

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., June 2, 2003, in the Board of Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman; Andy Kunasek, Vice Chairman; Don Stapley, Max W. Wilson, and Mary Rose Wilcox (entered late). Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

FOR DISCUSSION AND POSSIBLE ACTION:

SUPERINTENDENT OF SCHOOLS

Discussion and possible action (e.g. direction to staff) regarding advisory committee for Maricopa County Regional School District; presentation on educational services and operations of the accommodation school district. (C3703003M) (ADM3800)

Ben Arredondo, Deputy Superintendent of Schools, Maricopa County Schools

Jill Kennedy, Deputy County Attorney, Division of County Counsel

Dr. Kit Wood, Superintendent, Maricopa County Regional School District

Marc Frazier, Executive Director of Administrative Services, Maricopa County Regional School District

Mr. Arredondo handed out literature containing information on the Regional School District to Board members. He reported that there are 1,700 children from 57 County school districts enrolled in the Regional Schools at this time. Those served include homeless children, those needing alternative and special education programs, students living in unorganized area or on a military reservation that are not served by a public school district, students not permitted to attend regular public schools because of disciplinary and other problems and, in cooperation with the Sheriff's Office, juvenile detention and county jail underage prisoner detainees. He stressed that the Regional School District is governed by statute, just like local school districts. However, regional schools do not have taxing authority to receive property tax monies and must rely on State funding, federal funding grants, help from the County and community funding involvement. The program is highly acclaimed nationally, having received recognition from President Bush and it was the topic of an ABC *60 Minute* network segment.

~ Supervisor Wilcox entered the meeting ~

Dr. Kit Wood, reported on the Pappas Schools and other regional schools and said they have the same kinds of curriculum and attendance issues as other elementary and high schools in the County with several additional problems precipitated by the circumstances of their students. Many of their students are homeless, mobile and as a result most of the students have great needs and special requirements. For most students these schools represent their "last and best chance" of creating a successful future. She added that the school's standards are exactly the same as all other schools. All who are connected with the schools are proud of the fact that they recently held their high school graduation ceremony with over 100 students receiving high school diplomas.

Mark Frazier reported that "policy procedures and education programs, budgets, guidelines and timelines are all the same as in regular schools" and their schools also undergo general office audits.

Mr. Arredondo said that as they expand services their costs also expand and he believed they would soon have to ask for an increased percent of County funding to cover their expenses. Their total annual budget is approximately \$12.5-\$13 million of which Maricopa County contributes 2-3%, or approximately \$500,000.

Discussion ensued on the "politics" of this District since there are real and perceived substantive differences, i.e., Superintendent of Schools, Sandra Dowling, serves as the only member of the school board. There were differing opinions on the Board as to whether there should or could be an appointed "school board or other advisory committee" that could fulfill civilian oversight duties and who, as a citizen board, could advise and otherwise interact with the School Superintendent and the Supervisors on school governing issues. And, questions raised that if such a board was appointed, who would do the appointing and what duties would the appointees be expected to perform.

Jill Kennedy reminded the Supervisors that by statute, a County's input in the Regional School District is limited to funding and is without any interactive authority in policy decisions made by the Superintendent of Schools. An Attorney General opinion states that the County is to be kept totally separate from the Regional Schools. Several ideologies for an advisory committee were discussed, e.g., Board of Supervisors appointing a "Supervisors' Board of Education;" Superintendent Dowling appointing members from a suggested list of names submitted by the Board of Supervisors for a dual advisory board, or Dr. Dowling could appoint a board of her choosing. Additional staff duties and other costs attendant to forming such an advisory board were also discussed. Mr. Arredondo explained that they plan to enhance the campuses already in use and perhaps refocus some programs but he does not expect the system to grow much larger.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to form a focus group composed of one appointee from each Supervisorial district to meet with representatives from the Regional Schools to study the formation of some type of advisory board and a list of concerns from the Board. This focus group will report back to the Board of Supervisors in 120 days (October) with advice and recommendations for a detailed proposal that will be considered at that time.

EXECUTIVE SESSION CALLED

Pursuant to A.R.S. 38-431.03, motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to recess and reconvene in Executive Session to consider items listed on the Executive Agenda dated June 2, 2003, as follows.

LEGAL ADVICE, PENDING OR CONTEMPLATED LITIGATION -- A.R.S. §38-431.03(A)(3) AND (A)(4)

Compromise Cases – William DeMoss, Audra Granillo, Jeremy Harris, ICA Technologies, Aaron Jiminez, Carlos Morando, Johnny Ortiz, Jr., Zuleyma Ostos, Nestor Pineda, DeLaron Richardson, Maxine Schumann, Vernon Smith, Patrick Strang.
Barbara Caldwell, Outside Counsel

LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION -- A.R.S. §38-431.03(A)(3) and (A)(4)

Legal advice concerning creation on Housing Authority and related Intergovernmental Agreements and By-Laws.

Christopher Keller, Chief Counsel, Division of County Counsel
William Scalzo, Chief Community Services Officer
Jim Satterwhite, Executive Director, Housing Administration
William Sims, Esq., Moyes Storey

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION -- A.R.S. §38-431.03(A)(3) and (A)(4)

Mesa General Hospital v. Maricopa County and related cases (Nos. CV 1998-001664)

Christopher Keller, Chief Counsel, Division of County Counsel
Bruce P. White, Deputy County Attorney, Division of County Counsel
Sandi Wilson, Deputy County Administrator
Shawn Nau, Director, Health Care Mandates
Jan Ringgenberg, Health Care Mandates
Donald W. Bivens, Attorney, Meyer Hendricks & Bivens
Brenden Murphy, Attorney, Meyer Hendricks & Bivens
Kym Nichols, Meyer Hendricks & Bivens

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION -- A.R.S. §38-431.03(A)(3) and (A)(4)

City of Phoenix v. Maricopa County's Public Works Contractors

Christopher Keller, Chief Counsel, Division of County Counsel
John W. Paulsen, Deputy County Attorney, Division of County Counsel
Joy Rich, Chief Regional Development Services Officer & Director of Planning & Development
Steve Conner, Director, Facilities Management
Heidi Birch, Director, Capital Facilities Development Department
Tom Irvine, Esq., Irvine, Van Riper PA, Outside Counsel

MEETING ADJOURNED

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

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board