	Swa	8/29/2004
Frommer,Harriet A	\$7.88	\$7.22	Ltc Attendant (F)	Ic	11/1/2004
Gallardo-Prado,Cua	\$0.00	\$13.75	Interpreter	Nhr	11/8/2004
Galloway,Diane L	\$9.59	\$13.00	Health Unit Coordinator	Coa	11/8/2004
Garcia,Beatrice	\$0.00	\$11.50	Dental Assistant	Nhc	11/8/2004
Garcia,Gilbert A	\$0.00	\$11.02	Driver Pharmaceuticals	Nhr	11/8/2004
Garrett,Garth H	\$0.00	\$13.00	Ortho Tech	Nhr	11/8/2004
Garza,Patricia R	\$0.00	\$8.99	Ltc Attendant (G)	Reh	11/16/2004
Gordon,Etta S	\$11.03	\$13.37	Dental Assistant Certifie	Pro	10/24/2004
Griggs,Rhett J	\$19.62	\$20.69	Resident	Pro	11/1/2004
Harris,Claudia J	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	11/2/2004
Hermosa,Angela R	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	11/16/2004
Hernandez,Theresa R	\$10.24	\$10.46	Health Unit Coordinator	Ach	10/24/2004
Horton,Antonietta M	\$28.89	\$48.08	Director Perioperative Sv	Pro	11/8/2004
Johnson,Sheri L	\$12.36	\$12.36	Nurse Extern	Pro	11/7/2004
Johnston,Sarah A	\$0.00	\$11.16	Registration Specialist	Nhr	11/8/2004
Jones,Latoya J	\$0.00	\$8.60	Ltc Attendant (G)	Nhc	11/16/2004
Keehn,Brian P	\$0.00	\$13.08	Lab Assist/Phlebotomist	Nht	11/8/2004
Keehn,Ron R	\$48.42	\$72.00	Manager Pharmacy Services	Pro	11/8/2004
Kelley,Jeneane L	\$0.00	\$29.51	Registered Nurse	Nhr	11/8/2004
Kibler,William J	\$13.98	\$19.36	Computer Operator I	Swa	11/1/2004
Koyal,Phillip	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	11/16/2004
Kutz,Ronald J	\$0.00	\$36.54	Manager End User Services	Nhr	11/8/2004
Lapratt,Kevin L	\$26.40	\$28.86	Occupational Ther. Burn	Adj	11/3/2004
Lee,Soonja	\$0.00	\$7.22	Ltc Attendant (F)	Nhc	11/2/2004
Long,Paula J	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	11/8/2004
Lopez,Christine M	\$0.00	\$15.23	Psych Tech	Nhr	11/8/2004
Lugo,Liliana R	\$9.34	\$8.99	Ltc Attendant (G)	Coa	8/1/2004
Luna,Ana	\$0.00	\$12.18	Central Sterile Tech	Reh	11/8/2004
Marquez,Janis D	\$36.37	\$37.37	Registered Nurse	Adv	8/15/2004
Martinez,Maureen J	\$29.05	\$29.51	Registered Nurse	Coa	11/7/2004
Mcbride,Nicole M	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	11/16/2004
Meza,Angel	\$0.00	\$10.81	Registration Specialist	Nhr	11/15/2004
Moreno,Nathan J	\$13.00	\$11.50	Care Technician	Coa	11/8/2004
Navarro,Raymundo	\$0.00	\$8.32	Food Service Worker	Nhr	11/8/2004
Nesbeth,Rebecca H	\$0.00	\$8.99	Ltc Attendant (G)	Nhc	10/12/2004
Olivas,Concepcion B	\$15.18	\$17.55	Employment Coordinator	Pro	11/7/2004
Orozco,Teresa R	\$0.00	\$10.95	Registration Specialist	Nhr	11/14/2004
Parker,Chery D	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	11/16/2004

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Patyniak, Marek	\$30.28	\$34.26	Nurse Assistant Manager	Pro	11/1/2004
Paulus, Kristie A	\$8.99	\$8.60	Ltc Attendant (G)	Ic	11/1/2004
Pennel, Ruth C	\$29.05	\$30.28	Registered Nurse	Coa	11/7/2004
Perez, Michelle A	\$13.17	\$13.99	Supervisor Edm System/Adm	Pro	11/7/2004
Phillips, Barbara J	\$30.39	\$34.32	Nursing Supervisor	Adv	8/15/2004
Pray, Stephen E	\$36.00	\$36.37	Registered Nurse	Cor	6/5/2004
Pray, Stephen E	\$36.37	\$37.37	Registered Nurse	Cor	8/15/2004
Robinson, Albert D	\$0.00	\$14.54	Computer Operator I	Nhr	11/8/2004
Sanchez, Hilda I	\$0.00	\$7.22	Ltc Attendant (F)	Nhc	11/2/2004
Sanchez, Jeanette	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	11/2/2004
Sanchez, Margarita O	\$8.52	\$8.94	Evs Associate	Adv	8/15/2004
Schletter Jr, Glenn R	\$0.00	\$10.51	Security Officer Non-Cert	Nhr	11/10/2004
Seip Jr, Larry R	\$0.00	\$7.88	Ltc Attendant (F)	Nhc	11/2/2004
Serrano, Virginia	\$7.88	\$7.22	Ltc Attendant (F)	Ic	11/1/2004
Sheldon, John R	\$0.00	\$38.47	Manager Applications	Nhr	11/15/2004
Silvestre, Christopher	\$0.00	\$22.00	Registered Nurse	Nhc	11/8/2004
Stenulson, Barbara L	\$13.55	\$15.00	Registration Specialist	Trn	11/7/2004
Stuckey, Wayne C	\$0.00	\$31.88	Sr. Programmer Analyst	Nhr	11/15/2004
Sweeney, Robert	\$22.20	\$24.21	Psych Social Worker	Adv	8/15/2004
Taubman, Janne S	\$0.00	\$84.13	Chief Nursing Officer	Nhr	11/8/2004
Torres, Armondo V	\$0.00	\$9.02	Central Sterile Tech	Nhr	11/8/2004
Torrez, Marie R	\$0.00	\$11.72	Data Control Assistant	Nhr	11/8/2004
Valencia, Betty M	\$0.00	\$11.13	Financial Counselor	Nhr	11/15/2004
Velasco, Virginia	\$0.00	\$12.16	Medical Office Recep.	Nhr	11/10/2004
Ward, Andrew B	\$14.11	\$15.24	Psych Tech	Adv	8/15/2004
Wolfer, Tamra L	\$29.05	\$30.28	Registered Nurse	Coa	11/6/2004
Yarbrough, Renee	\$8.99	\$7.88	Ltc Attendant (F)	Rea	10/26/2004

Key to Medical Codes

Ach	Assignment Change	Adv	Salary Advancement	Asw	Sp. Work Assign Adj
Cnl	Cancel Appointment	Coa	Change Of Appointment	Cor	Correction
Crn	Contract Renewal	Dec	Deceased	Dem	Demotion
Dis	Dismissed	Exc	Expiration Of Contract	Exp	Expiration Of Appt
Lex	Leave Exp (Sep W/O Prej)	Nhc	New Hire Contract	Nhr	New Hire Regular
Nht	New Hire Temporary	Nhu	New Hire Unclass	O	Other Change
Pro	Promotion	Ras	Reassignment	Rcd	Rescind
Reh	Rehired	Rel	Released	Res	Resigned
Ret	Retired	Rif	Reduction In Force	Ris	Reinstatement
Rup	Ret Unsuc Comp/Prob	Sus	Suspension	Swa	Spcl Work Assgn
Ssc	Spcl Status Change	Swr	Ret Spcl Work Assign	Trn	Transfer From County
Ttc	Transfer To County				

MARICOPA MEDICAL CENTER MEDICAL STAFF APPOINTMENTS/REAPPOINTMENTS, ADDITIONAL PRIVILEGES, AND CHANGE OF STATUS

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve lists of Maricopa Medical Center Medical Staff appointments/reappointments, additional privileges, and change of status as recommended by the Professional Practice Committee of MIHS. (Discussed in Executive Session on November 29, 2004.) (C9004171M) (ADM2100-005)

**FORMAL SESSION
December 1, 2004**

MARICOPA MEDICAL CENTER CREDENTIALS COMMITTEE ROSTER

Recommended by CC: 11/15/2004
Recommended by Med. Staff Exec. Comm: 11/16/2004
Recommended by Prof. Practices Comm.: 11/18/2004
Approved Board of Supervisors: 12/2004

MEDICAL STAFF APPOINTMENTS

INITIAL APPOINTMENTS

PROVIDER

Victoria Z. Acharya, M.D.
Sharam Danesh, M.D.
John C. Farnham, D.O.
Karen Michael Kando, M.D.
Amy S. Kelley, M.D.
Bruce Z. Morgenstern, M.D.
Madhumita Sinha, M.D.
Tina L. Younger, M.D.

PRIMARY DEPARTMENT/SPECIALTY

Pediatrics
Surgery/Ophthalmology
Radiology
Psychiatry
Emergency Medicine
Pediatrics/Pediatric Nephrology
Pediatrics/Pediatric Emergency Medicine
Internal Medicine/Pediatrics

CATEGORY

Provisional Courtesy
Provisional Courtesy
Provisional Active
Provisional Courtesy
Provisional Courtesy
Provisional Courtesy
Provisional Active
Provisional Active

REAPPOINTMENTS

PROVIDER

Mary Ellen Adams, M.D.
Leonard S. Bodell, M.D.
David K. Butler, M.D.
Nadeem S. Hassan, M.D.
Jesus F. Hernandez, M.D.
Tong T. Li, M.D.
Corey J. Mayberger, M.D.
Cornelius J. McDermott, D.O.
Steven H. Miller, M.D.
Medo Mirza, M.D.
George R. Reiss, M.D.
Domiciano E. Santos, M.D.
Rod S. Silverman, M.D.
Robert A. Valgento, M.D.

PRIMARY DEPARTMENT/SPECIALTY

Pathology
Orthopedic Surgery
Pediatrics/Pediatric Emergency Medicine
Internal Medicine/Gastroenterology
Internal Medicine/Cardiology
Anesthesiology
Psychiatry
Internal Medicine/Critical Care Medicine
Surgery
Surgery/Pediatric Surgery
Ophthalmology
Psychiatry
Anesthesiology
Anesthesiology

CATEGORY

Active
Active
Courtesy
Active
Active
Courtesy
Courtesy
Active
Active
Active
Courtesy
Active
Courtesy
Courtesy

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REVISION/ADDITION OF PRIVILEGES

PROVIDER	PRIMARY DEPARTMENT SPECIALTY	REQUESTED PRIVILEGE	COMMENTS
Steven H. Miller, M.D.	Surgery/General Surgery	Gastrointestinal Endoscopy, Therapeutic Esophagogastroduodenoscopy, and Stereotactic Breast Biopsy Procedural Privileges	Unsupervised
Randy W. Oppenheimer, M.D.	Surgery/Otolaryngology	Therapeutic Esophagogastroduodenoscopy Procedural Privilege	Unsupervised

LOCUM TENENS

PROVIDER	PRIMARY DEPARTMENT SPECIALTY	APPOINTMENT DATES	COMMENTS
Jeffrey A. Martin, M.D.	Orthopedic Surgery	October 22, 2004 to April 22, 2005	1 st Six-month term
Mark Lloyd Wisniewski, M.D.	Anesthesiology	October 21, 2004 to April 21, 2005	2 nd Six-month term

CHANGE OF STATUS

PROVIDER	PRIMARY DEPARTMENT	CATEGORY CHANGE	COMMENTS
Reginald C. Baptiste, M.D.	Surgery/Thoracic Surgery	Provisional to Inactive	Relocation-moved out of state
Vernon C. Barksdale, M.D.	Psychiatry	Provisional to Inactive	Resigned from contracting agency
Balbir C. Sharma, M.D.	Psychiatry	Provisional to Inactive	Resigned from contracting agency

MARICOPA MEDICAL CENTER ALLIED HEALTH PROFESSIONAL STAFF AND MARICOPA INTEGRATED HEALTH SYSTEM-HEALTH PLAN PROVIDER PANEL APPOINTMENTS AND REAPPOINTMENTS

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve lists of Maricopa Medical Center Allied Health Professional Staff and Maricopa Integrated Health System-Health Plan Provider Panel appointments/reappointments as recommended by the Professional Practice Committee of MIHS. (Discussed in Executive Session on November 29, 2004.) (C9004171M) (ADM2100-005)

MARICOPA MEDICAL CENTER CREDENTIALS COMMITTEE ROSTER

Recommended by Cred.Comm.: 11/15/2004
Recommended by Med. Staff Exec. Comm.: 11/16/2004
Recommended by Prof. Practices Comm.: 11/18/2004
Approved by Board of Supervisors: 12/2004

**FORMAL SESSION
December 1, 2004**

ALLIED HEALTH PROFESSIONALS

**INITIAL APPOINTMENT
PROVIDER**

PROVIDER	PRIMARY DEPARTMENT	CATEGORY	COMMENTS
Leanne Sermeno, N.P.	Psychiatry	Nurse Practitioner	Other Procedures: Psychiatric evaluation & treatment planning; Initiate & monitor/manage ongoing pharmacologic treatment; Consult & coordinate care with other professionals including medical providers.

**REAPPOINTMENT
PROVIDER**

PROVIDER	PRIMARY DEPARTMENT	CATEGORY	COMMENTS
Luciana G. Anthony, N.P.	Obstetrics and Gynecology	Nurse Practitioner	Special Procedures: IUD Removal/Insertion; Endometrial Biopsy and Wound Debridement
Gerald D. Christich, C.R.N.A.	Anesthesiology	Nurse Anesthetist	Standard Certified Registered Nurse Anesthetist Prerogatives
Rachel L. Crocker, C.N.M.	Obstetrics and Gynecology	Certified Nurse Midwife	Special Procedures: Endometrial biopsy under the supervisor of OB/GYN Physician, 1 st assist Cesarean Section, bilateral tubal ligation, hysterectomy and Ultrasound: Amniotic Fluid Index (AFI), Level I
Sharron Gasiewski, C.R.N.A.	Anesthesiology	Nurse Anesthetist	Standard Certified Registered Nurse Anesthetist Practice Prerogatives
Norma J. Leslie, Ph.D., N.P.	Obstetrics and Gynecology	Nurse Practitioner	Standard Nurse Practitioner Practice Prerogatives
Anita L. Nearon, A.N.P.	Psychiatry	Adult Nurse Practitioner	Special Procedures: Suture minor lacerations using local anesthetics, arterial puncture and wound debridement
Jennifer B. Wall, P.A.-C	Surgery/Burn-Trauma Unit	Physician Assistant	Special Procedures (to be under direct supervision): Minor Surgery procedures to include; Mole removal; biopsy; Incision and Drainage; Suture minor lacerations using local anesthetics; liquid nitrogen and cryotherapy; Minor Oncology Procedures: Bone marrow aspiration and biopsy, lumbar puncture, intrathecal drug administration

**CHANGE OF STATUS
PROVIDER**

PROVIDER	PRIMARY DEPARTMENT	CATEGORY	COMMENTS
Linda V. Ross, Ph.D.	Psychiatry	Psychologist	Retired

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**FORMAL SESSION
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**PROVIDER PANEL PARTICIPATION RECOMMENDATIONS FOR
MARICOPA INTEGRATED HEALTH SYSTEMS- HEALTH PLAN**

Recommended by Credentials Committee: 11/15/2004
Recommended by Professional Practices Committee: 11/18/2004
Recommended Approval by Board of Supervisors: 12/01/2004

ASPA Appointments

Scott B. Hatfield, D.O.	Family Practice	ASPA
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Provisional

Jeffrey A. Martin, M.D.	Orthopedic Surgery	Medpro
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Initial Appointment

Victoria Z. Acharya, M.D.	Pediatrics	Medpro
Sharam Danesh, M.D.	Surgery/Ophthalmology	Contract
George F. Gwinn, M.D.	Internal Medicine/Pulmonary	Contract
Karen Michael Kando, M.D.	Psychiatry	Medpro
Jeong-Yup Kim, D.D.S.	Dentistry	Contract
Bruce Z. Morgenstern, M.D.	Pediatrics/Pediatric Nephrology	Contract
Adrian C. Moyer, M.D.	Radiology	Contract
Gary Newman, D.O.	Obstetrics/Gynecology	Contract
Herman Pang, M.D.	Cardiothoracic/Vascular	Contract
Leanne Sermeno, N.P.	Nurse Practitioner	Value Options
Tina L. Younger, M.D.	Internal Medicine/Pediatrics	Medpro

Reappointment

Luciana G. Anthony, N.P.	Nurse Practitioner	Medpro
Leonard S. Bodell, M.D.	Orthopedic Surgery	Medpro
David K. Butler, M.D.	Pediatrics-Emergency	Medpro
Rachel L. Crocker, C.N.M.	Nurse Midwife	Medpro
Nadeem S. Hassan, M.D.	Internal Medicine-Gastroenterology	Medpro
Jesus F. Hernandez, M.D.	Internal Medicine/Cardiology	Medpro
Pattabiraman Kalyanam, M.D.	Anes/Pain Management	Contract
Norma J. Leslie, Ph.D., N.P.	Nurse Practitioner	Medpro
Corey J. Mayberger, M.D.	Psychiatry	Value Options
Cornelius J. McDermott, D.O.	Internal Medicine-Critical Care	Medpro
Steven H. Miller, M.D.	Surgery	Medpro
Medo Mirza, M.D.	Surgery-Pediatric Surgery	Medpro
Anita L. Nearon, N.P.	Nurse Practitioner	Medpro
George R. Reiss, M.D.	Ophthalmology	Medpro
Domiciano E. Santos, M.D.	Psychiatry	Medpro
Jennifer B. Wall, P.A.-C	Nurse Practitioner	Medpro

INFORMATION ONLY REGARDING PROFESSIONAL PRACTICES COMMITTEE MINUTES

Information only regarding Professional Practices Committee Meeting Minutes. No action needed. (Minutes on file in the Clerk of the Board's Office) (ADM 2100-005)

FORMAL SESSION
December 1, 2004

CONTRACTS FOR NURSING FACILITIES

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the Contracts Numbers C-60-05-338 through C-60-05-383-1 retroactively to 10/1/04, for Nursing Facility Services through 9/30/05. The Not to Exceed amount was established in Agenda Item C-60-05-073-1 and approved by the Board of Supervisors on 09/08/04. This Contract may be extended, not to exceed a total term of five years, and may be terminated by either party with 90 days-written notice. Maricopa County may, upon ninety (90) days prior written notice, and without the consent of the other party hereto, assign this Agreement. (C60053371ZZ)

MASTER INTERGOVERNMENTAL AFFILIATION AGREEMENT WITH HUHUKAM MEMORIAL HOSPITAL

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to retroactively approve a new Master Intergovernmental/Affiliation Agreement between Gila River Health Corporation dba Huhukam Memorial Hospital and Maricopa County (County) dba Maricopa Integrated Health System (MIHS) for Maricopa Medical Center (MMC) and one Addendum to provide for a Residency program in Orthopedic Surgery. The Master Affiliation Agreement is effective from June 1, 2003 through May 31, 2008. The Orthopedic Surgery Addendum is effective from June 1, 2003 through May 31, 2008. This is a non-financial Agreement and contains appropriate Assignment language. (C9005074200)

FUNDING FROM NORTHERN ARIZONA UNIVERSITY

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to retroactively approve funding from Northern Arizona University (NAU) College of Health Professions to Maricopa Integrated Health System (MIHS) in the amount of \$69,270.00 for the period of September 30, 2004 through September 29, 2005. NAU is a recipient of a grant from the Department of Health and Human Services, Health Resources and Services Administration (DHHS/HRSA) and MIHS is a sub-contractor to NAU and the Health Careers Opportunity Program (HCOP). NAU will reimburse MIHS according to the pre-approved budget categories for 2004-2005. This Agreement contains no provision for extension, but does contain appropriate assignment language. Grant indirect costs are estimated to be \$5,131.00 which is fully reimbursable. NAU will reimburse MIHS according to the pre-approved budget categories for 2004-2005. 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. (C9005568200)

2005 MEETING SCHEDULE

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt the 2005 Board of Supervisors Meeting Schedule. (ADM601)

HEARING SET – ROAD FILE DECLARATION

Petition has been filed for declaration of the following road into the county highway system. Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to schedule a hearing for 9:00 a.m., Wednesday, January 5, 2005:

Road File No. A268. 175th Drive – Durango Street to Yuma Road (C6405160500)

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**FORMAL SESSION
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HEARING SET - PLANNING AND ZONING CASES

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for January 5, 2005, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2004-088; Z2004-098; TA2004-004

INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA VARIABLE RATE DEMAND MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (WHISPERING PALMS APARTMENT PROJECTS)

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM4792)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (WHISPERING PALMS APARTMENTS PROJECT), SERIES 2004A (THE "BONDS") IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,940,000

ARTICLE 13 CONTRACTS

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to ratify new and amended contracts procured by MIHS in accordance with Article 13 of the Maricopa County Procurement code pursuant to the report on file in the Office of the Clerk of the Board of Supervisors. (ADM2100-005)

CONTRACT NUMBER	CONTRACTOR	DESCRIPTION	ANNUAL COST
C-60-01-141-1-04	Beatitudes Campus of Care	Terminates Contract and integrates the facility into Contract C-60-01-142-1 with Covenant Health Network	N/A
C-60-01-142-1-04	Friendship Retirement Corp. dba Glencroft	Changes name from Friendship Retirement Corp dba Glencroft to Covenant Heath Network, integrates Contract C-60-01-141-1 into Covenant Contract, Updates Compensation etc.	N/A
C-90-02-031-1-01	Musculoskeletal Transplant Foundation	Extension, updates Contract Language, Updates Compensation and increases NTE	\$100,000

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ASRS CLAIMS

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. (ADM3309)

Mariana Bruda	\$6,179.24
Annette Clay	\$29,129.71

MIHS CLAIMS SETTLEMENTS

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve settlement of claims with medical service providers pursuant to the Board-approved MIHS-HP Claims Resolution Process. Agreements approved are on file in the Office of the Clerk of the Board of Supervisors. (ADM409-001)

PRECINCT COMMITTEEMEN

There were no requests to approve the appointment or removal of precinct committeemen pursuant to A.R.S. 16-231.B. (ADM1701)

SECURED TAX ROLL CORRECTIONS

No request were received from the Assessor for correction of the Secured Tax Rolls. (ADM705)

CANVASSES OF ELECTIONS

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to accept the canvasses of elections submitted by special districts as on file in the Office of the Clerk of the Board.

- Aguila Fire District Board (ADM4408)
- Electrical District No. 6 (ADM4466)
- Chandler Heights Citrus Irrigation District (ADM4314)
- Harquahala Valley Irrigation District (ADM4329)
- Laveen Fire District (ADM4423)
- Maricopa Water District (ADM4391)
- McMicken Irrigation District (ADM4316)
- New Magma Irrigation & Drainage District (ADM4330)
- Rio Verde Fire District (ADM4431)
- Sunburst Farms Irrigation District (ADM4323)
- Sun City West Fire District (ADM4415)

TAX ABATEMENTS

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the report from the Treasurer's Office showing the abatement on Parcel Number 112-21-072B-8 for tax years 1993 through 2004. (ADM708)

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DUPLICATE WARRANTS

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

COUNTY

NAME	WARRANT	FUND	AMOUNT
Michael Richi-Jowes	250024545	Payroll	\$706.79
Laywonder Marshal	250000806	Expense	\$55.00
Joseph Samajejan	245795	232	\$908.41
S.M. Deleonguerrero	250023451	Payroll	\$345.96
William Sibole, Jr.	250025440	General	\$643.01

SCHOOL

NAME	SCHOOL	WARRANT	AMOUNT
Ana Uribe	EVIT #401	450045782	\$178.13
Flagstaff High School	Queen Creek Unified SD	95530808	\$150.00
Keith Secore	FHUSD	98533917	\$314.68
Donna Konkright	Osborn SD	150041337	\$753.85
Roderick Kaloostian	Agua Fria UHSD	15-0040305	\$426.87
Excel Ice Cream Products	RSD #66	450020561	\$48.25
Lindsay Lawyer	Pendergast SD	150044901	\$995.17
AZ Educ Office Prof Assoc	Murphy Elem SD #21	450047846	\$40.00
Barbara Davis	Isaac	15-41075	\$266.72
Cheryl Rohrer	Maricopa County Regional SD	450028438	\$100.00
Tina Sly	Gila Bend Unified SD	450047909	\$2,887.50
Amy Hanrahan	Littleton Elem SD	150048505	\$935.85

STALE DATED WARRANTS

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

NAME	AMOUNT
William J Nastasiak	\$1,274.04

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the settlement of tax cases, list dated December 1, 2004. (ADM704)

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2002	TX 04-000162
TX 02-000586 outside counsel	TX 04-000194
2003	2004/2005
TX 02-000489	TX 03-000364
TX 02-000525	2005
2004	ST 04-000105
CV 03-023673	

CLASSIFICATION CHANGES

No changes were presented at this time. (ADM723)

COMPROMISES

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in executive session held November 15, 2004). (ADM407)

Lydia Bahne	\$1,500.00	Rodney Kaiser	\$11,935.49
Janetta Blair	\$7,500.00	Brandy Kerry	\$2,750.00
Richard Cistone	\$1,500.00	Jonathan Holomon	\$2,000.00
Deborah Cook	\$4,148.00	Cassandra Miller	\$1,000.00
Robert Cook	\$718.00	Gary Guinn	\$692.00
Brandy Stewart	\$17,500.00		

WRITE-OFFS

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to accept the requested write-offs as payment in full for the following cases. (Discussed in executive session held November 15, 2004). (ADM407)

Armando Arreola	\$2,236.22	Richard Millsagle	\$858.77
Adam Olivas Carrasco	\$4,259.48	Stephen Joseph Pirozak	\$950.00
Harvey Charles Dault	\$1,175.50	Joseph L Salinas	\$1,459.96

PUBLIC COMMENT

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

SUPERVISORS'/COUNTY ADMINISTRATIVE OFFICER SUMMARY OF CURRENT EVENTS

Supervisor Wilcox commented on the recent opening of the Lower Buckeye Jail, which she said "came in under time and under budget." She attributed this in part to County Administrator David Smith's abilities and said that today celebrated his 10th year with the County. She congratulated him for the fine job he has done for Maricopa County. Supervisor Wilson added his thanks to Mr. Smith for all the help he received as the "new kid on the block" when he was appointed to fill Jan Brewer's District 4 supervisorial

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vacancy. All the Supervisors extended their best wishes to Mr. Smith and hoped he'd be here for many more years of the same excellent service. (ADM606)

David Smith expressed his surprise at Ms. Wilcox's announcement but said he had enjoyed the past 10 years in County Government and commented on the "special breed" of people who enjoy this kind of government service with its special challenges in dealing with public on many different kinds of things. He said, "A 'county person' enjoys the challenge of taking on some of the most difficult, unglamorous and troublesome kinds of issues and populations and we deal with all the problems in our society. This is the role we are given by the State and it is what the public expects of us. But this special breed 'relish in that role' and so we look for people who are of that mindset and of that public service spirit to deliver a good result for an efficient price, and we try to do it every day and we try to do it every time. We do come up short sometimes but we succeed more often than not and with the combination of the leadership of the Board and some very dedicated public servants I would like to believe that we've done some good work over the past ten years . . . and let's keep it going."

Supervisor Brock reminded the public that all five of the food banks in Maricopa County are reporting very slow donations and low amounts of food and supplies as they move into the holiday season. Part of the problem stems from a less than normal number of donations from the coastal and Gulf states because of this year's violent nature of extended hurricanes and ruined crops. He said that all five food banks have "plenty of room on their shelves" and encouraged everyone to donate what they can to fill the shelves up.

Chairman Kunasek commented on the "leaving public office" reception he recently attended for County Attorney Rick Romley. He explained that celebrating the 16 years of Mr. Romley's service as County Attorney had made him realize how fast time is passing. After the reception he spoke with Cindi Nannetti, who heads up sex crime investigations in the CAO, and also with Captain David Romley, Mr. Romley's son on leave from serving in Iraq. He said he'd been struck by the contrast between the two, one who serves by saving others internally and the other who saves others externally sources in foreign countries, and it had given him pause to realize how deeply thankful he was for both kinds of Americans, and for the country that produced them.

PLANNING AND ZONING

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

CONSENT AGENDA DETAIL:

- | | | |
|-----------|-----------------|--|
| 1. | Z2004023 | District 4 |
| | Applicant: | JPEL Properties, LLC |
| | Location: | 1031 N. Jackrabbit Trail – near Roosevelt St. & Jackrabbit Tr. (in the Buckeye area) |
| | Request: | Plan of Development for an irrigation business in the IND-2 zoning district – JPEL Properties (0.87 ac.) |

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2004023, subject to the following stipulations "a" through "m". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 7-0.

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- a. Development of the site shall comply with the site plan entitled "JPEL Properties, LLC", consisting of 1 sheet, dated March 4, 2004 and stamped received June 15, 2004, except as modified by the following stipulations.
- b. Development shall be in conformance with the narrative report entitled "JPEL Properties, LLC", consisting of 8 pages, dated March 27, 2004, and stamped received June 15, 2004, except as modified by the following stipulations.
- c. Development of the site shall comply with the landscape plan entitled "JPEL Properties, L.L.C.", consisting of 1 sheet, dated March 4, 2004, and stamped received June 15, 2004, except as modified by the following stipulations.
- d. The applicant shall bond for the ultimate half-street improvements (pavement, curb, gutter, and sidewalk) along Jackrabbit Trail.
- e. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- f. Prior to Zoning Clearance, the applicant shall meet all applicable requirements of the Flood Control District.
- g. All outdoor lighting shall conform to Section 1112 of the Maricopa County Zoning Ordinance.
- h. All trees shall be double-staked when installed.
- i. The fencing along the northern boundary of the Plan of Development shall consist of view obscuring material, which could consist of slatting the existing chain-link fence.
- j. The east boundary of the Plan of Development area shall include a solid steel fence.
- k. Prior to zoning clearance, the developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during the course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- l. Major changes to the Precise Plan (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- m. Noncompliance with the Plan of Development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.

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Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve this Plan of Development.

REGULAR AGENDA DETAIL:

2. **Z2002153** **District 3 (Continued from 8-18-04) (CONTINUED TO JANUARY 5, 2005.)**
Applicant: Hal Borhauer
Location: Northwest corner of 7th Ave. & Alameda Rd., approx. 1,977' south of Happy Valley Rd. (in the Phoenix area)
Request: Special Use Permit (SUP) for commercial storage of vehicles in the Rural-43 zoning district – 24250 N. 7th Ave. (5.3 ac.)

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2002153, subject to the following stipulations “a” through “x”. Commissioner Pugmire seconded the motion, which passed with a majority vote of 5-1, with Commissioner Munoz dissenting.

- a. Development and use of the site shall comply with the site plan entitled “Proposed Land Use Plan for 24250 North 7th Avenue” consisting of one full-size sheet, dated June 18, 2004 and stamped received June 18, 2004 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the landscape plan entitled “7th Avenue Storage Center Conceptual Landscape Plan” consisting of one full-size sheet, dated April, 9 2003 and stamped received June 14, 2004 except as modified by the following stipulations.
- c. Development and use of the site shall comply with the narrative report entitled “24250 North 7th Avenue” consisting of six pages plus exhibits, dated revised December 30, 2003 and stamped received June 2, 2004 except as modified by the following stipulations.
- d. The Special Use Permit approval for storage of commercial vehicles shall be deemed valid for government contract only. The facility shall not be open to the general public for storage contracts.
- e. The hours and days of operation shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m. Minimal after hours deliveries of vehicles shall be acceptable.
- f. A 6’ high block wall is required for the perimeter of the site. Concertina (razor) wire is prohibited.
- g. The front parking area shall be landscaped and adequately screened from 7th Avenue.
- h. The site shall have minimum landscape width of 10’ along the Alameda Road and 7th Avenue frontages. The location of the proposed perimeter walls shall be adjusted accordingly and if necessary.
- i. All landscaping shall be maintained in good health and replaced as necessary for the life of the Special Use Permit (S.U.P.) approval.

- j. All landscaping with the County right-of-way shall be in compliance with Maricopa County Department of Transportation regulations.
- k. Dedication of additional rights-of-way to bring the total half-width dedication to 55' for 7th Avenue and 40' for Alameda Road shall occur immediately after approval of this request by the Board of supervisors, and prior to zoning clearance. Contact Maricopa County Road Dedication/Acquisition Division at 602-506-1421.
- l. The applicant shall bond for half-street improvements to ultimate width for 7th Avenue and Alameda Road along the perimeter of the site at the discretion of the Maricopa County Department of Transportation. The bond shall be available to assure that dust and/or road maintenance is addressed.
- m. The applicant shall ensure that a 25' access easement is in place along the north boundary of the site.
- n. A two-year review will be required per MCDOT to ensure that 7th Avenue is monitored for adequate access (traffic, dust, maintenance, etc.).
- o. All signs shall be in compliance with IND-1 regulations.
- p. Prior to development, a drainage clearance to include submittal of a final drainage report must be approved by the Maricopa County Flood Control District.
- q. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- r. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted.
- s. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- t. The applicant shall submit a written report outlining the status of the development at the end of two (2) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- u. This Special Use Permit shall expire five (5) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- v. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning

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Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.

- w. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- x. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to continue this item to the January 5, 2005 meeting when it is expected that the related text amendment should be approved by the Board.

- 3. Z2004003 District 1**
Applicant: John King
Location: Northeast corner of Warner Rd. & Sossaman Rd. (in the east Mesa area)
Request: Major Amendment to a previously approved Special Use Permit (SUP) for a RV storage facility in the Rural-43 zoning district – consisting of a: Modification of a Stipulation (stipulation ‘f’) of the previously approved SUP (Z 99-60); and the following changes to the SUP site plan: the addition of 116 covered parking spaces to be located along the northern portion of the subject site; the elimination of an east-west driveway that runs across the southern third of the subject site; and the elimination of 20 uncovered parking spaces throughout the site – Discount Storage (15.0 ac.)

COMMISSION ACTION: Commissioner Porter moved to recommend approval of Z2004003, subject to the following stipulations “a” through “m”. Commissioner Barney seconded the motion which passed with a unanimous vote of 7-0.

Modified stipulations carried forward from Z 99-60 and shown below in legislative edit format:

- a. Development and use of the site shall ~~comply be~~ in substantial conformance with the site plan entitled “Discount Storage RV Parking”, consisting of one full-size sheet, dated revised July 11, 2001 and stamped received July 5, 2001 and amended by the site plan entitled “Administrative Amendment, Z2004003 Site Plan for Discount storage RV Parking”, consisting of one full-size sheet, dated revised August 3, 2004 and stamped received August 3, 2004, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled “Arizona Discount RV & Boat Storage” consisting of 4 pages, dated revised July 8, 2001 and stamped received July 5, 2001 and amended by the narrative report entitled “Arizona Discount Storage, Minor Amendment Application” consisting of 3 pages, dated revised August 2, 2004, except as modified by the following stipulations.

- c. ~~d of Supervisors by December 31, 2005.~~ The report shall include an update of the site's landscape buffer and an explanation of how the perimeter trees are being maintained in a healthy state. The status report shall itemize how development has maintained compliance with the original stipulations of approval under case Z 99-60, as may be applicable, as well as the current stipulations of Special Use Permit approval. The status report shall be reviewed by staff to determine whether the SUP remains in compliance with the approved stipulations. Additional status reports may be required at the discretion of staff. If staff determines that the applicant has failed to maintain compliance with the stipulations of Special Use Permit approval, then action can be taken to revoke the Special Use Permit in accordance with the Maricopa County Zoning Ordinance.
- d. The SUP shall expire ~~20 years from the date of approval by the Board of Supervisors on November 7, 2021~~ or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- e. The mobile homes located just west of the SUP area shall be removed from the site ~~within 60 days of Board of Supervisors approval~~ if they are not deemed in compliance with the Maricopa County Zoning Ordinance, except that the primary residence of the applicant which shall not be subject to removal but which must be brought into compliance with the Maricopa County Zoning Ordinance, ~~within 18 months of approval by the Board of Supervisors~~ prior to acceptance of the Status Report referenced in stipulation 'c' above.
- f. ~~Any future proposed structure for the recreation vehicle storage yard shall require a Major Amendment to the Special Use Permit.~~
- ~~g.~~
- f. The hours and days of operation for the use shall be from 8:00 a.m. to 5:00 p.m. daily.
- ~~h.~~
- g. All driveways and parking areas shall be surfaced with a form of dust control deemed acceptable at the time of zoning clearance.
- ~~i.~~
- h. The site shall be adequately screened with landscaping and maintained at all times. Trees shall be of sufficient size to effectively create a semi-opaque screen. All trees shall be double-staked when installed. An irrigation system or same other method shall be provided to ensure the health and appropriateness of the perimeter trees that are intended to visually screen the site.
- ~~j.~~ The site plan shall be revised ~~within 30 days of Board of Supervisor approval~~ to include a note stating that the property, due to its proximity to Williams Gateway Airport, is likely to experience aircraft over flights, which could generate noise levels which may be of concern to some individuals. ~~This note shall also be placed on the Title Report for the property.~~
- ~~k.~~ The site plan shall be revised ~~within 30 days of Board of Supervisor approval~~ to indicate the correct Assessor Parcel Number of the 20-acre parent parcel.

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- ~~f.~~ A public disclosure statement of potential noise shall be made available to future purchasers, mortgagees, renter, occupiers, and user of the property.
- ~~m.~~
- i. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- ~~n.~~
- j. Major changes to this Special Use Permit (the site plan and narrative report), or the conditions of approval, shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- ~~o.~~
- k. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- ~~l.~~ All outstanding application fees shall be paid prior to zoning clearance for building permits.
- ~~m.~~ The applicant shall obtain building permits for the proposed parking stall shade canopies.

Darren Gerard reported on action taken by the Planning Commission on this item. He said this request involves a modification of the original stipulation "f" in the previously approved action on Z99-60 which is a portion of this same property. Stipulation changes are noted above. He said that the owner's representative, Mr. Udall, also has a request for a change in stipulation "d."

Nathan Skinner came forward to say that he was "filling in for Mr. Udall" to ask that the date given in stipulation "d" be changed to reflect the same date in the earlier SUP. These are adjacent parcels owned by the applicant at this site and this would be appropriate since the use for both is complimentary.

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the Planning Commission for approval with stipulations "a" through "m" and with the date amended by the Board to July 2, 2033, in stipulation "d," as shown below.

- d. The SUP shall expire ~~on November 7, 2021~~ on July 2, 2033 or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.

- 4. **Z2004015 District 1**
Applicant: Zondrick, Inc.
Location: Approx. 1,400' south of Riggs Rd., east of Power Rd. (in the Queen Creek area)
Request: Special Use Permit (SUP) for a kennel in the C-3 and R1-35 zoning districts - Happy Tails Pet Resort (1.5 ac.)

COMMISSION ACTION: Commissioner Masel moved to recommend approval Z2004015, subject to the following stipulations "a" through "z". Commissioner Pugmire seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan entitled "Happy Tails Pet Resort" consisting of 3 full-size sheets, dated August 5, 2004 and stamped received September 3, 2004 except as modified by the following stipulations.
- b. Within 30 days of Board of Supervisor's action on this case, the applicant shall remit additional application fees of \$300.00 to the Planning and Development Department.
- c. Development and use of the site shall comply with the narrative report entitled "Happy Tails Pet Resort, Inc." consisting of seven (7) pages, stamped received September 3, 2004 except as modified by the following stipulations.
- d. Development and use of the site shall comply with the landscape plan entitled "Happy Tails Pet Resort Landscape Plan" consisting of a single photograph page and hand-drawn layout stamped received September 3, 2004 except as modified by the following stipulations.
- e. The Special Use Permit is limited to 50 kennels equating to a maximum of 50 dogs or cats). Any expansion of the use will require a major amendment.
- f. The hours and days of operation (when customers are allowed on-site) shall be limited to Monday through Saturday, 7 a.m. to 6 p.m. and Sunday, 8 a.m. to 12 p.m.
- g. Dogs shall not be allowed to exercise outside the kennel building unsupervised and dogs shall not be allowed outside from 8 p.m. to 7 a.m. Barking dogs will not be allowed to access the exterior "pet and play" area. No dogs will be allowed on the property north of the kennel structure outside the enclosed "pet and play" area.
- h. All structures (both existing and proposed) within the Special Use Permit area where animals will be present as part of the kennel operation shall be constructed and/or modified to have a 50 dB sound reduction. Certification by a registered architect or engineer of such sound reduction shall be provided to the Planning and Development Department.
- i. The block wall surrounding the outdoor "pet and play" area shall be 8' in height.
- j. The front parking area shall be landscaped and adequately screened from Power Road. Additional trees shall be provided along the east perimeter wall to adequately screen the kennel structure from the properties to the east.
- k. All landscaping shall be maintained in good health and replaced as necessary for the life of the Special Use Permit (SUP) approval.
- l. All landscaping within the County right-of-way shall be in compliance with Maricopa County Department of Transportation regulations.
- m. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for Power Road shall occur at the discretion of Maricopa County Department of Transportation (MCDOT).

- n. A three-year review period will be required per MCDOT to determine off-site half-width improvements to include pavement, curb, gutter, and sidewalk on Power Road.
- o. The applicant shall ensure that a 15' access easement is in place along the north boundary of the site.
- p. This facility must obtain a kennel permit from the Maricopa County Animal Care and Control, and a pet grooming permit from the Maricopa County Environmental Services Department.
- q. The new kennel must have a new septic system permitted through the Maricopa County Environmental Services Department.
- r. Prior to any construction, a drainage clearance in conjunction with a building permit must be obtained from the Maricopa County Flood Control District.
- s. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- t. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted.
- u. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- v. The applicant shall submit a written report outlining the status of the development at the end of two (2) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- w. This Special Use Permit shall expire fifteen (15) years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- x. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- y. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

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- z. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Mr. Gerard gave background details on this request for a Special Use Permit for a kennel that would be part of an existing veterinary clinic. There is opposition from the neighbors because of expected excessive noise from barking dogs and Queen Creek has also expressed concern about the kennel, however, the zoning is proper for such a business. Staff and the Planning Commission recommend approval with stipulations "a" through "z" and the modification of stipulation "h", which addresses sound decibels and could be considered an upgrade to the current clinic operation.

Supervisor Brock commented that since the existing structure is located on commercially zoned land and the design changes that will be made would improve existing conditions for the neighborhood and also give the applicant a chance to expand his business, he was in favor of the project.

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (5-0) to concur with the Planning Commission recommendation for approval with stipulations "a" through "z" and with the amendment to stipulation "h," as follows.

- h. All structures (both existing and proposed) within the Special Use Permit area where animals will be present as part of the kennel operation and/or veterinary clinic operation shall be constructed and/or modified to have a 50 dB sound reduction. Certification by a registered architect or engineer of such sound reduction shall be provided to the Planning and Development Department.

- 5. **Z2004021** **District 4**
Applicant: Ernie Lucke, Adobe West Construction, Inc. for Pat Mahoney, Arizona Commercial Real Estate Services
Location: Southeast corner of Dysart Rd. & Maryland Ave. (in the west Glendale area)
Request: Rezone from Rural-43 to R1-18 RUPD – Dysart Village (29.45 ac.)

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2004021, subject to the following stipulations "a" through "p". Commissioner Porter seconded the motion, which passed with a unanimous vote of 6-0. (Chairman Aster recused.)

- a. Development and use of the site shall be in substantial conformance with the zoning exhibit entitled "Preliminary Plat and Zone Change Exhibit for Dysart Village" consisting of two (2) full-size sheets prepared by Steele Engineering, dated June 2, 2004, date-stamped revised as certified by the registered engineer September 21, 2004, and stamped received September 23, 2004, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Zone Change & Preliminary Plat Narrative Report for Dysart Village", consisting of eight (8) pages including attachments, prepared by Adobe West Construction, Inc., dated revised September 22, 2004 and stamped received September 23, 2004, except as modified by the following stipulations.

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- c. Landscaping of the site shall be in general conformance with the landscape plan entitled "Preliminary Landscape Plan - Dysart Village" consisting of two (2) full-size sheets prepared by Hallock / Gross, inc., date-stamped as certified by the registered landscape architect August 9, 2004, and stamped received September 23, 2004, except as modified by the following stipulations.
- d. Dedication of additional rights-of-way to bring the total half-width dedication to 70' on Dysart Road, 40' on Maryland Avenue, and 30' on 129th Avenue shall occur with the final plat.
- e. All interior streets shall be constructed to minimum County standards, except in regard to minimum pavement width and minimum private street tract width.
- f. Prior to the issuance of building permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping and other improvements in the right-of-way.
- g. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- h. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility related ground equipment shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted.
- i. Non-compliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, non-compliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action to revert zoning back to Rural-43.
- j. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
- k. Not less than 140,810 square feet (3.23 acres) shall be set aside for retention and open space. Further, such areas shall be made available to future residents for recreation and parks. A list of potential park amenities shall be submitted to Maricopa County prior to approval of any final plats.
- l. The master developer shall notify future homeowners that they are located within the State-defined "Territory in the Vicinity of a Military Airport" with the following language:
 - "You are buying a home or property in the "vicinity of a military airport" as described by State of Arizona statute A.R.S. §28-8481. Your house should include sound attenuation measures as directed by State law. You will be subject to direct overflights and noise by Luke Air Force Base jet aircraft in the vicinity.
 - Luke Air Force Base executes over 200,000 flight operations per year, at an average of approximately 170 overflights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent

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throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight areas.

- Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.
- Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.
- For further information, please check the Luke Air Force Base website at www.luke.af.mil/urbandevelopment or contact the Maricopa County Planning and Development Department."

Such notification shall be recorded on all final plats, be permanently posted on not less than a 3 foot by 5 foot sign in front of all home sales offices, be permanently posted prominently on the front door of all home sales offices and model homes on not less than an 8½ inch by 11 inch sign, and be included in all covenants, conditions, and restrictions (CC&Rs) as well as the Public Report and conveyance documents.

- m. All habitable buildings constructed within this project shall be constructed with a minimum R18 exterior wall assembly, a minimum of R30 roof and ceiling assembly, dual-glazed windows and solid wood, foam-filled fiberglass or metal doors to the exterior to achieve a maximum interior noise level of 45 decibels.
- n. Major changes to the R.U.P.D. plan (zoning exhibit and narrative report), or the conditions of approval, shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
- o. Relief from the R.U.P.D. development standards may not granted except with Variance approval by the Maricopa County Board of Adjustment.
- p. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.

Darren Gerard reported on the background for this item. He said there is some opposition over the size of the proposed homes (as too small) and the potential for increased traffic on Rose Lane. Maryland Avenue is the main access road.

Robert Pizzorno spoke for the applicant and said this plan is across the street from, and is very similar to, the plan for Dysart Ranch previously approved by the Board. He added that these lot sizes are larger, with most lots having close to an acre of land. The average size of the home will be 2,300 to 3,000 square feet, which he felt was a good size for the area.

Melinda Kennedy spoke in opposition and said her property is near this development. Her concern was that the odors from nearby horse properties would be a problem to those buying the homes because of the close proximity of the lots that she feels are too small. Her other concern is with access to her property.

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Supervisor Wilson said that removal of the sewer treatment plant had opened the area up for additional development and recommended the project for approval.

Supervisor Wilcox asked if there would be a disclosure to buyers that the area had horses in it and the owner agreed to stipulate to this disclosure.

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "p" and the addition of new stipulation "q," as follows:

- q. The final plat shall contain a note and the public disclosure report shall indicated that the subdivision is located adjacent to Rural-43 zoning, which permits the keeping of horses and livestock.

6. Z2004042 District 2

Applicant: Fred Woods, Woods Associates Architects for Coolidge Apartments Corp., et al
Location: Northwest corner of Broadway Rd. & 96th St. (in the east Mesa area)
Request: Rezone from R-5 to R-5 RUPD – Sienna Estates (17.48 ac.)

COMMISSION ACTION: Commissioner Barney moved to recommend approval of Z2004042, subject to the following stipulations "a" through "k". Commissioner Porter seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall be consistent with the zoning exhibit entitled, "Sienna Estates", consisting of ten (10) full-size sheets including conceptual landscape plans, conceptual building elevations, and conceptual floor plans, dated revised September 24, 2004, certified by the architect October 22, 2004 and stamped received October 25, 2004, except as modified by the following stipulations.
- b. Development of the site shall be consistent with the project narrative entitled, "Sienna Estates", consisting of three (3) pages, stamped received October 25, 2004, except as modified by the following stipulations.
- c. The applicant shall enter into a pre-annexation agreement with the City of Mesa. Said agreement shall be signed by both parties and recorded prior to any final plat approvals for the subject site.
- d. The final design of the proposed housing product shall be such that no view windows are located on the garage side of the house. However, view windows may be allowed on the garage side of the house when facing a street or open space.
- e. The following Maricopa County Department of Transportation (MCDOT) stipulations shall be met:
 - i. The developer shall provide a total half-width of 65 feet for Broadway Road.
 - ii. The developer shall provide all-weather pedestrian and bicycle access from the north half of the property to the pool area.

- iii. Perimeter roads shall be developed to meet minimum County standards or approved alternate unless developed in the City of Mesa.
 - iv. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the County right-of-way.
- f. Unless annexed into the City of Mesa, the following Rural/Metro Fire Department stipulations shall apply:
- i. Premises identification shall be legible from the street or drive and shall be indicated on all construction plans.
 - ii. The developer shall provide all-weather access roads of not less than 20' in width to all buildings and fire hydrants during construction.
 - iii. Each single family dwelling unit driveway shall be a minimum of 12' in width and less than 12% grade.
 - iv. Fire lanes and emergency access shall be provided and marked in accordance with the State of Arizona Fire Code and the International Fire Code 2000.
 - v. Water supplies shall meet or exceed the fire protection fire flow requirements as required by the International Fire Code, Appendix B. Minimum static pressure of 20 PSI at 1,500 GPM and 2 hours duration. Fire sprinklers may reduce these requirements.
 - vi. The developer shall have the required number of fire hydrants installed and operable prior to the footing inspection as required by the International Fire Code, Appendix B. Reflective fire hydrant street markings shall be installed with pavement. Maximum fire hydrant spacing shall not exceed 500 feet on center.
 - vii. All fire hydrant connections / threads shall be National Standard threads.
 - viii. The developer shall determine the ultimate compliance with the Fair Housing Amendments Act and the Americans with Disabilities Act and to incorporate same into the building plans, i.e. fire notification within handicapped dwelling units, audio-visual notification in commercial buildings, etc.
 - ix. Fire sprinklers are not required by code unless fire flow or access is insufficient. Fire sprinklers are however recommended by Rural/Metro Fire Department. Certain design freedoms can be achieved with residential fire sprinklers.
 - x. This project requires 8 hydrants and a Knox Box on each emergency access. If the subject property is developed prior to annexation by the City of Mesa, the following Rural/Metro Fire Department stipulations shall be met:
- g. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- h. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- i. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted.

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- j. Major changes to the RUPD plan shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
- k. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Supervisor Stapley recused himself from this matter and left the meeting because of a conflict of interest.

Mr. Gerard reported on the history of this rezoning request for a subdivision and said that Mesa supports it. A pre-annexation agreement is being negotiated between the applicant and Mesa. This project is surrounded by existing mobile home parks and is not immediately adjacent to the Mesa city limits and this could cause a delay in the development. The recommendation from the Planning Commission and staff is for approval. No speakers came forward on this matter.

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (4-0-0-1) to concur with the Planning Commission for approval with stipulations "a" through "k" and noted that the applicant had agreed to work closely with the Planning Department in completing this project.

MEETING ADJOURNED

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

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board