

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
November 15, 2006

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., November 15, 2006, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2, Fulton Brock, Vice Chairman, District 1; Andrew Kunasek, District 3; Max W. Wilson, District 4. Absent: Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

INVOCATION

Bill Scalzo, Assistant County Manager, delivered the invocation.

PLEDGE OF ALLEGIANCE

Israel Rosario, Office of the County Manager, led the assemblage in the Pledge of Allegiance.

VALLEY FORWARD'S ENVIRONMENTAL EXCELLENCE AWARD

Chairman Stapley explained that Valley Forward was established in 1969 as an advocate for balance between economic development and environmental quality through sponsoring public dialogue on regional issues. Members include large and small businesses and government jurisdictions who share this common vision. Diane Brissard extended congratulations to everyone at Maricopa County on being a recipient in Valley Forward's Environmental Excellence Award program for 2006. She said that a goal of Valley Forward is to improve the environment and the sustainability and livability of Valley communities. She expressed satisfaction that Maricopa County, one of the fastest growing counties in America, is continuing its grow in harmony with the environment. The County received two awards, an Award of Merit and also the first-place Crescordia Award. Crescordia is a Greek term meaning "to grow in harmony." The Merit Award was presented for the energy efficient solar system in operation at the Desert Outdoor Center that had also won Valley Forward's President's Award several years ago. The Crescordia was awarded to the County's B-20 Biodiesel Alternative Fuel program, a clean burning alternative fuel now being used in selected County test vehicles. She stated that this is the wave of the future and said, "We commend Maricopa County for being a leader, setting an example, and raising the bar in this area."

Lori Singleton represented Salt River Project in their fifth year as a partner in presenting these awards. She congratulated the County on its leadership and in being selected as a recipient. She remarked that SRP has a long history of environmental stewardship to the County, having provided water and power to the Valley for more than 100 years.

The Chairman expressed his thanks on behalf of the Board and the County as a whole. Supervisor Brock remarked that he had attended the award ceremony to receive the County's awards several months ago and thanked Ms. Brissard and Ms. Singleton for a very enjoyable evening at an award's function he said was very well done and a pleasure to attend. (ADM650)

CLEAN-UP PROJECT AT THE GILA RIVER INDIAN COMMUNITY

Item: Clean-Up Project at the Gila River Indian Community and Recognition of Maricopa County Employee Participation. (ADM650)

Supervisor Brock showed a video of the citizen-volunteers who worked on a clean-up project on Gila River Indian Community land November 4, 2006. He said that 26 tons of debris and 9.5 tons of old tires

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were cleared off of the section of land west of Price Road, North of Queen Creek Road and north of the Memorial Air Park. He recognized many individuals and groups who participated and thanked them for taking part in a project that brings different people in the community together in a mutual effort to benefit all.

BOARDS AND COMMISSIONS RECOGNITION

Al Macias, Public Information Officer, called members of the following Boards and Commissions to come forward to meet with the Supervisors and receive a plaque of commemoration for their contribution of time and knowledge to Maricopa County and its citizens. The Chairman and all Supervisors left the dais to greet the members and congratulate them for their willingness to serve their community in such important ways. (ADM662):

Board of Health

Supervisor Andy Kunasek	Don Cassano	Susan Attiah
Brian F. Spicker	Susanne Cook	Dr. Zuhdi Jasser
Brian McNeil	Pam Wight	Dr. Bob England
Jim Vandeventer	James Giangobbe	
Audrey Adamic	Maclovia Zepeda	

Ryan White Title I Planning Council

Supervisor Mary Rose Wilcox	Barr Jenkins	William Portwood	Debby Elliott
Terri Leija	Damon Gunn	Carol Williams	Deborah Frusciano
Cheri Tomlinson	John Zielinski	Claire Sinay	Eric Moore
Karen Stuart	Larry Stähli	Colin Sheffield	Helen Lansche
Kimberly Bickes	Marc Allen	Mark Kezios	Jacque Miller
Laura Kroger	MiAsia Pasha	Tara Geotas	Keith Thompson
Philip Seeger	Randall Furrow	John Sapero	Maclovia Zepeda
Randy Gearhart	Ron Hill	Michael Bryson	Michelle Barker
Rosie Casillas-Nunez	Stephen O'Dell	Charlton Wilson	

PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, Chairman Stapley called for a public hearing on the following liquor license applications. This hearing will determine the recommendation the Board of Supervisors will make to the State Liquor Board to grant or deny the license.

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek and seconded by Supervisor Wilson, to recommend approval of the following liquor license application contingent upon receipt of applicant's Certificate of Occupancy to the Planning Department.

- a. Application filed by Deborah M. Occhiato for an Original Series 12 Liquor License: (LL6204)

Business Name: Dominic's Bistro Italiano
Location: 10001 W. Bell Road, #153, Sun City, 85351

The Planning Department recommends that this item be contingent upon applicant's receipt of their certificate of occupancy.

- b. Application filed by Santiago P. Gonzalez for an Original Series 4 Liquor License: (LL6209)

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Business Name: San Bartolo Farms **WITHDRAWN**
Location: 9801 N. Litchfield Road, El Mirage, 85335

This item was withdrawn at the request of the applicant.

Motion carried by majority vote (3-1-1) with Supervisors Stapley, Kunasek and Wilson voting "aye" and Supervisor Brock voting "nay." Supervisor Wilcox was absent this meeting.

AMENDMENT TO LEASE FOR OFFICE SPACE

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve and execute the second amendment to Lease No. L7258 with Gateway Montrose Inc., as successor in interest to Plumcor Realty Investors One, LLC, lessor, for 9,222 square feet of office space located at 8140 S. Hardy, Tempe, AZ 85284. The lease amendment will identify the successors in interest, extend the term of the agreement, clarify certain heating, venting and air conditioning responsibilities of lessee and lessor, and to adjust the annual rent schedule. This amendment will extend the term of the existing lease two years from May 1, 2007 to April 30, 2009, with an option to renew for one additional year with a 90-day written notice. The annual rental rate for the first year is at \$14.22 per square foot or an annual rate of \$131,136.84 plus rental tax, the second year is at \$14.64 per square foot or an annual rate of \$135,010.08 plus rental tax. The lease contains a 120-day termination provision and a six-month holdover provision. All other terms and conditions of the original agreement and as modified by subsequent lease amendment number one remain the same and in full force and effect. (C1297006401) (C1207003400)

TRANSFER EXPENDITURE AUTHORITY FOR DOCUMENT IMAGING PROJECT

Pursuant to A.R.S. §42-17106(b), motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the transfer of expenditure authority in the amount of \$328,525 from FY 2006-07 Appropriated Fund Balance (480) General Fund (100) Technology Reserve (4811) to a new line item in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) entitled "Imaging – Clerk of the Board."

Pursuant to A.R.S. §42-17106(b), this vote also approves the transfer of expenditure authority between General Government (470), General Fund (100) and the Clerk of the Board of Supervisors (060), General Fund (100). This action will require an expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470), General Fund (100) General Contingency (4711) line item "Technology Reserve" by \$75,920 and increasing the FY 2006-07 Clerk of the Board of Supervisors (060) General Fund (100) by \$75,920.

Also authorizes an increase to the Clerk of the Board (060), General Fund (100) base budget for FY 2007-08 in the amount of \$31,767.

These funds will be used to hire one additional FTE, purchase a scanner, maintenance contract for scanner, software maintenance, backfile scanning expenses and licenses. Approval of these actions allows funding for the Clerk of the Board document imaging project. The countywide net impact of these adjustments is zero. (C0607037M00) (ADM700-002)

LEARNING EXPERIENCE

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Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve an affiliation agreement between Long Technical College and the Maricopa County Attorney's Office (MCAO) wherein students work as externs for MCAO assisting with paralegal work to benefit them in the educational program of Paralegal Studies at Long Technical College. This agreement is not financial in nature. However, Maricopa County will benefit from the work accomplished by the student volunteers. (C1907022000)

RECEIPT OF GRANT FUNDS FOR VOTING EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve an amendment to agenda item C2106011000 which requests receipt of grant funding pertaining to the approved Memorandum of Understanding and Addendum Number One, between the Board of Supervisors, the State of Arizona, and the Secretary of State (agenda number C2106001M00), which outlines how the Board of Supervisors and the County Recorder will be responsible for the county's compliance with the agreement and reporting requirements in return for Help America Vote Act (HAVA) funds for its purchase of qualifying voting systems, equipment, external labor or other HAVA qualifying items. The amount of this grant is \$7,225,278.39 and is in effect through the Federal FY 2006-07, which is from September 1, 2006 through October 31, 2007. The department's indirect cost rate is 26.37%. The non-recoverable indirect cost of administering these additional funds is \$1,905,305.91. Authorize revenue and expenditure appropriations be created for the County Elections Department grant fund. 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 request does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2106011001)

POLICE DISPATCH AND PUBLIC SAFETY COMMUNICATIONS SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the agreement for police dispatch and other public safety communications services between the Town of Youngtown and Maricopa County through the Sheriff's Office. The term of this agreement is November 1, 2006 through June 30, 2012, and allows for the immediate securing of stop-gap emergency dispatch service for the Town of Youngtown that was recently discontinued by their previous provider. The annualized amount for basic service is \$40,118.00 for the first fiscal year, with \$22,180.20 being payable on a prorated basis for the first eight months of service. The agreement also provides a two-year reimbursement period by the Town to cover the cost to the Sheriff's Office of \$124,395.20 for SmartZone® access equipment, programming and installation.

Pursuant to A.R.S. §42.17105, this also approves an increase to the Sheriff's Office FY 2006-07 General Fund (100) revenue appropriation of \$70,861.00 (\$40,118.00 annualized) and expenditure appropriation of \$151,140.00 (\$40,118.00 annualized). Amounts received for goods or services provided pursuant to a contract with another political subdivision that are subject to that political subdivision's expenditure limit are not "local revenues" for purposes of the county/county department's expenditure limitation. Therefore, the county/county department's expenditure of these revenues is not prohibited by the budget law. (C5007034200)

PURCHASE OF TASERS FOR DEPUTIES AND DETENTION OFFICERS

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to authorize the Chairman to execute all capital lease documents required to finance the Sheriff's Office deputy and detention officer taser units in an amount not-to-exceed \$1,800,000 (principal). The

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Department of Finance will facilitate the three-year reimbursement capital lease. The Sheriff's Office will be expending funds for the capital equipment (taser units) and is requesting reimbursement of their expenditures from the proceeds of the capital lease. Estimated total capital lease payments, with an approximate 4.25% interest rate for the maximum amount financed, will not exceed \$1,920,369.09 (principal and interest) over 36 months. The funds are budgeted. (C5007037800) (ADM1831-003)

WAIVER TO THE MARICOPA COUNTY EMPLOYEE LEAVE PLAN

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve a Waiver to the Maricopa County Employee Leave Plan V & VI, for Sergeant Glen Powe, S1259, who was seriously injured as a result of an "Act of Violence" through no fault or negligence of his own, while on duty October 5, 2006. Authorize payment of normal base salary and benefits to the employee for the duration of up to one year or return to full duty, whichever is earlier, effective October 5, 2006. (C5007039M00) (ADM3320-001)

EXCEPTION TO TECHNOLOGY FINANCE PROGRAM

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to use grant funds to proceed with the one-time purchase of three laptop computers that will be used in the pre-booking process. These laptop computers will be tracked separately with no automatic replacement from the general fund at the end of their useful life. (ADM3900-002) (ADM1831) (C5007532301)

PURCHASE OF LAPTOPS AND TRANSITIONAL INSTRUCTIONAL MATERIALS

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve acceptance of \$15,000.00 in continued grant funding from the Arizona Department of Education, 2007 IDEA Secure Care Grant. This funding will be to purchase six laptops and transitional instructional materials designated for student use. The term of this award is October 1, 2006 through September 30, 2007. The Sheriff's Office indirect cost rate for FY 2006-07 is 17.8% (\$1,047.75). Unrecoverable indirect costs are estimated to be \$753.44. The recoverable indirect cost is \$294.31; there is a cap of 5% on operating costs. 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 law.

Also approves an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to proceed with the one-time purchase of six laptops. This authorization is required to complete the one-time purchase of these laptop computers within the grant period. These laptop computers will be tracked separately from the Sheriff's Office computers that are included in the TFP with no automatic replacement from the general fund at the end of their useful lives. (ADM1831) (C5007536300)

CRIMINAL JUSTICE RECORDS IMPROVEMENT PROGRAM

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the agreement and acceptance of \$40,987.00 in grant funding from the Arizona Criminal Justice Commission (ACJC), Gerald Hardt Memorial Criminal Justice Records Improvement Program Grant. There is a 25% match requirement (\$10,247) that Maricopa County Sheriff's Office will provide. The term of this agreement is September 1, 2006 through March 31, 2007. The Sheriff's indirect cost rate for FY 2006-07 is 17.8% and the unrecoverable indirect costs are estimated to be \$7,295.69. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore,

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expenditure of these revenues is not prohibited by the law. Approval to accept these grant funds enables the Sheriff's Office to support and enhance activities intended to improve criminal justice and criminal history records. These funds will be used toward implementing upgrades to interface with the Pre-Booking, Jail Management System, arresting agency record management systems and the AFIS (automated fingerprint information system) to add needed functionality to the system. (C5007538300)

PURCHASE AND ADDITION OF VEHICLE TO FLEET

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the purchase and addition to the Maricopa County Fleet of one mid-size sedan at an estimated cost of \$20,000, plus annual estimated operating and maintenance costs of \$7,000. This vehicle will be purchased with Detention Operations Fund (255) within the current FY 2006-07 expenditure appropriations. Future replacement of the vehicle will be made from the Detention Operations Fund. (C2707006M00) (ADM3104)

VEHICLE EXEMPTION

Pursuant to A.R.S. §38-538.03, motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the exemption from markings and the use of non-governmental license plates for four Chevrolet Impala vehicles purchased under agenda number (C2706010M00), approved August 15, 2006. Two of these vehicles will be used for Drug Court Surveillance and Probation Officers to perform home visits, and to transport juveniles who do not have transportation to mandatory group activities. The other two vehicles will be used for the Special Supervision Unit to enable the Probation staff to effectively monitor and supervise juvenile sex offenders, resulting in increased accountability, decreased recidivism and increased public safety. (On file in the Clerk of the Board's Office.) (C2707008M00) (ADM3104V)

APPOINTMENTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the following appointments:

- a. Appointment of law-trained Municipal Court Judges Francisca Cota, Karl Eppich, Lynda Howell, Karyn Klausner, Richard Lynch, Mary Ann Majestic, and Lori Metcalf, as Judges Pro Tempore in the Maricopa County Superior Court in hearing administrative appeals for a term beginning January 1, 2007 through December 31, 2007, to enhance the ability to process cases in lower court appeals. (C3807007700) (ADM1001)
- b. Appointment of Attorneys as Superior Court Judges Pro Tempore, in accordance with A.R.S. §12-141. This serves the interests of judicial economy and promotes sound caseflow management. The Attorneys would serve as Judges Pro Tempore without any compensation. The appointment will be for the period commencing January 1, 2007 through December 31, 2007. The list of Attorneys is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (C3807008700) (ADM1001)
- c. Appointment of Court Commissioners as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace for the period from January 1, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. The list of Court Commissioners is on file in the Clerk of the Board's

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office and retained in accordance with ASLAPR approved retention schedule.
(C3807009700) (ADM1001)

PASS-THROUGH GAMING FUNDS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to authorize the County Manager's Office via an intergovernmental agreement (IGA) between Maricopa County and the Salt River Pima Maricopa Indian Community, to award and pass-through Gaming Funds in the amount of \$547,700 in FY 2006-07; and authorize the Chairman of the Maricopa County Board of Supervisors to sign the IGA; approve the grant funds; and authorize the County Manager's Office to award and pass-through the funds as follows; award \$97,700 in FY 2006-07 to Maricopa County Human Services Department; pass-through \$450,000 in FY 2006-07 to the Maricopa Community Colleges Foundation. This action amends agenda item C2007007300 to reflect the amount received for Human Services as \$97,700 instead of \$191,200.

Upon receipt of \$450,000 in pass-through funds this action will require an appropriation adjustment to General Government Grant Fund (249), increasing the FY 2006-07 revenue and expenditure budgets by \$450,000, and the creation of an appropriate new line item in General Government (470) General Government Grant Fund (249) Pass Through Grants (4712). Maricopa County will act as the pass-through agency for the Maricopa Community Colleges Foundation and will pass-through \$450,000 in FY 2006-07. The grant funding will be distributed in one installment of \$450,000 to Maricopa County during the grant period of November 1, 2006 to December 31, 2006.

Pursuant to A.R.S. §42-17105, approval of this action requires an appropriation adjustment increasing the revenue and expenditure budget of Human Services (220) Grant Fund (222) by \$97,700. Approval of this action will allow the Special Needs Transportation Activity to continue to provide transportation assistance to the elderly, disabled, and low-income population, as well as home delivered meals to homebound individuals throughout Maricopa County. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board. (C2007026200)

MENTAL HEALTH SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve an intergovernmental agreement (IGA) between Maricopa County and the Arizona Department of Health Services (ADHS) authorizing ADHS or its contracted Regional Behavioral Health Authority (RBHA) to provide mental health services to remanded juveniles (of a screening agency, an evaluation agency and mental health treatment agency) when evaluation is ordered by the Maricopa County Superior Court pursuant to A.R.S. Title 36, Chapter 5, Article 4 and treatment is ordered by the Superior Court pursuant to A.R.S. Title 36, Chapter 5, Article 5. The IGA authorizes ADHS or its RBHA to expend up to \$200,000 from the "Non-SMI" payment funds that the county already provides to ADHS pursuant to the IGA executed in connection with Arnold vs. Sarn for behavioral health services for FY 2006-07. (C3907006100)

PERSONNEL AGENDAS

The Clerk announced that there is an addendum to the personnel agenda. Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve Maricopa

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County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas including the addendum. Exhibits A and B and the addendum will be found at the end of this set of minutes.

ADMINISTRATIVE CORRECTION AND TRANSFER OF FUNDS

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve an administrative correction to agenda item (C4906010800) originally approved on October 19, 2005, and authorize the Office of Management and Budget to transfer \$10,000 from Appropriated Fund Balance (480), Contingencies (4811) General Contingency to Appropriated Fund Balance (480), Infrastructure/CIP (4813), creating a new line item Corporate Sponsorships. This funding will be used for payment of the final invoice of the independent assessment of county marketing and corporation sponsorship opportunities between Maricopa County and private entities that was not paid in FY 2005-06. (C4907016800) (ADM1825-003)

RESCIND BOARD ACTIONS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to rescind the following Board actions.

- a. Action on August 10, 2005, on agenda item C8606006200, a non-financial agreement with Saddle Mountain Unified High School District and the Department of Public Health. The corrected agreement was approved by the Board of Supervisors on August 16, 2006 under C8606861MZZ. (C86060062YY)
- b. Action on November 16, 2005, on agenda item C8606009200 approving an affiliation agreement for resident and student learning experience with Maricopa County Special Health District d.b.a. Maricopa Integrated Health System (MIHS) and the Department of Public Health. The affiliation agreement was never executed by MIHS. If a new agreement is developed, a new agenda item will be put forth to the Board of Supervisors. (C86060092YY)

AMENDMENT TO IGA WITH ARIZONA BOARD OF REGENTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve Amendment No. 1 to the intergovernmental agreement (IGA) between Maricopa County Department of Public Health and the Arizona Board of Regents, d.b.a. Arizona State University. Amendment No. 1 extends the term from August 30, 2006 to November 30, 2006. There are no additional funds included with this amendment. The original agreement (C8606068200) was approved by the Board of Supervisors on June 7, 2006. (C8606068202)

REPRODUCTIVE HEALTH

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the use of General Fund monies for Department of Public Health's Family Planning Services for \$249,536 (\$499,072 annualized). This service funded by General Funds will begin January 1, 2007 and continue until June 30, 2008.

- o Services include pregnancy testing, screening for sexually transmitted disease, client education and counseling and general physical examinations and family planning services.
- o Abortion services are not provided.

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- o Individuals seeking services under the age of 18 (unemancipated minors) will require parental consent.

Pursuant to A.R.S. §42-17106B, also approves authorization to transfer expenditure authority of \$249,536 (\$499,072 annualized) from General Government (470) General Fund (100) Unreserved General Contingency (4711) to Public Health (860) General Fund (100) to fund the above mentioned family planning services. Approval of this action will require an appropriation adjustment increasing the Public Health (860) General Fund (100) budget by \$249,536 and decreasing the General Government (470) General Fund (100) by \$249,536. (C8607026M00) (ADM2150)

SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the following services:

- a. Amendment No. 1 to intergovernmental agreement C86074512 with the Cartwright School District, to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. The amendment will increase the amount of the agreement by \$2,000 from \$30,000 to not-to-exceed \$32,000. The term of the agreement is retroactive from July 1, 2006 through May 1, 2007. (C8607451202)
- b. An intergovernmental agreement with the Fowler School District, #45, to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. The term of the agreement is retroactive from July 1, 2006 through May 1, 2007, for a contract dollar amount not-to-exceed \$8,000. (C8607462200)

AMENDMENT TO CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Amendment No. 3 to the contract with Catholic Charities Community Services (formerly known as Catholic Social Services) to increase funding by \$6,180 (from \$27,000 to \$33,180) for the operation of emergency shelter services and social services for homeless families and victims of domestic violence. The funds are provided to Maricopa County on a formula-based allocation by the U.S. Department of Housing and Urban Development (HUD) under HUD's Emergency Shelter Grant (ESG) program. Catholic Charities Community Services will utilize the additional funds to help support their operating expenses in compliance with the requirements of the ESG program. The contract does not include any county general funds. The period of performance for this amendment is July 1, 2006 to June 30, 2007. (C2205083103)

CLASSROOM FACILITIES AND PLAYGROUNDS

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Amendment No 1 to the intergovernmental agreement (IGA) between the Arizona Board of Regents, for and on behalf of Arizona State University East (ASU East), and Maricopa County, on behalf of Maricopa County Human Services Department. This agreement is to provide Head Start and Early Head Start programs with classroom facilities and playgrounds. Effective July 1, 2006, the new monthly use fee is \$2,000 per month (an increase from \$1,596.25 per month previously paid) and is to be reviewed annually. The term of this agreement remains unchanged and is from July 1, 2004 through June 30, 2009. This agreement does not include any county general funds. (C2205098001)

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HEAD START AND EARLY HEAD START SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve Amendment No. 1 to the contract between Catholic Charities Community Services, Inc., an approved Delegate Agency, and Maricopa County's Human Services Department, to increase the funding for the contract by \$3,549 (from \$7,016,647 to \$7,020,196) for the provision of Head Start and Early Head Start services in the western part of the county. The target population includes low-income children ages 0-5 years and their families. Funding for this contract is provided by the U.S. Department of Health and Human Services. This amendment does not affect the term of the contract which remains from July 1, 2006 through June 30, 2007. This contract does not include any county general funds. (C2207067001)

MARICOPA COUNTY EVENTS CENTER IMPROVEMENTS

Item: Approve the Donation Agreement between Maricopa County and the Sundome Performing Arts Association (SPAA), for the donation of approximately \$1,739,011 to be used as matching capital funds for identified improvements at the Maricopa County Events Center. These funds will be budgeted in future fiscal years for use at the Maricopa County Event Center. (C6207001100) (ADM3450)

Supervisor Wilson introduced Mr. and Mrs. Tom Taggart from SPAA and said that Mr. Taggart had been diligently working on renovating the event center for years and had collected donations from interested residents over the years totaling \$1,739,011 to renovate the Sundome. Supervisor Wilson said the facility is now 'back in business' providing excellent entertainment for Valley residents.

Chairman Stapley said he hoped everyone would understand what a phenomenal donation this is. He added that he believed many positive things would come from these donated dollars and thanked Mr. and Mrs. Taggart, who were present in the audience.

Supervisor Kunasek recognized the effort put into this acquisition by Supervisor Wilson, acknowledging that he had faced an uphill battle all the way. He added that just to see that underutilized asset become useful and appreciated once again was beneficial to all residents whether or not they could attend every performance.

Supervisor Wilson responded that he had known the Board would support this project once they could see his vision of what could be done with the facility. He acknowledged that he hadn't done it alone and thanked SPAA and ASU for their help and cooperation.

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve acceptance of the donation, as reported above.

REGIONAL TRAIL DESIGN AND CONSTRUCTION

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to Approve and execute the Construction Manager At Risk construction services contract with Northwest Woodland Services, Inc. for the pre-construction management services during the design phase and to serve as general contractor during the construction phase of Regional Trail design and construction in the amount of \$195,000. The funds to pay for the contracted amount will be from Maricopa Regional Trail project in the General Government Capital Improvement Fund (Fund 445, Function MRTS). (C3007014500)

SYSTEM MASTER PLAN PROJECT

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Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve and execute the consultant services contract with PROS Consulting, LLC for the professional services to be performed in connection with the System Master Plan in the amount of \$404,666. The funds to pay for the contracted amount will be from the System Master Plan project in the General Government Capital Improvement Fund (Fund 445, function PSMP). (C3007015100)

KENNEL PERMIT

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the following kennel permits for the term of November 1, 2006 through October 31, 2007. The cost of each kennel permit is \$328:

- a. Jessie Disney Diaz, d.b.a. Diaz Kennels 876 W. Harvard Avenue, Gilbert, AZ 85233, Permit #433. (C7907015C00) (ADM2304)
- b. Donna Sobol, d.b.a. Sobol Kennels, 4606 W. Port Au Prince Lane, Phoenix, AZ 85306, Permit #432. (C7907016C00) (ADM2304)
- c. Howard Marshall, d.b.a. Marshall Kennels, 6102 W. Dobbins, Laveen, AZ 85339, Permit #431. The cost of the kennel permit, plus a return trip charge of \$49.00; totaling \$377.00. (C7907017000) (ADM2304)
- d. Connie Hendricks, d.b.a. Hendricks Kennels, 4434 W. Tierra Buena Lane, Glendale, AZ 85306, Permit #434. (C7907018C00) (ADM2304)

KENNEL PERMIT RENEWAL

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the kennel permit renewal for Philip Benway, d.b.a. Benway Kennels, 7327 N. 181st Avenue, Waddell, AZ 85355, Permit #411, for the term of November 1, 2006 through October 31, 2007. The cost of the kennel permit is \$328. (Supervisorial District 4) (C7907014C00) (ADM2304)

DONATIONS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the following donations:

- a. Accept a restricted donation from Best Western International, Inc. Employee Activity Committee to Maricopa County Animal Care & Control in the amount of \$1,000 for the care and well being of the animals at the West Valley Animal Care Center. Donation revenue funds are deposited into Dept (790) Fund (573) as they are received. (C7907019700) (ADM2300)
- b. Accept a donation from PetSmart Corp. of 18,000 pounds of dog and cat food to Maricopa County Animal Care & Control valued at \$1,800 for the care and well being of the animals. Donation revenue funds are deposited into Dept. (790) Fund (573) as they are received. (C7907023700) (ADM2300)

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Supervisor Brock wanted to acknowledge the Board's appreciation for these donations totaling \$2,800 and he added that PetCo Foundation will donate \$100,000 over a period of time to Animal Care and Control, as related in the following item.

MOU WITH PETCO FOUNDATION AND DONATION

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the Memorandum of Understanding (MOU) between PETCO Foundation and Maricopa County and approve a restricted donation from the PETCO Foundation to Maricopa County Animal Care and Control in the amount of \$100,000 payable over a three-year term:

- o First installment of \$34,000 payable in FY 2006-07
- o Second payment of \$33,000 in FY 2007-08
- o Third and final payment of \$33,000 to be paid in FY 2008-09

This donation is restricted to the renovation of the Cat Adoption Center in exchange for a plaque placed in a conspicuous place in the Cat Adoption Center recognizing their donation. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore, expenditures of these revenues are not prohibited by the budget law. The approval of this action request does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (ADM2300) (C7907022700)

FUND TRANSFERS; WARRANTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

DELETE PARCEL FROM EXCESS PROPERTY INVENTORY AND AMEND FIVE YEAR CIP

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to amend previous Board action C1804042B00 to delete the referenced Parcel number 2, from the excess property inventory. The property known as the former Scottsdale Justice Court (Butherus) located at 8230 East Butherus Drive in Scottsdale consists of approximately 1.84 acres and will be retained for county purposes. (ADM812)

Pursuant to A.R.S. §42-17106(B), authorize the following amendments to the FY 2006-07 budget in the Five-Year Capital Improvement Plan:

- o Approves a fund transfer in the amount of \$1,900,000 from Appropriated Fund Balance Reserved Contingency Items "Property Acquisition" line (Fund 100, Dept. 480, Org 4811) to an existing line item in Appropriated Fund Balance Other Programs (Fund 100, Dept. 480, Org 4812) "Transfer to CIP funds"; then transfer these funds to Appropriated Fund Balance General Fund Improvement Fund (Fund 445, Dept. 480, Org 4813) Southwest Justice Center (Function Class SWJC). Approve offsetting revenue and expenditure adjustments to Eliminations (Fund 900, Dept. 980).

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- Increase the revenue and expenditure budgets of the Southwest Justice Center project in Year 1 (FY 2006-07) in the General Fund Capital Improvement Fund (445) by \$1,900,000.
- Transfer expenditure authority from Appropriated Fund Balance Intergovernmental Capital Projects Fund (Dept. 480, Fund 422) to General Government Grant Fund (Dept. 470, Fund 249, Org 4711 Expenditure Authority Reserve, line item Potential Increases). This will require an appropriation adjustment decreasing the expenditure budget of the Southwest Justice Center project in Year 1 (FY 2006-07) in the Appropriated Fund Balance (Dept 480) Intergovernmental Capital Projects Fund (422) by \$1,900,000 and an appropriation adjustment increasing the expenditure budget of General Government Grant Fund (Dept. 470, Fund 249, Org 4711 Expenditure Authority Reserve, line item Potential Increases).

Pursuant to A.R.S. §42-17106(B), also approves the following changes to the FY 2006-07 General Government (470), General Fund (100), Major Maintenance (4732) expenditure budget, Year 1:

- Create a new project, Scottsdale Adult Probation Office Tenant Improvements, Function Class SAPO, in the amount of not-to-exceed \$2,200,000.
- Decrease Major Maintenance Project Reserve, Function Class MMPR, by not-to-exceed \$2,200,000 The adjustments have a net zero impact on the overall county budget. (C1804042B01) (ADM800-003)

AMENDMENT TO LEASE AGREEMENT FOR OFFICE SPACE

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve Amendment No. 1 to Lease Agreement No. MC10156 with MariSol Federal Credit Union, lessee, for 2,400 square feet of office space located at 3220 W. Gibson Lane, Suite 200, Phoenix, AZ. This amendment will document the corrected property address as 3220 W. Gibson Lane, Suite 200, Phoenix, AZ, and document the commencement date of the agreement as October 1, 2006, the rent commencement date as October 17, 2006, and the termination date of the agreement as September 30, 2016. All other terms and conditions of the agreement remain the same and in full force and effect. (C1806037101)

STATE OF ARIZONA SUPPLEMENTAL DEFINED CONTRIBUTION PLAN - CONTINUED

Pursuant to A.R.S. §38-951 et. seq. authorize Maricopa County to participate in the State of Arizona Supplemental Defined Contribution Plan ("Supplemental Plan") as qualified under Section 401 (a) of the Internal Revenue Code. Approve and execute the Participation Agreement and Joinder Agreement to participate in the Supplemental Plan. Eligible employees shall be employed within an employment classification designated by the Board of Supervisors. The initial employment classifications shall be Elected Officials employed by the county and employees who and shall have an approved Executive Compensation Package on file. (ADM3323) (C1807010000)

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to continue this item to the December 6, 2006 agenda.

SOLICITATION SERIALS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the following solicitation serial items. The action on the following items is subject to Civil

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Division's review and approval of the respective contracts and subsequent execution of contracts.
(ADM3005)

Awards

- 06095-S Workers Compensation Claims Third Party Administrator – Risk Management** (\$1,700,000 estimate/three years with three one-year renewal options) Price agreement to provide workers compensation claims third party administrator services as requested by Risk Management.
- o Pinnacle Risk Management
- 06098-S Microfilming Services** (\$900,000 estimate/three years with three one-year renewal options) Price agreement to provide microfilming services for the County Recorder's Office, MCDOT and other County departments on an "as needed" basis.
- o AmCad

Renewals/Extensions:

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

Until February 28, 2007

- 01127-SC Printing, Commercial** (\$600,000 estimate/three months) Price agreement extension for commercial printing services to be used by the Maricopa County Graphics Department.
- o Arizona Correctional Industries
 - o Buse Printing & Advertising
 - o Complete Print Shop
 - o Courier Graphics Corp.
 - o Essential Direct
 - o Harris Printers
 - o Printworks

An increase in the price agreement amount for the following contract(s). This request is due to an increased usage by County departments.

- 05181-C Qualifying Bid, Sedans, Full Size Dodge Charger Police Vehicle** (\$1,000,000 increase) Increase price agreement value from \$500,000 to \$1,500,000. This \$1,000,000 increase is requested by Equipment Services to purchase additional police vehicles through 2008. This agreement was initially approved by the Board of Supervisors on December 21, 2005 and has an expiration date of December 31, 2008.
- o Ed Moses Dodge

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

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individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

Air Quality

Robert Dyer
Gary Ensminger
Daniel Fields

Parks and Recreation

Theresa Muro
Anne Nelson

Contract Counsel

Arnulfo Cruz

Planning and Development

Janet Montoya

Library District

Jeremy Reeder

Star Call Center

Anita Lopez

REVISED SUBSTANCE ABUSE POLICY

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to adopt the Revised Substance Abuse Policy for employees subject to Federal Highway Administration and Federal Transit Administration Regulations. The Federal Highway Administration and Federal Transit Administration has mandated random, pre-employment, post accident and for cause drug testing of all employees that hold a position requiring a commercial driver's license or hold safety sensitive positions. Pursuant to these federal requirements, the Board of Supervisors adopted a substance abuse policy for all County Commercial Driver's License (CDL) and safety sensitive personnel (CDL Substance Abuse Policy). The CDL Substance Abuse Policy went into effect on January 1, 1995. The revised CDL Substance Abuse Policy amends and restates the 1995 policy to comply with changes in federal regulations. All testing will be conducted according to federally-defined standards, and will be subject to verification procedures to ensure accuracy. Maricopa County will provide training and education to its affected employees to help them understand their responsibilities under the CDL Substance Abuse Policy. All affected employees will receive a copy of the revised policy. (This policy is on file in the Clerk of the Board's Office) (C7507012600) (ADM 3338)

SETTLEMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve settlement in CV2006-052133, in the amount of \$16,166.66 from insurance carrier for third party owner of vehicle at fault for accident involving Maricopa County Sheriff's Office employee, Michael Moore, and approves waiver of the remaining Worker's Compensation lien, totaling approximately \$46,668.95. This item was heard in the Board of Supervisors' Executive Session of October 30, 2006. (C7507013100) (ADM409)

AIR MONITORING VAN

Pursuant to A.R.S. §42-17106(B), calling this acquisition an important step forward in keeping Valley air clean, motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the transfer of expenditure authority between the General Government Grants Fund (Department 470, Fund 249) and the Air Quality Department Fund (Department 850, Fund 504). This action will require an expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) General Government Grant Fund (249) by \$500,000 and increasing the FY 2006-07 Air Quality (850) Air Quality Fee Fund (504) by \$500,000. (ADM2375)

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Also approves the addition to the Maricopa County fleet of one Air Quality vehicle. These adjustments will result in a net financial impact of zero and will allow the Air Quality Department to pay for a one-time state-of-the-art air monitoring van/vehicle. This action will authorize the use of the Air Quality Fund Balance to pay for these one-time expenditures. (C8507007000) (ADM3104)

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

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) 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. (The list is on file in the Clerk of the Board's office.) (ADM2007)

DD-10660 Project No.: TT011 - Broadway Road - Quit-Claim Deed - Parcel No.: 502-47-029E
(GL) - Samuel O. Webster and Fay E. Jolley-Webster - for the sum of \$10.00.

MI-4N1W-27.004 Project No.: TE212 - RH Johnson Boulevard at Meeker Boulevard - Warranty Deed
(JPM) - Parcel No.: 503-65-001T - Lord of Life Lutheran Church, non profit Arizona
corporation - for the sum of \$5,700.00.

MI-4N1W-27.004 Project No.: TE212 - RH Johnson Boulevard at Meeker Boulevard - Purchase
(JPM) Agreement and Escrow Instructions - Parcel No.: 503-65-001T - Lord of Life
Lutheran Church, non profit Arizona corporation.

X-1302A-1 Project No.: TT087 - Queen Creek Road (Arizona Avenue to McQueen Road) -
(JPM) Temporary Construction Easement and Agreement for Highway Purposes - Parcel
No.: 303-33-017F - Able Industrial Properties, LLC, an Arizona limited liability
company - for the sum of \$720.00.

CHANGE ORDER TO CONTRACT WITH LOGAN SIMPSON DESIGN, INC

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve Change Order No. 1 to Contract No. 2000-037 with Logan Simpson Design, Inc., which will extend the contract performance period through December 31, 2006; the contract amount will not be increased. (C6400151501)

CHANDLER HEIGHTS ROAD BRIDGE AT SONOQUI WASH

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the extension of the design and construction contract with Salt River Project (SRP) to June 30, 2007; and authorize expending the balance of the contract in the amount of \$51,100.81 from CIP Project TT114 in FY 2006-07. The cost may not exceed the current estimate of \$58,100.00 by more than 10%. The project, TT114, Chandler Heights Road Bridge at Sonoqui Wash, is scheduled to go to bid March 2007. The extension will allow SRP to complete all relocation work in accordance with the original design/construction contract. (Supervisorial District 1) (C6406045101)

ANNEXATION BY THE CITY OF SURPRISE

Item Summary: Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the annexation by the City of Surprise of County right-of-way

within Bell Road (115th Ave to 1,850 East), in accordance with Ordinance No. 06-16 (with the Clerk's correction). (C6407065000) (ADM4215-002)

A portion of the southwest quarter of Section 31, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows: BEGINNING at a point on the west line of said Section 31 from which the southwest corner of said Section 31 lies South 0°11'56" East 208.94 feet, said point being on the Right of Way line 55.00 feet south of the strip of land described in the EASEMENT for HIGHWAY PURPOSES as recorded in Docket 4751 Pages 267 & 268 records of said County; Thence along said west line North 00°11'56" West 55.00 feet to the beginning of the description for the centerline of said strip of land and the southwest corner of the real property described in Annexation Ordinance 95-14 as recorded in Instrument 95-0648597 records of said County; Thence along said centerline and south line of said real property North 89°53'34" East 1060.79 feet to the beginning of a curve concave southerly having a radius of 2864.79 feet; Thence southeasterly along said curve through a central angle of 8°03'05" a distance of 402.57 feet to the southeast corner of said real property; Thence departing said centerline along the east line of said real property North 00°17'17" West 70.71 feet to a point on the north line of the real property as described in said EASEMENT for HIGHWAY PURPOSES, said point being the southwest corner of the Annexation Ordinance 97-05 as recorded in Instrument 970358147, records of said County, and being on a non-tangent curve concave southerly, the center of which lies South 07°44'47" West 2934.79 feet; Thence departing said east line southeasterly along said curve and south line of last said real property through a central angle of 8°08'48" a distance of 417.28 feet; Thence continuing along said south line South 74°06'26" East 21.83 feet to the southeast corner of said real property; Thence departing said south line South 15°53'34" West 140.00 feet to a point on the southerly Right of Way line of the aforementioned strip of land described in the EASEMENT for HIGHWAY PURPOSES as recorded in Docket 4751 Pages 267 & 268; Thence along said southerly Right of Way North 74°06'26" West 21.83 feet to the beginning of a curve concave southwesterly having a radius of 2794.79 feet; Thence continuing along said Right of Way and along said curve northwesterly through a central angle of 16°00'00" a distance of 780.45 feet; Thence continuing along said Right of Way South 89°53'34" West 199.56 feet to the southeast corner of that real property described in the EASEMENT AND AGREEMENT FOR HIGHWAY PURPOSES as recorded in Instrument 89-464004 records of said County; Thence along the south Right of Way line of said real property the following courses: South 89°53'34" West 66.47 feet; thence South 44°53'34" West 42.43 feet; thence South 89°53'34" West 110.00 feet; thence North 45°06'26" West 42.43 feet; thence South 89°53'34" West 246.31 feet; thence North 88°11'53" West 150.08 feet; thence South 89°53'34" West 125.60 feet; thence South 00°06'26" East 10.00 feet; thence South 89°53'34" West 70.00 feet; thence North 00°06'26" West 20.00 feet; thence South 89°53'34" West 32.73 feet to the POINT OF BEGINNING.

ANNEXATION BY THE CITY OF TOLLESON

Item Summary: Motion was made by Supervisor Brock, seconded by Supervisor Wilson and unanimously carried (4-0-1) to approve the annexation by the City of Tolleson of County right-of-way within a portion of Van Buren Street from 99th Avenue to 95th Avenue, in accordance with Ordinance No. 437. (C6407107000) (ADM4217-002)

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The South 33 feet of the West half of the Southwest quarter of Section 4, Township 1 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; EXCEPT the West 83 feet thereof. The North 33 feet of the West half of the Northwest quarter of Section 9, Township 1 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; EXCEPT the West 83 feet thereof. The West 453.45 feet of the North 33 feet of the East half of the Northwest quarter of Section 9, Township 1 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

ANNEXATION BY THE CITY OF PHOENIX

Item Summary: Motion was made by Supervisor Brock, seconded by Supervisor Wilson and unanimously carried (4-0-1) to approve the annexation by the City of Phoenix of County right-of-way within the intersection of Happy Valley Road and 67th Avenue, in accordance with Ordinance No. G-4804. (C6407072000) (ADM4213-002)

That part of Section 1, Township 4 North, Range 1 East, and that part of Sections 6 and 7, Township 4 North, Range 2 East, G&SRB&M, described as follows: BEGINNING at the intersection of the West line of the East 55 feet of said Section 1 and the Westerly prolongation of the North line of the South 65 feet of said Section 6, being a point-in-common of the areas annexed to the City of Phoenix, Arizona, by its Ordinance Nos. G-4237 and G-4295, recorded in Document No. 2000-046736 and in Document No. 2000-702784, records of Maricopa County, Arizona, respectively; thence Easterly along said prolongation and said North line, and along the Phoenix city limit line as established by said Ordinance No. G-4237, to a point in the East line of the West 65 feet of said Section 6, being also a point in the boundary of the area annexed to said City of Phoenix by its Ordinance No. G-1829, recorded in Docket 12992, page 1312, records of said County; thence Southerly along said East line, and along the Phoenix city limit line as established by said Ordinance No. G-1829, to the South line of said Section 6, being identical with the North line of said Section 7; thence continuing Southerly along the East line of the West 65 feet of said Section 7, and along the Phoenix city limit line as established by last said Ordinance, to the South line of the North 65 feet of said Section 7; thence Westerly along last said South line, and the Westerly prolongation thereof, to a point in said West line of the East 55 feet of Section 1, being a point in the boundary of the area annexed to said City of Phoenix by said Ordinance No. G-4295; thence Northerly along said West line, and along the Phoenix city limit line as established by last said Ordinance, to the POINT OF BEGINNING. This right of way is the unincorporated territory encompassed by Happy Valley Road and 67th Avenue. said annexation to be contingent upon fulfillment of the conditions set forth in A.R.S. Section 9-471-N.

ANNEXATION BY THE CITY OF PHOENIX

Item Summary: Motion was made by Supervisor Brock, seconded by Supervisor Wilson and unanimously carried (4-0-1) to approve the annexation by the City of Phoenix of County right-of-way within Elliot Road from 47th Avenue to 45th Avenue, in accordance with Ordinance No. G-4812. (C6407108000) (ADM4213-002)

That part of Section 16, Township 1 South, Range 2 East, G&SRB&M, described as follows:BEGINNING at the intersection of the North line of said Section 16 and the West line of the East 1253.50 feet thereof, being a point in the boundary of the area annexed to

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the City of Phoenix, Arizona, by its Ordinance No. G-4459, recorded in Document No. 2002-938277, records of Maricopa County, Arizona; thence Westerly along said North line, and along the Phoenix city limit line as established by said Ordinance, to a line, designated herein as Line "B" described hereinbelow; thence Southerly along said Line "B" to the South line of the North 33 feet of said Section 16; thence Easterly along said South line to said West line; thence Northerly along said West line to the POINT OF BEGINNING.

LINE "B"

COMMENCING at the North quarter corner of said Section 16; thence North 89° 58' West along the North line of said Section 16 a distance of 396.17 feet; thence South 00° 04' 10" West, a distance of 1406.16 feet; thence South 89° 45' West a distance of 590.90 feet to the East line of the West 330.66 feet of the Northeast quarter of the Northwest quarter of said Section 16; thence North 89° 45' East a distance of 1179.86 feet to the POINT OF BEGINNING of Line "B" described herein; thence North 00° 04' 10" East, along said Line "B", a distance of 1401.35 feet to the North line of said Section 16 and the terminus of Line "B" described herein. said annexation to be contingent upon fulfillment of the conditions set forth in A.R.S. Section 9-471-N.

ANNEXATION BY THE CITY OF PHOENIX

Item Summary: Motion was made by Supervisor Brock, seconded by Supervisor Wilson and unanimously carried (4-0-1) to approve the annexation by the City of Phoenix of County right-of-way within Carver Road from 51st Avenue to 45th Avenue, in accordance with Ordinance No. G-4811. (C6407109000) (ADM4213-002)

BEGINNING at a point in the South line of the Northwest quarter of said Section 16 which bears Easterly a distance of 1450 feet from the Southeast corner of the West 55 feet of said Northwest quarter, said point being a corner of the area annexed to the City of Phoenix, Arizona, by its Ordinance No. G-4729, recorded in Document No. 2005-1290414, records of Maricopa County, Arizona; thence Northerly, parallel with the West line of said Northwest quarter, and along the Phoenix City Limit line as established by said Ordinance, to the North line of the South 33 feet of the North half of said Section 16; thence Easterly along said North line to the West line of the East 1253.50 feet of said Section 16; thence Southerly along last said West line to the South line of the North 33 feet of the South half of said Section 16; thence Westerly along last said South line to a point in a line which is parallel with and 1450 feet Easterly of the West line of said South half; thence Northerly along last said parallel line to the POINT OF BEGINNING.

ANNEXATION BY THE CITY OF PHOENIX

Item Summary: Motion was made by Supervisor Brock, seconded by Supervisor Wilson and unanimously carried (4-0-1) to approve the annexation by the City of Phoenix of County right-of-way within Lower Buckeye Road from 67th Avenue to 63rd Avenue, in accordance with Ordinance No. G-4805. (C6407110000) (ADM4213-002)

That part of Sections 13 and 24, Township 1 North, Range 1 East, and that part of Sections 18 and 19, Township 1 North, Range 2 East, G&SRB&M, described as follows: BEGINNING at the intersection of the North-South mid-section line of said Section 18 and the North line of the South 33 feet thereof, being a point-in-common of the areas annexed to the City of Phoenix, Arizona, by its Ordinance Nos. G-2576 and G-4149,

recorded in Document Nos. 83-497088 and 98-1142940, records of Maricopa County, Arizona, respectively; thence Westerly along said North line, and along the Phoenix city limit line as established by said Ordinance No. G-4149, to a point in the West line of the East half of said Southwest quarter, being also a corner of the area annexed to said City of Phoenix by its Ordinance No. G-4103, recorded in Document No. 98-519404, records of said County; thence continuing along said North line, and along the Phoenix city limit line as established by said Ordinance No. G-4103, to the most Southerly Southwest corner of last said annexed area, being also the most Easterly Southeast corner of the area annexed to said City of Phoenix by its Ordinance No. G-4280, recorded in Document No. 2000-524898, records of said County; thence continuing along said North line, and along the Phoenix city limit line as established by said Ordinance No. G-4280, to the East line of the West 456.37 feet of said Southwest quarter; thence Northerly along last said East line, and continuing along said Phoenix city limit line as established by last said Ordinance, to the North line of the South 40 feet of said Southwest quarter; thence Westerly along last said North line, and continuing along the Phoenix city limit line as established by last said Ordinance, to the West line of said Southwest quarter; thence continuing Westerly along the Westerly prolongation of last said North line, and along the Phoenix city limit line as established by last said Ordinance, to a point in the West line of the East 33 feet of the Southeast quarter of said Section 13, being also a point in the boundary of the area annexed to said City of Phoenix by its Ordinance No. G-2576, recorded in Document No. 83-497088, records of said County; thence Southerly along last said West line, and along the Phoenix city limit line as established by said Ordinance No. G-2576, to the North line of the South 33 feet of said Section 13; thence Westerly along last said North line, and continuing along the Phoenix city limit line as established by last said Ordinance, to the West line of the East 86.6 feet of said Section 13; thence Southerly along last said West line to the South line of said Section 13, being identical with the North line of said Section 24; thence Southerly along the West line of the East 86.6 feet of said Section 24 to the South line of the North 33 feet thereof; thence Easterly along last said South line to the West line of the East 33 feet of said Section 24; thence Southerly along last said West line to the South line of the North 504.9 feet of said Section 24; thence Easterly along last said South line to the East line of said Section 24, being identical with the West line of said Section 19; thence Easterly along the South line of the North 504.9 feet of said Section 19 to a point in the East line of the West 45 feet thereof, being also a point in the boundary of the area annexed to said City of Phoenix by its Ordinance No. G-4115, recorded in Document No. 98-793147 and re-recorded in Document No. 98-906332, records of said County; thence Northerly along last said East line, and along the Phoenix city limit line as established by said Ordinance No. G-4115, to the point which bears Southerly a distance of 40 feet from the intersection of last said East line and the South line of the North 40 feet of the Northwest quarter of said Section 19; thence Northeasterly, continuing along the Phoenix city limit line as established by last said Ordinance, to the point in last said South line which is 40 feet Easterly of last said intersection; thence Easterly along last said South line, and continuing along the Phoenix city limit line as established by last said Ordinance, to the East line of the West 439.76 feet of said Northwest quarter; thence Northerly along last said East line, and continuing along the Phoenix city limit line as established by last said Ordinance, to the South line of the North 33 feet of said Northwest quarter; thence Easterly along last said South line, and continuing along the Phoenix city limit line as established by last said Ordinance, to a point in the North-South mid-section line of said Section 19, being also a point in the boundary of the area annexed to said City of Phoenix by said Ordinance No. G-2576; thence Northerly along said mid-section line, and along the Phoenix city limit line

as established by said Ordinance No. G-2576, to the North quarter corner of said Section 19, being identical with the South quarter corner of said Section 18; thence Northerly along the North-South mid-section line of said Section 18, and continuing along the Phoenix city limit line as established by last said Ordinance, to the POINT OF BEGINNING.

DOBSON ROAD BRIDGE AT SALT RIVER

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve Consultant Services Contract No. 2006-036 with Parsons Transportation Group, Inc. in a lump sum fee amount not-to-exceed \$2,526,102.30 for the preparation of a Design Concept Report (DCR) for Dobson Road Bridge at Salt River, Project No. T199. The DCR will be completed in 385 calendar days from the notice to proceed. (Supervisorial District 1 and 2) (C6407104500)

DECLARE EXCESS LAND

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to declare the following properties as excess land:

- X-0167 - approximately 1.3093 acres. Property is a remnant of a parcel from the right-of-way on Gilbert Road and has been determined by Maricopa County staff as excess to the project. This parcel is situated at Gilbert Road and Oasis Street and will be sold to the highest bidder at public auction per A.R.S. §11-251. A one foot restriction along Gilbert Road will be placed in the deed so the exit from the property would be on to the side road and not Gilbert Road.
- X-0170- approximately 0.811 acres. Property is a remnant of a parcel from the right of way on Gilbert Road and has been determined by Maricopa County staff as excess. This parcel is situated at Gilbert Road and Oasis Street and will be sold to the highest bidder at public auction per A.R.S. §11-251. (Supervisorial District 4) (C6407105B00)

MC 85 FROM COTTON LANE TO ESTRELLA PARKWAY IMPROVEMENTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the intergovernmental agreement between Maricopa County and the City of Goodyear for improvements to MC 85 from Cotton Lane to Estrella Parkway. The project will be completed using a 60% county, 40% city split for the entire project. The county will contribute 60% of the total costs, which is currently estimated at \$8,360,160 with the city contributing 40% of the total costs, which is estimated at \$5,573,440. The county will provide the city with written notification if the project costs exceed the current estimates by more than 5%. This notification, as requested by the city, is only to be used as a budgetary tracking method. The possibility of a cost increase does not alter or change the obligations of either party. (Supervisorial District 4) (C6407106200)

REIMBURSEMENT TO ROOSEVELT IRRIGATION DISTRICT

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the reimbursement to Roosevelt Irrigation District (RID) in the amount of \$158,100 for engineering design and post design services for the relocation and modification of RID's irrigation facilities which are in conflict with MCDOT's project T180, Cotton Lane Bridge at the Gila River. The cost may not exceed the estimated amount of \$158,100 by more than 10%. MCDOT acknowledges that RID has prior rights. (Supervisorial District 5) (C6407112M00) (ADM2000-006)

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BIDS AND AWARD FOR RUBBERIZED BITUMINOUS SURFACE TREATMENT PROJECT

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve the solicitation of bids for the Maricopa County Department of Transportation's Rubberized Bituminous Surface Treatment Project, FY 2006-07, Work Order Number 30050031. Award of a contract to the lowest responsive responsible bidder, providing the lowest responsive responsible bidder does not exceed the engineer's estimate by more than 10%. (Supervisorial Districts 1, 3, 4 and 5) (C6407119100)

TRAFFIC CONTROL CHANGES

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve a change in traffic controls on unincorporated right-of-way on Bell Road from .22 miles east of Burns Drive to 500 feet west of 108th Avenue – A 45 MPH speed limit zone (from a 35 MPH speed limit zone). This rescinds the 35 MPH speed limit zones dated April 3, 1989 and May 8, 1978. (Supervisorial District 4) (C6407115000) (F23193)

ROAD ABANDONMENT – RESOLUTION NO. AB-158

Pursuant to A.R.S. §28-6701, motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to adopt Resolution No. AB-158 to abandon an easement in the general vicinity of the intersection of Sonora Lane and Via Montoya. This action extinguishes the easement described in the Maricopa County recorder's office document number 1995-0476747. Also, rescinds the action previously approved on September 25, 2006 which failed to include the requested action be done by Resolution. (C6407016001)

RESOLUTION
ROAD ABANDONMENT AB-158

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, DECLARING A ROADWAY EASEMENT TO BE UNNECESSARY FOR PUBLIC PURPOSES AND EXTINGUISHING THAT EASEMENT.

WHEREAS, a certain roadway easement located in the general vicinity of the intersection of Sonora Lane and Via Montoya was acquired by Maricopa County by means of an Easement and Agreement for Highway Purposes on August 2, 1995, and recorded by the Maricopa County Recorder as record number 95-0476747; and

WHEREAS, a proposal requesting the extinguishment of the roadway easement has been submitted to Maricopa County; and

WHEREAS, a legal description of the roadway easement to be extinguished, identified as Exhibit "A", is attached; and

Exhibit "A": A portion of land located in Sections Seventeen (17) and Twenty (20), Township Four (4) North, Range One (1) West of the G&SRB&M, Maricopa County, Arizona and also being a portion of Tract A and Lots 68 and 69, Sun City West Unit 58, Book 384 of Maps, Page 21, Maricopa County Records, being more particularly described as follows: BEGINNING at the Southwest corner of said Section Seventeen (17) and also being the Northwest corner of said Section twenty (20); THENCE South

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88°57'36" East 35.75 feet to the beginning of a curve, concave Northwesterly, having a radius of Fifty (50) feet; THENCE Northeasterly 43.96 feet along the arc of said curve, through a central angle of 50°22'39"; THENCE North 40°39'45" East 138.55 feet to a point on the Northerly Lot line of said Lot 69, said point being on a non-tangent curve, concave Northeasterly to which point a radial line bears South 46°20'25" West; THENCE Southeasterly 39.53 feet along the arc of said curve, and along said Lot line, having a radius of Fifty (50) feet, through a central angle of 45°18'01"; THENCE South 88°57'36" East along the North line of said Lots 68 and 69 a distance of 17.09 feet; THENCE leaving said Lot line South 40°39'45" West 160.69 feet to the beginning of a curve, concave Northwesterly, having a radius of 100.00 feet; THENCE Southwesterly 87.93 feet along the arc of said curve, through a central angle of 50°22'39"; THENCE North 88°57'36" West 35.69 feet to the West line of said Section Twenty (20); THENCE North 00°58'09" East along said West line Fifty (50) feet to the POINT OF BEGINNING.

WHEREAS, it has been determined by the Maricopa County Department of Transportation staff that the easement proposed for extinguishment is no longer needed for public purposes, and staff recommends that it would be in the best interest of Maricopa County that the proposed extinguishment be approved; and

WHEREAS, Maricopa County is authorized to extinguish the roadway easement as described in Exhibit "A", pursuant to A.R.S. 28-6709 and 28-7214.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Maricopa County, Arizona, that the roadway easement as described in Exhibit "A" is no longer necessary for public purposes.

BE IT FURTHER RESOLVED that the roadway easement as described in Exhibit "A" is hereby extinguished.

DATED this 15th day of November 2006.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

ROAD ABANDONMENT – RESOLUTION NO. AB-112

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to adopt Resolution AB-112 to abandon a portion of 80th Street in the vicinity of Culver Street and 80th Street, which was dedicated to Maricopa County by means of an easement and agreement on November 2, 1983 and recorded by the Maricopa County Recorder as record number 83-442247. (C6407111000)

**RESOLUTION
ROAD ABANDONMENT AB-112**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY,
ARIZONA, DECLARING A ROADWAY EASEMENT TO BE UNNECESSARY FOR
PUBLIC PURPOSES AND EXTINGUISHING THAT EASEMENT.**

WHEREAS, a certain roadway easement located in the general vicinity of the intersection of Culver Street and 80th Street, which was dedicated to Maricopa County by means of an Easement and Agreement on November 2, 1983 and recorded by the Maricopa County Recorder as record number 83-442247 ; and

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WHEREAS, a proposal requesting the extinguishment of the roadway easement has been submitted to Maricopa County; and

WHEREAS, a legal description of the roadway easement to be extinguished, identified as Exhibit "A", is attached; and

Exhibit "A": That portion of 80th Street described as follows: The West 10 feet of the East 40 feet of the Northeast quarter of the Northeast quarter of the Southeast quarter of the Northwest quarter of Section 5 - T1N,R7E of the G&SRB&M, Maricopa County, Arizona. EXCEPT the North 30 feet thereof.

WHEREAS, it has been determined by the Maricopa County Department of Transportation staff that the easement proposed for extinguishment is no longer needed for public purposes, and staff recommends that it would be in the best interest of Maricopa County that the proposed extinguishment be approved; and

WHEREAS, Maricopa County is authorized to extinguish the roadway easement as described in Exhibit "A", pursuant to A.R.S. 28-6709 and 28-7214.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Maricopa County, Arizona, that the roadway easement as described in Exhibit "A" is no longer necessary for public purposes.

BE IT FURTHER RESOLVED that the roadway easement as described in Exhibit "A" is hereby extinguished.

BE IT FURTHER RESOLVED that this resolution does not abandon any patent easement that may encumber the property described in record number 83-442247.

DATED this 15th day of November 2006.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

ROAD ABANDONMENT – RESOLUTION NO. AB-124

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to adopt Resolution AB-124 to abandon a portion of 92nd Street in the general vicinity of 92nd Street and Range Rider Trail, as follows: (C6407113000)

RESOLUTION
ROAD ABANDONMENT AB-124

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY,
ARIZONA, DECLARING A ROADWAY EASEMENT TO BE UNNECESSARY FOR
PUBLIC PURPOSES AND EXTINGUISHING THAT EASEMENT.**

WHEREAS, a certain roadway easement located in the general vicinity of the intersection of 92nd Street and Range Rider Trail was acquired by Maricopa County by means of an Easement and Agreement for

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Highway Purposes on June 9, 1975, and recorded by the Maricopa County Recorder in Docket 11193, Page 573-574.; and

WHEREAS, a proposal requesting the extinguishment of the roadway easement has been submitted to Maricopa County; and

WHEREAS, a legal description of the roadway easement to be extinguished, identified as Exhibit "A", is attached; and

WHEREAS, it has been determined by the Maricopa County Department of Transportation staff that the easement proposed for extinguishment is no longer needed for public purposes, and staff recommends that it would be in the best interest of Maricopa County that the proposed extinguishment be approved; and

WHEREAS, Maricopa County is authorized to extinguish the roadway easement as described in Exhibit "A", pursuant to A.R.S. 28-6709 and 28-7214.

Exhibit "A": The East 40 feet of the South 330.00' of the Northeast quarter of the Northeast quarter of the Southeast quarter (NE1/4 of NE1/4 of SE1/4) of Section Thirty-three (33) – T2N, R7E of the G&SRB&M, Maricopa County, Arizona. EXCEPT the South 60.76 feet thereof.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Maricopa County, Arizona, that the roadway easement as described in Exhibit "A" is no longer necessary for public purposes.

BE IT FURTHER RESOLVED that the roadway easement as described in Exhibit "A" is hereby extinguished.

BE IT FURTHER RESOLVED that this resolution does not abandon any patent easement that may encumber the property described in Docket 11193, Page 573-574.

DATED 15th day of November 2006.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

ROAD ABANDONMENT – RESOLUTION NO. AB-128

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to adopt Resolution AB-128 to abandon a portion of 154th Place in the general vicinity of 154th Place and Ray Road which was dedicated to Maricopa County on February 7, 1973, and recorded by the Maricopa County Recorder in Docket 9992, Pages 211-212. (C6407114000)

RESOLUTION
ROAD ABANDONMENT AB-128

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY,
ARIZONA, DECLARING A ROADWAY EASEMENT TO BE UNNECESSARY FOR
PUBLIC PURPOSES AND EXTINGUISHING THAT EASEMENT.**

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WHEREAS, a certain roadway easement located in the general vicinity of 154th Place and Ray Road was acquired by Maricopa County by means of an Easement and Agreement for Highway Purposes on February 7, 1973, and recorded by the Maricopa County Recorder in Docket 9992, Pages 211-212; and

WHEREAS, a proposal requesting the extinguishment of the roadway easement has been submitted to Maricopa County; and

WHEREAS, a legal description of the roadway easement to be extinguished, identified as Exhibit "A", is attached; and

Exhibit "A": The West Thirty (30) feet of the extreme Westerly portion of the following: Commencing at the South one-quarter (S1/4) corner of Section Twenty-one (21), Township One (1) South, Range Six (6) East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona: thence West (assumed bearing) along the South line of said Section 21, a distance of 930.36 feet to a point from which the Southwest corner bears West 1707.00 feet wherefrom; thence North 940.00 feet to the TRUE POINT OF BEGINNING; thence continuing North 188.32 feet to the Southeasterly line of the R.W.C.D. drainage right-of-way; thence North 38°27'10" East along said Southeasterly line of drainage right-of-way, a distance of 59.61 feet; thence East, being parallel to and 1175.00 feet North of said South line of said Section 21, a distance of 430.84 feet; thence South 00°08'00" West, being parallel to and 465.18 feet West of the North-South mid-section line of said Section 21, a distance of 235.00 feet; thence West 467.37 feet to the TRUE POINT OF BEGINNING.

WHEREAS, it has been determined by the Maricopa County Department of Transportation staff that the easement proposed for extinguishment is no longer needed for public purposes, and staff recommends that it would be in the best interest of Maricopa County that the proposed extinguishment be approved; and

WHEREAS, Maricopa County is authorized to extinguish the roadway easement as described in Exhibit "A", pursuant to A.R.S. 28-6709 and 28-7214.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Maricopa County, Arizona, that the roadway easement as described in Exhibit "A" is no longer necessary for public purposes.

BE IT FURTHER RESOLVED that the roadway easement as described in Exhibit "A" is hereby extinguished.

BE IT FURTHER RESOLVED that this resolution does not abandon any patent easement that may encumber the property described in Docket 9992, Pages 211-212.

DATED this 15th day of November 2006.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

ROAD ABANDONMENT – RESOLUTION NO. AB-134

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Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to adopt Resolution AB-134 to abandon a portion of Alamanda Drive in the vicinity of Alamanda Drive and 3rd Avenue. (C6407116000)

RESOLUTION
ROAD ABANDONMENT AB-134

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, DECLARING A ROADWAY EASEMENT TO BE UNNECESSARY FOR PUBLIC PURPOSES AND EXTINGUISHING THAT EASEMENT.

WHEREAS, a certain roadway easement located in the general vicinity of the intersection of Alamanda Drive and 3rd Avenue, was acquired by Maricopa County by means of an Easement and Agreement for Highway Purposes on November 17, 1995, and recorded by the Maricopa County Recorder as record number 95-0709383; and

WHEREAS, a proposal requesting the extinguishment of the roadway easement has been submitted to Maricopa County; and

WHEREAS, a legal description of the roadway easement to be extinguished, identified as Exhibit "A", is attached; and

Exhibit "A": The West 30 feet of the South half of the Northwest quarter of the Northeast quarter of the Southwest quarter of Section 29 – T6N, R3E of the G&SRB&M, Maricopa County, Arizona

WHEREAS, it has been determined by the Maricopa County Department of Transportation staff that the easement proposed for extinguishment is no longer needed for public purposes, and staff recommends that it would be in the best interest of Maricopa County that the proposed extinguishment be approved; and

WHEREAS, Maricopa County is authorized to extinguish the roadway easement as described in Exhibit "A", pursuant to A.R.S. 28-6709 and 28-7214.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Maricopa County, Arizona, that the roadway easement as described in Exhibit "A" is no longer necessary for public purposes.

BE IT FURTHER RESOLVED that the roadway easement as described in Exhibit "A" is hereby extinguished.

BE IT FURTHER RESOLVED that this resolution does not abandon any patent easement that may encumber the property described in record number 95-0709383.

DATED this 15th day of November 2006.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

ROAD ABANDONMENT – RESOLUTION NO. AB-172

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Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to adopt Resolution AB-172 to abandon a portion of Deer Valley Drive in the general vicinity of Deer Valley Drive and Loop 303 which was acquired by Maricopa County by means of a warranty deed on August 2, 1995, and recorded by the Maricopa County Recorder as record number 98-0453315. (C6407117000)

RESOLUTION
ROAD ABANDONMENT AB-172

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, DECLARING A ROADWAY TO BE UNNECESSARY FOR PUBLIC PURPOSES AND ABANDONING OR VACATING THAT ROADWAY.

WHEREAS, a certain roadway located in the general vicinity of the intersection of Deer Valley Drive and Loop 303 was acquired by Maricopa County by means of a Warranty Deed on August 2, 1995, and recorded by the Maricopa County Recorder as record number 98-0453315; and

WHEREAS, a proposal requesting the abandonment of the roadway has been submitted to Maricopa County; and

WHEREAS, a legal description of the roadway to be abandoned, identified as Exhibit "A", is attached; and

That part of the Southeast quarter of Section 18, T4N, R1W, of the G&SRB&M, Maricopa County, Arizona described as follows:

Commencing at the Southeast corner of said Section 18, thence North 00°01'46" West along the East line of said Section 18, a distance of 1,277.26 feet to the Northeast corner of the Southeast quarter of the Southeast quarter of said Section 18 and the Point Of Beginning; thence, continuing North 00°01'46" West, a distance of 233.82 feet; thence departing from the East line of said Section 18, North 47°33'20" West, a distance of 458.49 feet; thence North 02°33'18" West, a distance of 63.64 feet to a point on the East right-of-way line of Estrella Roadway (Loop 303); thence South 42°26'40" West along said East right-of-way line, a distance of 298.11 feet; thence departing from said East right-of-way line, North 85°54'06" East, a distance of 65.33 feet; thence South 50°38'26" East, a distance of 617.34 feet to the Point Of Beginning.

WHEREAS, it has been determined by the Maricopa County Department of Transportation staff that the roadway proposed for abandonment is no longer needed for public purposes, and staff recommends that it would be in the best interest of Maricopa County that the proposed abandonment be approved; and

WHEREAS, Maricopa County is authorized to abandon the roadway as described in Exhibit "A", pursuant to A.R.S. §§28-6709, 7202, 7205 and 7215.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Maricopa County, Arizona, that the roadway as described in Exhibit "A" is no longer necessary for public purposes.

BE IT FURTHER RESOLVED that the roadway as described in Exhibit "A" is hereby abandoned.

DATED this 15th day of November 2006.

Don Stapley, Chairman of the Board

ATTEST:

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/s/ Fran McCarroll, Clerk of the Board

ROAD ABANDONMENT – RESOLUTION NO. AB-135

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to adopt Resolution AB-135 to abandon a portion of 144th Street in the vicinity of 144th Street and Willis Road, which was dedicated to Maricopa County by means of an Easement and Agreement for Roadway Purposes on August 24, 1987 and recorded by the Maricopa County Recorder as record number 87-532388. (C6407118000)

**RESOLUTION
ROAD ABANDONMENT AB-135**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY,
ARIZONA, DECLARING A ROADWAY EASEMENT TO BE UNNECESSARY FOR
PUBLIC PURPOSES AND EXTINGUISHING THAT EASEMENT.**

WHEREAS, a certain roadway easement located in the general vicinity of 144th Street and Willis Road was acquired by Maricopa County by means of an Easement and Agreement for Highway Purposes on August 24, 1987, and recorded by the Maricopa County Recorder as record number 87-532388; and

WHEREAS, a proposal requesting the extinguishment of the roadway easement has been submitted to Maricopa County; and

WHEREAS, a legal description of the roadway easement to be extinguished, identified as Exhibit "A", is attached; and

The West 30.5 feet of the East 55.5 feet of South 518.61 feet of the South half of the Northeast quarter of Section 6 – T2S, R6E of the G&SRB&M, Maricopa County, Arizona, EXCEPT the South 20 feet thereof.

WHEREAS, it has been determined by the Maricopa County Department of Transportation staff that the easement proposed for extinguishment is no longer needed for public purposes, and staff recommends that it would be in the best interest of Maricopa County that the proposed extinguishment be approved; and

WHEREAS, Maricopa County is authorized to extinguish the roadway easement as described in Exhibit "A", pursuant to A.R.S. 28-6709 and 28-7214.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Maricopa County, Arizona, that the roadway easement as described in Exhibit "A" is no longer necessary for public purposes.

BE IT FURTHER RESOLVED that the roadway easement as described in Exhibit "A" is hereby extinguished.

BE IT FURTHER RESOLVED that this resolution does not abandon any patent easement that may encumber the property described in record number 87-532388.

DATED this 15th day of November 2006.

/s/ Don Stapley, Chairman of the Board

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ATTEST:

/s/ Fran McCarroll, Clerk of the Board

ROAD ABANDONMENT – RESOLUTION NO. AB-144

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to adopt Resolution AB-144 to abandon a portion of Beverly in the vicinity of Beverly and McLellan Drive. (C6407120000)

RESOLUTION
ROAD ABANDONMENT AB-144

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, DECLARING A ROADWAY EASEMENT TO BE UNNECESSARY FOR PUBLIC PURPOSES AND EXTINGUISHING THAT EASEMENT.

WHEREAS, a certain roadway easement located in the general vicinity of the intersection of Beverly and McLellan Drive was acquired by Maricopa County by means of an Easement for Highway Purposes on January 22, 1970, and recorded by the Maricopa County Recorder as Docket 7968, Pages 320-321; and

WHEREAS, a proposal requesting the extinguishment of the roadway easement has been submitted to Maricopa County; and

WHEREAS, a legal description of the roadway easement to be extinguished, identified as Exhibit "A", is attached; and

WHEREAS, it has been determined by the Maricopa County Department of Transportation staff that the easement proposed for extinguishment is no longer needed for public purposes, and staff recommends that it would be in the best interest of Maricopa County that the proposed extinguishment be approved; and

WHEREAS, Maricopa County is authorized to extinguish the roadway easement as described in Exhibit "A", pursuant to A.R.S. 28-6709 and 28-7214.

That part of the SW ¼ of the NW ¼ of Section 9, Township 1 North, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows: Beginning at a point on the SW corner East 791 feet to the POINT OF BEGINNING; thence North 325 feet; thence East 50 feet; thence South 325 feet; thence West 50 feet to the POINT OF BEGINNING. EXCEPT the South 40 feet thereof.

BE IT THEREFORE RESOLVED by the Board of Supervisors of Maricopa County, Arizona, that the roadway easement as described in Exhibit "A" is no longer necessary for public purposes.

BE IT FURTHER RESOLVED that the roadway easement as described in Exhibit "A" is hereby extinguished.

BE IT FURTHER RESOLVED that this resolution does not abandon any patent easement that may encumber the property described in Docket 7968, Pages 320-321.

DATED this 15th day of November 2006.

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/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

APPOINTMENTS AND REAPPOINTMENTS

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the following appointments and reappointments:

- a. **Community Development Advisory Committee (CDAC)** – Appoint Carlos Ontiveros, representing Supervisorial District 5, whose term is effective from Board of Supervisors' approval through June 30, 2007. (C1707031901) (ADM1501-001)
- b. **Community Development Advisory Committee (CDAC)** – Reappoint James Warner, representing Supervisorial District 2 and Chuck Turner, representing Supervisorial District 5, whose terms are effective from Board of Supervisors' approval through June 30, 2007. (C1707031901) (ADM1501-001)
- c. **Phoenix EMA Ryan White Planning Council** – Appoint Darrell Boyce Johnson, representing service providers, whose term is effective December 1, 2006 through November 30, 2009 (C2007020000) (ADM2153-001)
- d. **Travel Reduction Program Regional Task Force** – Reappoint Lori Singleton and Matt McMahon, representing Supervisorial District 1, whose terms are effective from February 1, 2007 through January 31, 2009. (C8507012900) (ADM2358-001)
- e. **Travel Reduction Program Regional Task Force** – Reappoint Judi Rogalski and Aaron Rogos, representing Supervisorial District 3, whose terms are effective from February 1, 2007 through January 31, 2009. (C0607034900) (ADM2358-001)
- f. **Travel Reduction Program Regional Task Force** – Reappoint Jerry Geering, representing Supervisorial District 4, whose term is effective from February 1, 2007 through January 31, 2009. (C8507013900) (ADM2358-001)

REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS – WITHDRAWN

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

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

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

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Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to withdraw this item because no vouchers were presented for approval at this meeting.

PUBLIC HEARING SET – FRANCHISE

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to schedule a public hearing for 9:00 a.m. on Wednesday, December 20, 2006, to solicit comments and consider the applications filed by:

- a. Water Utility of Greater Tonopah, Inc. for an extension to an existing public service franchise for a domestic water distribution system. The hearing will consider whether the applicant is able to adequately maintain facilities in county right-of-ways. Pending approval by the Board of Supervisors, the franchise will be granted with such conditions and restrictions the Board of Supervisors deems best for public safety and welfare including the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona and the Certificate of Assured Water Supply be procured from the Arizona Department of Water Resources within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. The Franchisee shall bear all expenses relating to the granted franchise including damage and compensation for any alteration of the direction, surface, grade or alignment of any county road for the purpose of the franchise. (F21283)
- b. Hassayampa Utility Company, Inc. for a public service franchise for a domestic sewage system. The hearing will consider whether the applicant is able to adequately maintain facilities in county right-of-ways. Pending approval by the Board of Supervisors, the franchise will be granted with such conditions and restrictions the Board of Supervisors deems best for public safety and welfare including the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona and the Certificate of Assured Water Supply be procured from the Arizona Department of Water Resources within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. The Franchisee shall bear all expenses relating to the granted franchise including damage and compensation for any alteration of the direction, surface, grade or alignment of any county road for the purpose of the franchise. (F23217)

PUBLIC HEARING SET – ANNEXATION/DEANNEXATION

Pursuant to A.R.S. §9-471.02 (D), motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to set a public hearing for Wednesday, December 20, 2006 at 9:00 am to solicit public comment and determine if requirements have been satisfied, order the territory be deannexed from the Town of Chandler per Ordinance 3608 and be annexed by the Town of Gilbert in accordance with Ordinance 1857. This annexation is in the vicinity of Gilbert Road and Williams Field Road. (ADM4203) (ADM4206)

PUBLIC HEARING SET - PLANNING AND ZONING CASES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated

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areas of Maricopa County for December 20, 2006, at 9:00 a.m. in the Board of Supervisors Auditorium, 205 West Jefferson, as follows:

Z2005096; Z2006106; Z2006023; Z2006081; Z2005086; Z2005144; DMP2005013; CPA200604; CPA200606; CPA200607; TA2006011; TA2006007; TA2006009; TA2006010; TA2003002.

CLERK OF THE BOARD'S CONSENT AGENDA

INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA MULTIFAMILY HOUSING REVENUE BONDS (PRIVADO PARK APARTMENTS PROJECT)

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) 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). "This item is being considered by the Board solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued." (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 BONDS (PRIVADO PARK APARTMENTS PROJECT), SERIES 2006, TO BE ISSUED IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$25,000,000.

INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA REVENUE BONDS (CATHOLIC CHARITIES COMMUNITY SERVICES, INC. PROJECT)

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) 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). "This item is being considered by the Board solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued." (ADM4792)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA REVENUE BONDS (CATHOLIC CHARITIES COMMUNITY SERVICES, INC. PROJECT), SERIES 2006 TO BE ISSUED IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$3,200,000.

ASRS CLAIMS

No claims were submitted by the Arizona State Retirement System for this meeting. (ADM3309-001)

CANVASS OF ELECTIONS

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No requests were received to accept the canvasses of elections submitted by special districts for this meeting.

CLASSIFICATION CHANGES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (ADM723)

PARCEL NO.	YEAR	OWNER	FROM	TO
102-24-650	2006	Alfred Battle	LC/4	LC/3
102-76-339	2006	Sergio Andrade	LC/4	LC/3
115-40-064	2006	Tina Balderrama	LC/4	LC/3
119-05-020	2006	Mary Cowan	LC/3/4	LC/3
124-69-021	2006	Robert Spear	LC/4	LC/3
125-17-068A	2006	Judy Eighmey	LC/4	LC/3
128-39-013	2006	Nathan Reid	LC/4	LC/3
129-18-047	2006	Reginald Overholser	LC/4	LC/3
132-61-030	2006	Diana Buehler	LC/4	LC/3
132-72-013	2006	Galal Elhalim	LC/4	LC/3
132-73-334	2006	Richard Busch	LC/4	LC/3
133-42-057	2006	Nicholas Minehart	LC/4	LC/3
135-37-422	2006	Dominique Nolund	LC/4	LC/3
156-24-017A	2006	Don Henderson	LC/4	LC/3
173-78-068	2006	Levey Revocable Trust	LC/4	LC/3
207-22-009	2006	Judith Ingalls	LC/4	LC/3
214-46-036	2006	Klaus Wieske	LC/4	LC/3
215-18-037	2006	Michael Gray	LC/4	LC/3
217-31-347	2006	Kenneth Meyer	LC/4	LC/3
301-49-400	2006	Graham Whitehead	LC/4	LC/3
301-96-086	2006	Maria Meacham	LC/4	LC/3
304-27-657	2006	Martha Perry	LC/4	LC/3
507-03-397	2006	Vicki Joseph	LC/4	LC/3
507-07-078	2006	Tony Rodriguez	LC/4	LC/3
102-76-339	2005	Sergio Andrade	LC/4	LC/3
115-40-064	2005	Tina Balderrama	LC/4	LC/3
119-05-020	2005	Mary Cowan	LC/3/4	LC/3
125-17-068A	2005	Judy Eighmey	LC/4	LC/3
128-39-013	2005	Nathan Reid	LC/4	LC/3
132-72-013	2005	Galal Elhalim	LC/4	LC/3
133-42-057	2005	Nicholas Minehart	LC/4	LC/3
135-37-422	2005	Dominique Nolund	LC/4	LC/3
156-24-017A	2005	Don Henderson	LC/4	LC/3
173-78-068	2005	Levey Revocable Trust	LC/4	LC/3
207-22-009	2005	Judith Ingalls	LC/4	LC/3
214-51-636	2005	Mary Kohn	LC/4	LC/3
301-96-086	2005	Maria Meacham	LC/4	LC/3
102-76-339	2004	Sergio Andrade	LC/4	LC/3
119-05-020	2004	Mary Cowan	LC/3/4	LC/3
125-17-068A	2004	Judy Eighmey	LC/4	LC/3

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128-39-013	2004	Nathan Reid	LC/4	LC/3
132-72-013	2004	Galal Elhalim	LC/4	LC/3
133-42-057	2004	Nicholas Minehart	LC/4	LC/3
135-37-422	2004	Dominiquez Nolund	LC/4	LC/3
156-24-017A	2004	Don Henderson	LC/4	LC/3
173-78-068	2004	Levey Revocable Trust	LC/4	LC/3
207-22-009	2004	Judith Ingalls	LC/4	LC/3
214-51-636	2004	Mary Kohn	LC/4	LC/3
301-96-086	2004	Maria Meacham	LC/4	LC/3

COMBINED CHARITABLE CAMPAIGN

No cash or in-kind contributions for the 2007 Combined Charitable Campaign were received for this meeting. (ADM3311-002)

COMPROMISES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the following compromise as payment in full. This item was discussed in Executive Session on October 30, 2006. (ADM407)

Christopher Russo \$850.00

DONATIONS

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to accept the donation reports received from county departments for October 2006 given below. (ADM1810)

Sheriff, cash donation of \$452.50

DUPLICATE WARRANTS

Necessary affidavits having been filed pursuant to A.R.S. §11-632, motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve and/or ratify requests for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

COUNTY

NAME	WARRANT	FUND	AMOUNT
Maria Elvira Armenta	270018548	Payroll	\$279.35
Angie Cedillo	270019862	Payroll	\$645.03
Lenovo	370008724	Expense	\$3,078.02

SCHOOL

NAME	SCHOOL	WARRANT	AMOUNT
Rotary Club of Mesa	East Valley Institute of Technology	470005559	\$958.00

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Fry's Food Stores of AZ/Kroger - Fry's Customer Center	Tolleson Union High SD #214	470032201	\$140.32
Fry's Food Stores of AZ/Kroger - Fry's Customer Center	Tolleson Union High SD #214	470032200	\$566.38
Delta Dental Plan	Morristown SD #75	460101596	\$428.32
AZ School Board Association	Alhambra SD #68	470017554	\$6,378.00
Mark Owens	Balsz SD #31	170023903	\$1,034.80

MINUTES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the minutes of the Board of Supervisors meetings held May 16, 2006, July 12, 2006, July 26, 2006 and August 16, 2006.

PRECINCT COMMITTEEMEN

No appointments or cancellation of appointments of Precinct Committeemen were presented for this meeting. (ADM1701)

PROPERTY RE-CLASSIFICATION APPEAL CASES

Pursuant to A.R.S. §42-12052, motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the property owner's appeal to re-classify properties, which has satisfied the requirements of occupancy status, and re-classify properties to class three properties (owner occupied). Waive assessed penalties and liens. Direct the County Assessor to re-classify properties to class three (owner occupied), pursuant to A.R.S. §42-12003. (ADM310-001)

Mendoza, Ernesto/Adela

501-56-006N

SECURED TAX ROLL CORRECTIONS

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

YEAR	FROM	TO	AMOUNT
2003	27253	27278	-\$74,887.00
2004	13687	13745	-\$160,846.94
2005	15564	155779	-\$510,082.18
2006	1618	1780	-\$2,526,993.72
2006	2301	2646	\$578,716.88
2006	2847	2862	-\$563,258.22
2005	15932	16127	-\$325,685.70
2004	13824	13876	-\$51,410.16
2003	27322	27343	-\$7,413.54

SETTLEMENT OF TAX CASES

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133-38-001S	1994	\$29.89	166-24-371	1992	\$84.27
133-38-001S	1995	\$30.69	166-24-371	1993	\$80.35
133-38-001S	1996	\$26.88	166-24-371	1994	\$77.11
133-38-001S	1997	\$24.01	166-24-371	1995	\$73.19
133-38-001S	1998	\$23.53	166-24-371	1996	\$66.22
133-38-001S	1999	\$22.39	166-24-371	1997	\$62.36
133-38-001S	2000	\$19.68	166-24-371	1998	\$57.59
133-38-001S	2001	\$17.75	166-24-371	1999	\$52.18
133-38-001S	2002	\$16.17	166-24-371	2000	\$48.05
133-38-001S	2003	\$14.36	166-24-371	2001	\$43.14
133-38-001S	2004	\$12.17	166-24-371	2002	\$38.79
133-38-001S	2005	\$10.42	166-24-371	2003	\$34.20
923-78-143	1998	\$53,237.46	166-24-371	2004	\$29.24
923-78-143	1999	\$51,415.97	166-24-371	2005	\$10.39
923-78-143	2000	\$41,627.73	166-24-372	1993	\$109.12
923-78-143	2001	\$27,658.77	166-24-372	1994	\$77.87
908-90-843	1993	\$806.25	166-24-372	1995	\$70.87
104-44-001Q	1995	\$101.72	166-24-372	1996	\$61.00
104-44-001Q	1996	\$68.78	166-24-372	1997	\$54.08
104-44-001Q	1997	\$59.47	166-24-372	1998	\$46.38
104-44-001Q	1998	\$55.02	166-24-372	1999	\$1,037.17
104-44-001Q	1999	\$50.61	166-24-372	2000	\$48.05
104-44-001Q	2000	\$45.50	166-24-372	2001	\$43.14
104-44-001Q	2001	\$51.18	166-24-372	2002	\$38.79
104-44-001Q	2002	\$46.41	166-24-372	2003	\$34.20
104-44-001Q	2003	\$42.03	166-24-372	2004	\$29.24
104-44-001Q	2004	\$34.19	166-24-372	2005	\$10.39
104-44-001Q	2005	\$15.66	200-62-006T	2005	\$2,617.05
174-61-016	1990	\$103.45	118-47-017	1992	\$53.56
174-61-016	1991	\$75.81	118-47-017	1993	\$51.83
174-61-016	1992	\$72.23	118-47-017	1995	\$55.70
174-61-016	1993	\$69.95	118-47-017	1996	\$48.22
174-61-016	1994	\$66.34	118-47-017	1997	\$532.66
174-61-016	1995	\$63.31	118-47-017	1998	\$654.04
174-61-016	1996	\$57.96	118-47-017	1999	\$806.95
174-61-016	1997	\$53.87	118-47-017	2000	\$768.42
174-61-016	1998	\$50.13	118-47-017	2001	\$684.80
174-61-016	1999	\$46.14	118-47-017	2002	\$693.74
174-61-016	2000	\$41.64	118-47-017	2003	\$648.63
174-61-016	2001	\$17.71	118-47-017	2004	\$676.12
174-61-016	2002	\$33.72	118-47-017	2005	\$568.71
174-61-016	2003	\$29.73	202-20-296J	2001	\$258.16
174-61-016	2004	\$25.72	202-20-296J	2002	\$212.12
174-61-016	2005	\$7.31	202-20-296J	2003	\$159.28
501-74-022A	2004	\$683.26	202-20-296J	2004	\$215.13

Chairman Stapley shared some travel and speaking activities he has attended locally and nationally as the first vice president of NACo (National Association of Counties). He said that NACo was selected as one of the nine top associations in the country by the Association of Associations as being the best-run, most focused and most successful. He said NACo is a very solid working group with many good things happening and it speaks with a collective voice for America's counties in Washington D.C. He said that NACo has more members than ever, 2,260 of the nations' 3,000 counties, and is growing. He next recognized Supervisor Kunasek as the outgoing president of Arizona's County Supervisors Association, citing its importance to the region and the country. He said that Maricopa County had been well represented by Kunasek's service and leadership, as had the State of Arizona.

Supervisor Kunasek replied that he had enjoyed it as it had been a great year and he felt some of the smaller counties benefited from the association. He added that the county supervisors from around the state were a great group and he had enjoyed being able to work and share with them.

Supervisor Wilson acknowledged County Recorder Helen Purcell and her staff throughout this year's election process for doing a great job, as usual.

Note: The Board of Supervisors will now consider Code Enforcement Reviews: Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.

PLANNING AND ZONING CODE ENFORCEMENT REVIEWS

All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, Deputy County Attorney, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

CODE ENFORCEMENT REVIEW – TIM LOCKHART

Chairman Stapley called for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case Nos. V2004-01856, Tim Lockhart. (ADM3417-038)

Darren Gerard said this violation was for grading land on five acres on North 113th Avenue without an approved grading permit or clearance that indicated that it had included moving earth in a flood plain, creating a hazard. An application was submitted in 2005 but no progress had been made on it by mid-year 2006. A hearing was scheduled for September 28th. On September 21st the respondent submitted a revised, as-built grading plan. The respondent did not attend the September 28th hearing. The Hearing Officer levied a fine of \$750 plus \$30 per diem until compliance was verified. The as-built grading permit was issued on November 9 and the final drainage inspection is scheduled for later today. He added that the inspection should have been done earlier but due to a miscommunication it would not be done until today. The staff recommendation was for collection of the \$750 base fine only, providing compliance is verified.

Tim Lockhart said his intentions had been good, but he had missed the hearing and had regretted it ever since. He expressed confusion and frustration at the necessary paperwork since he was unfamiliar with anything resembling the demands requested for the permit. He said it had not been clear what specifically he was supposed to do and with what departments or persons. He said there had been several different

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and unexpected issues and setbacks that, in his ignorance of how to proceed, he'd had to hunt for solutions to, which was time consuming. He said he had always intended to comply.

Supervisor Wilson said there was obvious non-compliance by the applicant, whether for lack of knowledge or not hiring the right people capable of doing it but someone was responsible and the County got involved. He added that there would be no reason to issue permits or for an investigation if the County ignored the Hearing Officer's judgment.

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to uphold the Hearing Officer's decision.

The Chairman thanked Mr. Lockhart and said the fine would stop accruing now that he is in compliance. Mr. Lockhart said he understood the \$30 a day fine would be dropped if he came into compliance by November 10 and asked if he was still being fined that amount.

Joy Rich intervened by saying that there had been a miscommunication in scheduling the final inspection and Mr. Lockhart will be determined to have been in compliance by that date if he passes inspection today. The Hearing Officer's order said, "The daily non-compliance fine may be suspended if compliance is verified by a code enforcement officer no later than November 10, 2006." She said Planning would only be asking for the \$750 as the total fine. The as-built grading permit had been issued on November 9.

The maker and second of the motion agreed to the base fine of \$750 and to forgive the per diem fines that have accrued if today's final inspection proves compliance, as expected.

CODE ENFORCEMENT REVIEW – JOHN AND NEVA RIETER

Chairman Stapley called for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case Nos. V2006-01399, John and Neva Rieter. (ADM3417-040)

Darren Gerard said an automobile sales and repair business had been operating from a residential zone on a 9.4 acre site. This case is the result of a City of Peoria's complaint made last August. The grandson of respondents, Mr. and Mrs. Rieter, was operating a business and had erected a sign that read, "Hey You! Call the phone numbers on the vehicles only. Don't ask the homeowners." (His grandparents.)

Mr. Gerard said this site has a history of zoning violations including several for weeds, junk/trash/debris, and doing business in a residential zone over the past four years. At a September 12, 2006, hearing respondent was found responsible and a fine of \$750 plus \$100 per diem was imposed. A site inspection was conducted on November 14 (yesterday) and the sign has been removed but he said that employees still seem to be on site doing automobile repair.

The Clerk said no requests to speak had been turned in, but the grandson had contacted her office earlier in the day saying his grandfather had a doctor's appointment and would not attend the meeting. He had been told in an earlier call that he could bring a letter of authorization from his grandfather and appear for him to speak in his behalf. However, he had not done so.

Motion was made by Supervisor Wilson, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to uphold the Hearing Officers decision on both the base fine of \$750 and the per diem fine of \$100 until compliance is authenticated.

PLANNING AND ZONING AGENDA

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

CONSENT AGENDA DETAIL:

1. **S2004-095** **District 4**
 Applicant: Southwest Homebuilders, Inc.
 Location: Southeast corner of Dixileta Drive and 223rd Avenue (in the Surprise area)
 Request: Final Plat in the Rural-43 RUPD zoning district for Trail of Light (approximately 60.116 gross acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve this final plat.

2. **S2006-045** **District 3**
 Applicant: Opus West Corporation
 Location: Northwest corner of 70th Street and Chauncey Lane (in the north Phoenix / Scottsdale area)
 Request: Final Plat in the C-2 CUPD zoning district for North Scottsdale Corporate Center Phase 2 (approximately 8.18 gross acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brock, and unanimously carried (4-0-1) to approve this final plat.

MEETING ADJOURNED

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

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board