



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

Board Members

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

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Supervisors' Auditorium
205 W. Jefferson
Phoenix, AZ 85003

FORMAL MEETING AGENDA

BOARD OF SUPERVISORS Maricopa County, Arizona

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

**Wednesday, September 15, 2010
9:00 AM**

Agendas are available at least 24 hours prior to each meeting in the Office of the Clerk of the Board, 301 West Jefferson, Tenth Floor, Phoenix, Arizona, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and on the internet at http://www.maricopa.gov/Clk_board/Agendas.aspx. One or more Board members may attend telephonically. Board members attending telephonically will be announced at the meeting. The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3). Accommodations for individuals with disabilities, including alternative format materials, sign language interpretation, and assistive listening devices are available upon 72 hours' advance notice through the Office of the Clerk of the Board, 301 West Jefferson Avenue, Tenth Floor, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TDD (602) 506-2348. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

See the Clerk and fill out a speaker's form if you would like to address the Board regarding any matter on the agenda.



"La misión del Condado Maricopa es proveer a sus residentes el liderazgo regional y los servicios públicos necesarios en forma fiscalmente responsable, para que aquellos puedan disfrutar la vida en comunidades saludables y seguras"

Miembros de la Junta
Don Stapley, Distrito 2, Presidente
Fulton Brock, Distrito 1
Andrew Kunasek, Distrito 3
Max Wilson, Distrito 4
Mary Rose Wilcox, Distrito 5

Administrador del Condado
David Smith

Secretaría de la Junta
Fran McCarroll

Ubicación de la Reunión
Auditorio de los Supervisores
205 W. Jefferson
Phoenix, AZ 85003

AGENDA DE LA REUNIÓN FORMAL JUNTA DE SUPERVISORES Condado de Maricopa, Arizona

(y de las Mesas Directivas del Distrito de Control de Inundaciones, el Distrito de Bibliotecas, el Distrito del Estadio,
los Distritos de Mejoramientos y/o la Junta de Depósito)

**miércoles 15 de septiembre de 2010
9:00 a.m.**

Las agendas están disponibles por lo menos 24 horas antes de cada reunión en la Oficina de la Secretaría de la Junta, 301 West Jefferson, 10º Piso, Phoenix, Arizona, de lunes a viernes, de 8:00 a.m. a 5:00 p.m., y en la Internet en http://www.maricopa.gov/Clk_board/Agendas.aspx. Uno o más miembros de la Junta pueden asistir telefónicamente. En la reunión se anunciará qué miembros de la Junta asistirán telefónicamente. La Junta puede votar a favor de una suspensión de la sesión para entrar a una sesión ejecutiva con el propósito de obtener asesoría legal del abogado de la Junta con respecto a cualquier asunto incluido en la agenda, en conformidad con el estatuto A.R.S. §38-431.03(A)(3). Hay acomodaciones disponibles para individuos con discapacidades, incluyendo materiales en formatos alternos, interpretación del lenguaje a señas, y dispositivos de asistencia auditiva si se solicitan por medio de un aviso con 72 horas por adelantado a través de la oficina de la Secretaría de la Junta, 301 West Jefferson Street, 10º Piso, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TDD (602) 506-2348. Al grado que sea posible, se proveerán acomodaciones razonables adicionales dentro de las restricciones de tiempo de la solicitud.

Vea a la Secretaría y llene una forma para oradores si usted desea dirigirse a la Junta con respecto a cualquier asunto en la agenda.

Habrán servicios de interpretación disponibles para aquellos individuos con conocimientos limitados del inglés quienes deseen participar en la reunión de la Junta, si da un aviso 18 horas por adelantado a través de la Oficina de la Secretaría de la Junta, 301 West Jefferson Street, 10º Piso, Phoenix, Arizona 85003, correo electrónico: clerkboard@mail.maricopa.gov, teléfono: 602-506-3766, ó fax 602-506-6402.

Table of Contents

BOARD OF SUPERVISORS	4
PRESENTATIONS	4
STATUTORY HEARINGS	4
Clerk of the Board	4
Public Works	5
Environmental Services	6
County Attorney	6
AGENCY ITEMS AND STATUTORY MATTERS.....	6
COUNTY OFFICERS	6
County Attorney	6
Sheriff.....	7
Superintendent of Schools.....	8
Treasurer.....	11
DEPUTY COUNTY MANAGER.....	12
Correctional Health	12
Office of Enterprise Technology.....	12
Public Health.....	12
Workforce Management and Development	15
ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION.....	15
Animal Care and Control.....	15
Human Services.....	16
Parks and Recreation	21
CHIEF FINANCIAL OFFICER	22
Finance	22
CHIEF PROCUREMENT OFFICER.....	22
Materials Management	22
ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES	23
Air Quality Department.....	23
ASSISTANT COUNTY MANAGER - PUBLIC WORKS	23
Public Works	23
BOARD OF SUPERVISORS	25
Clerk of the Board	25
SETTING OF HEARINGS	26
Clerk of the Board	26
Planning and Development.....	26
CONSENT AGENDA.....	26
Clerk of the Board	26
BOARD OF SUPERVISORS ADDENDUM.....	27
Workforce Management and Development	27
Clerk of the Board	28
IMPROVEMENT DISTRICT AGENDA.....	28
FLOOD CONTROL DISTRICT AGENDA.....	28
LIBRARY DISTRICT AGENDA	29
STADIUM DISTRICT AGENDA.....	29
STADIUM DISTRICT ADDENDUM.....	29
CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS	30
PLANNING AND ZONING AGENDA	30
CONSENT AGENDA	30
REGULAR AGENDA	31

1. **INVOCATION**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

BOARD OF SUPERVISORS

4. **PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL**

PRESENTATIONS

5. **BOARD PRESENTATIONS**

Presentation by Don Stapley, Chairman of the Maricopa County Board of Supervisors, as a token of appreciation an award to Friends of Animal Care and Control (FACCs) for their tireless efforts to fund a total of 41,736 companion pet sterilization surgeries for fiscal years 2008, 2009, and 2010 as a means of working toward the goal of eliminating euthanasia of healthy and treatable companion pets.

Don Stapley, Chairman of the Board

Reading for the Stars Program Kick-off.

Fulton Brock, Supervisor, District 1 (C-79-11-025-P-00)

6. **Overview of the National Association of Counties Awards Ceremony held on August 26, 2010.**

STATUTORY HEARINGS

Clerk of the Board

7. **LIQUOR LICENSE APPLICATIONS**

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. **PERSON TRANSFER FOR CARROWS RESTAURANT**

Pursuant to A.R.S. § 4-203, approve an application for a Person Transfer of a Series 7 Liquor License from Lynn Whiteford, JB's Family Restaurants, Inc. to Carl Sidney McClure, Carrows Restaurants, Inc. for Carrows Restaurant at 9889 W. Bell Road, Sun City, AZ 85351. (AZ07070679)(Supervisory District 4) (C-06-11-039-L-00)

b. NEW LICENSE FOR PEAKS & VALLEYS RESTAURANT

Pursuant to A.R.S. § 4-201, approve an application filed by Erini A. Macrides for a New Series 12 Liquor License for Peaks & Valleys Restaurant at 711 E. Carefree Highway #160, Phoenix, AZ 85085. (AZ12078429) (Supervisory District 3) (C-06-11-040-L-00)

c. SPECIAL EVENT LICENSE FOR SPEEDWORLD R/C FLYERS

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Randal Dauer for the Speedworld R/C Flyers at 19421 W. Jomax Road, Wittmann, AZ 85361 to be held on September 24 through September 26, 2010 from 10:00 a.m. to 8:00 p.m. (Supervisory District 4) (C-06-11-061-L-00)

d. SPECIAL EVENT LICENSE FOR ROTARY CLUB OF ANTHEM

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Craighton T. Boates for the Rotary Club of Anthem at 41703 N. Gavilan Peak Parkway, Anthem, AZ 85086 on October 23 and 24, 2010 from 10:00 a.m. to 5:00 p.m. (Supervisory District 3) (C-06-11-064-L-00)

8. PUBLIC SERVICE FRANCHISE - CRICKET COMMUNICATIONS, INC.

Convene the scheduled public hearing to solicit comments and consider the application filed by Cricket Communications, Inc., for a public service franchise to provide wireless phone, Internet and emergency 911 call services to the residents north of Litchfield Park near Dysart Road and Bethany Home Road. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Upon approval, authorize the Chairman to sign the Franchise Resolution. (Supervisory District 4) (C-06-11-018-L-01)

Public Works

9. ROAD FILE DECLARATIONS

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

a. ROAD FILE NO. 5852

Road File No. 5852 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Daisy Mountain Drive and Gavilan Peak Parkway. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 3 (C-91-11-022-M-00)

Environmental Services

10. PROPOSED REVISIONS TO CHAPTERS II, VIII, IX AND XI OF THE MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

Pursuant to A.R.S. §36-184.B.5, convene the scheduled public hearing, to solicit comments and consider the adoption of Environmental Health Code Revisions - Chapters II, VIII, IX and XI. Upon Board approval, this item will become effective immediately upon Board of Supervisors approval.

Code amendments for Chapter II Section 8 and Chapter VIII Section 2 are being adopted by reference to bring the Maricopa County Environmental Health Code in alignment with Statute, State and/or Federal regulations. The remaining amendments of Chapters II and VII, along with all amendments to Chapters IX and XI add language for refuse disposal, wastewater, waste transport, refuse disposal, a dog friendly patio permit, lavatory and restroom requirements, food safety, trailer coach parks, pet groomers/shops and animal shelters. (C-88-10-020-M-00)

County Attorney

11. ESTABLISH FEE FOR BUSINESS EDUCATION TRAINING ON EMPLOYMENT LAWS RELATED TO ILLEGAL IMMIGRATION

~~Pursuant to A.R.S. §A.R.S. 11-251.08, convene the scheduled public hearing, to solicit comments and consider the adoption of a \$20 per person fee for training employers and businesses on legal employment practices relative to illegal immigration. The fee will reimburse the County Attorney for the costs of supplies, materials, and related services necessary to conduct legal employment training. Upon Board approval, this item will become effective September 20, 2010.~~

~~The County Attorney desires to assist employers and businesses in Maricopa County understand their obligations under the Arizona Legal Workers Act and other related laws. Only the costs related to the proposed education forums will be recovered through the fee established.~~

The County Attorney is postponing the program to offer training to businesses and employers on legal practices relative to illegal immigration. Therefore, no fee will need to be established at this time. (C-19-11-008-2-00)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

County Attorney

12. FEDERAL EQUITABLE SHARING AGREEMENT AND ANNUAL CERTIFICATION REPORT

Approve the FY 2010-11 Federal Equitable Sharing Agreement and Annual Certification Report between the Maricopa County Attorney's Office (agency) and the U. S. Department of the Treasury and the U. S. Department of Justice. This report accounts for federal equitable sharing funds received from the U. S. Department of the Treasury or the U. S.

Department of Justice. The term of this agreement commences October 1, 2010 and expires September 30, 2011. Authorize the Chairman of the Board of Supervisors to sign all documents related to this certification report and agreement.

Federal Sharing Agreements are entered into between the Federal Government, the Maricopa County Attorney's Office and the Maricopa County Board of Supervisors. It sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds and any interest earned thereon, which are equitably shared with participating agencies. (More commonly known as RICO funds). The Federal Annual Certification reports revenue and expenditures through June 30, 2010. Treasury funds are tracked separately from Justice funds. **This item was continued from the August 18, 2010 meeting.**

Also, direct the Chairman to sign a letter of explanation regarding the Department of Justice Title VI lawsuit to be attached to this agreement. (C-19-11-010-3-00)

Sheriff

13. SALE OF LAWN TRACTOR TO BOY SCOUTS

Pursuant to A.R.S. § 11-251(9), approve the sale of one 1992 John Deere 420 Lawn tractor (asset #551) with grass bagging/mulching attachment for \$1.00 to the Boy Scouts, Pack 517, in care of Daniel Conner, a detention officer in the Maricopa County Sheriff's Office.

This tractor was purchased in December 1992 for \$6,472 and has not been used for several years. Its current disposition value is zero.

This item requires unanimous consent of the Board. (C-50-11-010-M-00)

14. EXEMPTION FROM MARKINGS "TACMAV"

Approve per A.R.S. §38-538.03 an exemption from markings for a custom Dodge Sprinter Van, Mobile Data Access Vehicle number 37801.

This vehicle was purchased with Homeland Security funds to support counter terrorism activities for multiple jurisdictions and is designed to get close to operations that are in progress. Markings would foil operations and jeopardize officer safety by announcing the presence of law enforcement in the area. (C-50-11-011-M-00)

15. EXEMPTION FROM MARKINGS

Approve an exemption from markings for the vehicle replacing Sheriff's vehicle #31524 per A.R.S. 38-538.03. This vehicle is assigned to a Sheriff's law enforcement sergeant who is also a paramedic and required to respond to calls for service that require SWAT assistance. An unmarked vehicle is requested for officer safety and the success of the mission. (C-50-11-014-M-00)

16. DONATION OF CEREMONIAL RIFLES TO SHERIFF'S OFFICE

Accept the donation of up to 10 new ceremonial rifles to the Sheriff's Office available through the US Army TACOM Life Cycle Management Command. The rifles will fire only blanks and will be used expressly in funeral services for other than a member or former member of the armed forces and in parades. Ceremonial rifles are available upon request by chiefs or highest ranking members of law enforcement agencies. Certificates of compliance and of arms storage are required. (C-50-11-013-M-00)

17. FEDERAL EQUITABLE SHARING AGREEMENT AND ANNUAL CERTIFICATION REPORT FY 2009-10

Approve the FY 2009-10 Federal Equitable Sharing Agreement and Annual Certification Report between the Maricopa County Sheriff's Office (agency) and the U. S. Department of the Treasury and the U. S. Department of Justice. This report accounts for federal equitable sharing funds received from the U. S. Department of the Treasury or the U. S. Department of Justice. The term of this agreement commences October 1, 2010 and Expires September 30, 2011. Also authorize the Chairman of the Board of Supervisors to sign all documents related to this certification report and agreement.

Federal Sharing Agreements are entered into between the Federal Government, the Maricopa County Sheriff's Office and the Maricopa County Board of Supervisors. It sets forth the requirement for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds and any interest earned thereon, which are equitably shared with participating agencies. The Federal Annual Certification reports revenue and expenditures through June 30, 2010. Treasury funds are tracked separately from Justice funds. **This item was continued from the August 18, 2010 meeting.**

Also, direct the Chairman to sign a letter of explanation regarding the Department of Justice Title VI lawsuit to be attached to this agreement. (C-50-11-002-M-00)

Superintendent of Schools

18. IGAS WITH VARIOUS SCHOOL DISTRICTS FOR ELECTION SERVICES

Approve (57) Intergovernmental Agreements (IGAs) between Maricopa County on behalf of the Maricopa County Education Service Agency (MCESA) and various school districts within Maricopa County for election services. The Maricopa County Education Service Agency will obtain agreements with each participating school district. Executed agreements will be kept on file in the Office of Maricopa County Education Service Agency (MCESA.) MCESA will be responsible for delivering duplicate originals of agreements to the named school districts. Each IGA shall become effective from and after the date of its execution and expire five (5) years from its execution.

Approve the form of the IGA as presented which outlines the responsibilities of each of the parties to conduct school district elections in Maricopa County pursuant to A.R.S. §15-301(C) and A.R.S. §15-342(13). This Intergovernmental Agreement (IGA) provides a binding agreement between Maricopa County on behalf of the Maricopa County Education Service Agency (hereafter referred to as the Education Service Agency) and a school district (hereafter referred to as the School District) for elections services. Maricopa County is authorized to enter into this IGA under A.R.S. §11-952 for the purposes of exercising joint powers or contracting for services.

Any amendment/revisions to the form will be brought back to the Board of Supervisors (BOS) for consideration/approval.

Agua Fria Union High School District #216 C-37-11-025-3-00
Aguila Elementary District #63 C-37-11-026-3-00
Alhambra Elementary District #68 C-37-11-027-3-00
Arlington Elementary District #47 C-37-11-028-3-00
Avondale Elementary District #44 C-37-11-029-3-00
Balsz Elementary District #31 C-37-11-030-3-00

Buckeye Elementary District #33 C-37-11-031-3-00
Buckeye Union High School District #201 C-37-11-032-3-00
Cartwright Elementary District #83 C-37-11-033-3-00
Cave Creek Unified District #93 C-37-11-034-3-00
Chandler Unified District #80 C-37-11-035-3-00
Creighton Elementary District #14 C-37-11-036-3-00
Deer Valley Unified District #97 C-37-11-037-3-00
Dysart Unified District #89 C-37-11-038-3-00
East Valley Institute of Technology District #401 C-37-11-039-3-00
Fountain Hills Unified District #98 C-37-11-040-3-00
Fowler Elementary District #45 C-37-11-041-3-00
Gila Bend Unified District #24 C-37-11-042-3-00
Gilbert Unified District #41 C-37-11-043-3-00
Glendale Elementary District #40 C-37-11-044-3-00
Glendale Union High School District #205 C-37-11-045-3-00
Higley Unified District #60 C-37-11-046-3-00
Isaac Elementary District #5 C-37-11-047-3-00
Kyrene Elementary District #28 C-37-11-048-3-00
Laveen Elementary District #59 C-37-11-049-3-00
Liberty Elementary District #25 C-37-11-050-3-00
Litchfield Elementary District #79 C-37-11-051-3-00
Littleton Elementary District #65 C-37-11-052-3-00
Madison Elementary District #38 C-37-11-053-3-00
Mesa Unified District #4 C-37-11-054-3-00
Mobile Elementary District #86 C-37-11-055-3-00
Morristown Elementary District #75 C-37-11-056-3-00
Murphy Elementary District #21 C-37-11-057-3-00
Nadaburg Unified District #81 C-37-11-058-3-00
Osborn Elementary District #8 C-37-11-059-3-00
Palo Verde Elementary District #49 C-37-11-060-3-00
Paloma Elementary District #94 C-37-11-061-3-00
Paradise Valley Elementary District #69 C-37-11-062-3-00
Pendergast Elementary District #92 C-37-11-063-3-00
Peoria Unified District #11 C-37-11-064-3-00
Phoenix Elementary District #1 C-37-11-065-3-00
Phoenix Union High School District #210 C-37-11-066-3-00
Queen Creek Unified District #95 C-37-11-067-3-00
Riverside Elementary District #2 C-37-11-068-3-00
Roosevelt Elementary District #66 C-37-11-069-3-00
Saddle Mountain Unified District #90 C-37-11-070-3-00
Scottsdale Unified School District #48 C-37-11-071-3-00
Sentinel Elementary District #71 C-37-11-072-3-00
Tempe Elementary District #3 C-37-11-073-3-00
Tempe Union High School District #213 C-37-11-074-3-00
Tolleson Elementary District #17 C-37-11-075-3-00
Tolleson Union High School District #214 C-37-11-076-3-00
Union Elementary District #62 C-37-11-077-3-00
Washington Elementary District #6 C-37-11-078-3-00
West-MEC #402 C-37-11-079-3-00
Wickenburg Unified District #9 C-37-11-080-3-00
Wilson Elementary District #7 C-37-11-081-3-00 (C-37-11-083-3-ZZ)

19. APPLY AND ACCEPT 2011 TITLE II-A GRANT AZ ESA PROFESSIONAL DEVELOPMENT PROJECT

Approve the Application for and acceptance of the 2011 AZ ESA Professional Development Project from Arizona Department of Education (11FAAAZE-170696-01A) in the amount of \$140,000.00. The term of the grant is 12 months from September 1, 2010, through August 31, 2011.

MCESA's indirect rate for FY 2011 is 33.6 percent. The restricted indirect cost rate allowed by this grant source is 0.91 percent. Allowable/recoverable indirect costs on this award are \$1,274.00 Unrecoverable indirect costs on this award are \$45,342.00.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. (C-37-11-084-G-00)

20. CANCELLATION OF SCHOOL GOVERNING BOARD ELECTIONS

Pursuant to A.R.S. § 15-424(D), cancel the attached list of governing board positions in which only one person filed a nomination petition or a nomination paper as a write-in. Also, declare vacant the governing board positions listed on the attachment for which no person filed nominating petitions or a nomination paper as a write-in and allow the Maricopa County Superintendent of Schools (MCSOS) to appoint in accordance with A.R.S. § 15-302(A). (C-37-11-090-7-00)

21. IGA WITH PHOENIX ELEMENTARY SCHOOL DISTRICT #1 FOR READING FOR THE STARS

Approve an Intergovernmental Agreement (IGA) between Phoenix Elementary School District #1 and Maricopa County through the Education Service Agency for the Reading for the Stars by Reading with the Stars program. This IGA outlines the responsibilities of each of the parties in implementing Reading for the Stars by Reading with the Stars (hereafter referred to as the Program). This Intergovernmental Agreement is effective from September 15, 2010 until September 13, 2013.

The Program is designed to increase 4th through 6th grade students' reading achievement and belief in themselves, and reduce factors that lead to future delinquency and incarceration. The parties agree to cooperate and assist each other in meeting these goals because they support education and benefit the students, the District, and the community. (C-37-11-087-3-00)

22. IGA WITH CHANDLER UNIFIED SCHOOL DISTRICT #80 FOR READING FOR THE STARS

Approve an Intergovernmental Agreement (IGA) between Chandler Unified School District #80 and Maricopa County through the Education Service Agency for the Reading for the Stars by Reading with the Stars program. This IGA outlines the responsibilities of each of the parties in implementing Reading for the Stars by Reading with the Stars (hereafter referred to as the Program). The Program is designed to increase 4th through 6th grade students' reading achievement and belief in themselves, and reduce factors that lead to future delinquency and incarceration. The parties agree to cooperate and assist each other in meeting these goals because they support education and benefit the students, the District, and the community. This Intergovernmental Agreement is effective from September 15, 2010 until September 13, 2013. (C-37-11-086-3-00)

23. IGA WITH PARADISE VALLEY UNIFIED SCHOOL DISTRICT #69 FOR READING FOR THE STARS

Approve an Intergovernmental Agreement (IGA) between Paradise Valley Unified School District #69 and Maricopa County through the Education Service Agency for the Reading for the Stars by Reading with the Stars program. This IGA outlines the responsibilities of each of the parties in implementing Reading for the Stars by Reading with the Stars (hereafter referred to as the Program). The Program is designed to increase 4th through 6th grade students' reading achievement and belief in themselves, and reduce factors that lead to future delinquency and incarceration. The parties agree to cooperate and assist each other in meeting these goals because they support education and benefit the students, the District, and the community. This Intergovernmental Agreement is effective from September 15, 2010 until September 13, 2013. (C-37-11-089-3-00)

24. IGA WITH OSBORN ELEMENTARY SCHOOL DISTRICT #8 FOR READING FOR THE STARS

Approve an Intergovernmental Agreement (IGA) between Osborn Elementary School District #8 and Maricopa County through the Education Service Agency for the Reading for the Stars by Reading with the Stars program. This IGA outlines the responsibilities of each of the parties in implementing Reading for the Stars by Reading with the Stars (hereafter referred to as the Program). The Program is designed to increase 4th through 6th grade students' reading achievement and belief in themselves, and reduce factors that lead to future delinquency and incarceration. The parties agree to cooperate and assist each other in meeting these goals because they support education and benefit the students, the District, and the community. This Intergovernmental Agreement is effective from September 15, 2010 until September 13, 2013. (C-37-11-088-3-00)

25. IGA WITH GLENDALE ELEMENTARY SCHOOL DISTRICT #40 FOR READING FOR THE STARS

Approve an Intergovernmental Agreement (IGA) between Glendale Elementary School District #40 and Maricopa County through the Education Service Agency for the Reading for the Stars by Reading with the Stars program. This IGA outlines the responsibilities of each of the parties in implementing Reading for the Stars by Reading with the Stars (hereafter referred to as the Program). The Program is designed to increase 4th through 6th grade students' reading achievement and belief in themselves, and reduce factors that lead to future delinquency and incarceration. The parties agree to cooperate and assist each other in meeting these goals because they support education and benefit the students, the District, and the community. (C-37-11-085-3-00)

Treasurer

26. ANNUAL COLLECTIONS AND DELINQUENCY REPORT TAX COLLECTIONS

Pursuant to A.R.S. §42-18002, accept the Annual Collections and Delinquency Report submitted by the County Treasurer for FY 2009-2010. Report is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule. (C-43-11-006-7-00)

27. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY REPORT

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment summary reports for July 2010, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-11-008-7-00)

DEPUTY COUNTY MANAGER

Correctional Health

28. EXECUTIVE COMPENSATION PACKAGE

Approve an Executive Compensation Package (ECP) for Leigh Sorokln, an unclassified Psychiatrist in the Correctional Health Department to adjust the Leave Accrual Rate to Schedule 3. (C-26-11-003-M-00)

Office of Enterprise Technology

29. SOLE SOURCE CONTRACT WITH SUMTOTAL SYSTEMS FOR THE PATHLORE LEARNING MANAGEMENT SYSTEM

Approve a sole source contract, 10077-SS, in an amount not-to-exceed \$161,100 with SumTotal Systems for a three year period to provide the Pathlore Learning Management System (LMS) for use by Maricopa County. Since 1991, Maricopa County has been utilizing the Pathlore training database for the purpose of tracking employee training. In 2001, the database was upgraded to Pathlore Enterprise which enabled employees to manage their training on-line and to take on-line classes. The Pathlore LMS has since been integrated into the County's PeopleSoft Human Resources System. (C-41-11-002-3-00)

Public Health

30. AMENDMENT TO IGA WITH ROOSEVELT SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) between Roosevelt School District and Maricopa County through its Department of Public Health to increase the contract by \$19,000 to provide school-based tobacco use prevention and education services for contract period ending May 1, 2011. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$38,000 for the contract term July 1, 2009 through May 1, 2011.

Funds for this IGA are provided by the Tobacco Education Prevention Grant from Arizona Department of Health Services (ADHS) and will not affect the County's general fund. (C-86-10-121-3-01)

31. AMENDMENT TO IGA WITH MURPHY ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) between Murphy Elementary School District and Maricopa County through its Department of Public Health to increase the contract by \$4,000 to provide school-based tobacco use prevention and education services for contract period ending May 1, 2011. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$8,000 for the contract term July 1, 2009 through May 1, 2011.

Funds for this IGA are provided by the Tobacco Education Prevention Grant from Arizona Department of Health Services (ADHS) and will not affect the County's general fund. (C-86-10-079-3-01)

32. AMENDMENT TO IGA WITH CREIGHTON SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) between Creighton School District and Maricopa County through its Department of Public Health to increase the contract by \$9,200 to provide school-based tobacco use prevention and education services for contract period ending May 1, 2011. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$18,400 for the contract term July 1, 2009 through May 1, 2011.

Funds for this IGA are provided by the Tobacco Education Prevention Grant from Arizona Department of Health Services (ADHS) and will not affect the County's general fund. (C-86-10-099-3-01)

33. AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH WASHINGTON ELEMENTARY SCHOOL DISTRICT FOR DENTAL SEALANT PROGRAM SERVICES

Approve a non-financial Amendment No. 3 Memorandum of Understanding (MOU) between the Washington Elementary School District and Maricopa County by and through its Department of Public Health, Office of Oral Health Dental Sealant Program for free dental sealant services for the students. The MOU period changes the effective date to August 2, 2010 and expiration date to August 1, 2011. Additional changes are added to Section E. All other terms and conditions of the original MOU shall remain in full force and effect. (C-86-08-023-M-03)

34. CONTRACT WITH BELTMAN GROUP INC. FOR USE OF FACILITIES

Approve the Contract Pursuant to PH-RFP 10-028 for the purpose of becoming a secondary regional distribution site for public health emergencies, between Maricopa County through the Department of Public Health, and the Beltman Group Inc., for the use of their facilities. This contract is in an amount not-to-exceed \$ 250,000 for the term August 20, 2010 through August 19, 2015. (C-86-11-008-3-00)

35. IGA WITH MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT D.B.A. MARICOPA INTEGRATED HEALTH CARE SYSTEM FOR HEALTHCARE FOR THE HOMELESS ANCILLIARY SERVICES

Approve Intergovernmental Agreement (IGA) between Maricopa County Special Health Care District, d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County through its Department of Public Health (MCDPH), Healthcare for the Homeless (HCH) Program to provide Ancillary Services for homeless clients. This IGA provides funding in an amount not-to-exceed \$50,000 per year starting July 1, 2010 through June 30, 2011. This IGA has a five-year term effective July 1, 2010 through June 30, 2015.

This IGA is a subcontract to the HCH grant (C-86-02-073-2-20), which is funded by HRSA, approved on April 14, 2010, and it will not affect the county general fund. (C-86-11-013-3-00)

36. AMENDMENT TO LEASE WITH THE ST MARY'S FOOD BANK ALLIANCE FOR WIC CLINIC

Approve and execute the Second Amendment to Lease Agreement No. L-7403 with St. Mary's Food Bank Alliance for WIC Clinic and office space located at 3003 W. Thomas Road, Phoenix, AZ. The lease term shall be amended to commence on the first day of the month following Board approval and terminate at the previously approved date of October 30, 2013. The Lessee agrees to pay as base rent during the remaining months of the current lease agreement \$11.25 s/f or an annual payment of \$72,000.00 plus rental tax. The square feet of leased spaced shall be increased by 1,912 s/f making an amended leased area of 6,400 s/f. Lessor shall provide 11 additional parking spaces to total 36 spaces.

All other terms and conditional of the current Lease Agreement shall remain in full force and effect.

The County Facility Review Committee indorsed amending Lease Agreement No. L-7403. (C-86-08-046-4-03)

37. GRANTEE AGREEMENT WITH ARIZONA EARLY CHILDHOOD DEVELOPMENT AND HEALTH BOARD, FIRST THINGS FIRST FOR ORAL HEALTH PLAN

Approve Grantee Agreement GRA-MULTI-11-0077-01 between Arizona Early Childhood Development and Health Board (AECDHB), First Things First (FTF) and Maricopa County through its Department of Public Health (MCDPH) to provide funding for oral health education, dental screenings and fluoride varnish. The term of the agreement is effective from September 1, 2010 and shall terminate June 30, 2011. The funding amount is not-to-exceed \$700,000. This agreement is renewable for two additional 12 month extensions, based on satisfactory performance and continued available funding.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement as delegated in the Grant Agreement. MCDPH's indirect rate for FY 2010-11 is 17%. The full indirect costs are estimated at \$108,182 of which \$63,636 is recoverable and \$44,546 is unrecoverable.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funding for this grant will be provided by FTF and will not affect the County general fund. (C-86-11-014-3-00)

38. FACILITY USE REVOCABLE LICENSE AGREEMENT WITH THE SOUTHERN ARIZONA AIDS FOUNDATION FOR HIV CLINIC SPACE

Approve full service Facilities Use Revocable License Agreement with The Southern Arizona AIDS Foundation (SAAF) Licensee, for the use of clinic space to provide on-site Comprehensive Risk Counseling Services (CRCS) for high-risk HIV negative and HIV positive clients aimed at reducing risk behaviors associated with transmission of HIV and other sexually transmitted infections (STIs), at the HIV Services Clinic located at 1645 East Roosevelt, Phoenix, AZ 85006. The term of the Agreement is from September 27, 2010 through December 31, 2011. Licensee agrees to provide the services at no cost to the County and the recipients. County agrees to provide access and promotion assistance without monetary remuneration. (C-86-11-011-3-00)

Workforce Management and Development

39. PROPOSED AMENDMENT TO THE LAW ENFORCEMENT OFFICERS MERIT SYSTEM RESOLUTION

The Director, WM&D recommends that the Board amend the Law Enforcement Officers Merit System Resolution to allow for promotional registers to be extended an additional two years beyond the current two year limit in circumstances where no promotions from the eligible promotion list have occurred during the two year period currently permitted in the Resolution. The current register expires November 5, 2010. Specifically, Sect II, Part B.4 of the Resolution should be amended as follows: "unless no promotions from the eligible promotion lists have occurred; in which case the Commission may extend the eligible lists for up to two additional years"

This proposal arises from the fact that there have been no opportunities for promotions during the current two year term of the promotional register for Lieutenants and Captains, which was approved by the Merit Commission on November 5, 2008. While this unusual situation may be due to a number of factors, the poor economy is undoubtedly one of the foremost reasons. The register process is a time intensive one, requiring numerous hours to prepare and grade written questions, to prepare the oral board questions for command staff who sit on the oral boards, and finally, to evaluate the responses. In the two years that this promotional register has existed, there has not been one promotional opportunity for the Officers on the register.

The Director, WM&D recommends that Section II, Part B.4 read as follows: "unless no promotions from the eligible promotion lists have occurred; in which case the Commission may extend the eligible lists for up to two additional years" (C-31-11-002-6-00)

ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION

Animal Care and Control

40. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$145,830 and the Foster Program in the amount of \$3,898. The total donation received was in the amount of \$149,728 which includes funds for the Maricopa County Spay/Neuter Voucher Program and supports one position in the Foster Program.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-11-035-D-00)

41. SPECIAL USE AGREEMENT WITH PETSMART CHARITIES, INC. FOR RETAIL SPACE

Approve and execute Special Use Agreement between PetSmart Charities, Inc., and Maricopa County for approximately 1,830 square feet of retail space located within PetSmart Store #1265, Tempe Marketplace, 1900 E Rio Salado Parkway, Tempe, AZ 85281 to be used as an Adoption Center operated by Maricopa County Animal Care and Control. The term of this Agreement shall be for three years, with option for automatic renewal for subsequent one year periods commencing on the September 1, 2010.

The term of the Agreement will be for three years with option for automatic renewal for subsequent one year periods. Maricopa County will supply animals and staffing to operate the Adoption Center. Animals and staff will be relocated from existing shelters to the Adoption Center. PetSmart Charities will provide the space, cages, equipment, pet food, utilities, at no cost to Maricopa County. Maricopa County may terminate this Agreement after giving a 90 day notice without cause. PetSmart Charities may terminate this Agreement after giving a 30 day notice without cause. (C-79-11-024-3-00)

42. KENNEL PERMIT FOR RED ROCK RANCH

Approve kennel permit #044 pursuant to A.R.S. §11-1009 for Hollie Schwandt, d.b.a. Red Rock Ranch, 3603 S. Citrus Goodyear AZ 85338, in District 5 for the term of September 15, 2010 through September 14, 2011. The cost of a kennel permit is \$328. (C-79-11-033-L-00)

43. KENNEL PERMIT FOR BIMINI KENNELS

Approve kennel permit #028 pursuant to A.R.S. §11-1009 for Bonnie Yarnell, d.b.a. Bimini Kennels, 5193 S. 158th Street, Gilbert, AZ 85298, in District 1 for the term of September 15, 2010 through September 14, 2011. The cost of a kennel permit is \$328. (C-79-11-034-L-00)

44. KENNEL PERMIT FOR S & J KENNEL

Approve kennel permit #045 pursuant to A.R.S. §11-1009 for Susan Ness, d.b.a. S & J Kennel, 1117 N. 11th Street, Phoenix, AZ 85006, in District 5 for the term of September 15, 2010 through September 14, 2011. The cost of a kennel permit is \$328. (C-79-11-036-L-00)

Human Services

45. APPOINTMENT TO THE MARICOPA COUNTY HEAD START ZERO-FIVE POLICY COUNCIL

Approve the appointment of Supervisor Fulton Brock, District 1, as the Board's representative to the Maricopa County's Head Start Zero-Five Policy Council from September 25, 2010 through September 24, 2011.

The Board of Supervisors and the Policy Council have entered into a Memorandum of Understanding (MOU) that outlines the roles and responsibilities of the Board and the Policy Council in shared governance for the Maricopa County Head Start Zero-Five Program. This MOU states that the Board shall appoint a representative from among their members, or a representative from the community to serve on its behalf as Designee, as a representative to

the Maricopa County Head Start Zero-Five Policy Council. This representative serves a 13-month term, September through September. Federal regulations stipulate that no member of the Policy Council, including the Board's representative, may serve more than three (3) one-year terms on the Policy Council. This will be Supervisor Brock's second term as a member of the Policy Council. The Policy Council meets once per month, generally on the last Friday of the month. Meetings are held at the program's East Valley Office located at 2150-1 South Country Club Drive, Suite 7, Mesa, Arizona, 85210.

The Board's representative to the Policy Council performs the following functions: represents the Board of Supervisors on the Policy Council; keeps the Policy Council informed of Board of Supervisors activity as it relates to the Head Start Zero-Five Program; keeps the Board of Supervisors informed about the Policy Council; and, participates in the shared decision-making process prior to items going to the Board of Supervisors for approval. (C-22-11-022-9-00)

46. CONTRACT WITH TEMPE ELEMENTARY SCHOOL DISTRICT NO. 3 FOR HEAD START FOOD SERVICES

Approve a contract between Tempe Elementary School District No. 3 and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$263,921. This contract is funded by grants from U.S. Department of Health and Human Services (C-22-10-048-G-00), and the Child and Adult Care Food Program (CACFP). The purpose of this contract is to provide food catering to participants in Maricopa County Head Start Zero-Five Program. This contract is effective from October 1, 2010 until September 30, 2011.

The contract represents a fixed price agreement per each meal and snack served for an amount not to exceed \$263,921. The contract requires the District to provide a minimum 1/3 to 2/3 of the daily recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program and the U.S. Department of Health and Human Services provide funding for the contract. This agreement does not include any County General Funds. (C-22-11-023-3-00)

47. CONTRACT WITH SCOTTSDALE UNIFIED SCHOOL DISTRICT FOR HEAD START FOOD SERVICES

Approve a contract between Scottsdale Unified School District No. 3 and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$26,055. This agreement is funded by grants from U.S. Department of Health and Human Services (C-22-10-048-G-00), and the Child and Adult Care Food Program (CACFP). The purpose of this agreement is to provide food catering to participants in Maricopa County Head Start Zero-Five Program. This contract is effective from October 1, 2010 until September 30, 2011.

The contract represents a fixed price agreement per each meal and snack served for an amount not to exceed \$26,055. The contract requires the District to provide a minimum 1/3 to 2/3 of the daily recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program and the U.S. Department of Health and Human Services provide funding for the contract. This agreement does not include any County General Funds. (C-22-11-024-3-00)

48. CONTRACT WITH MESA UNIFIED SCHOOL DISTRICT FOR HEAD START FOOD SERVICES

Approve a contract between Mesa Unified School District and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$399,413. This contract is funded by grants from U.S. Department of Health and Human Services (C-22-10-048-G-00), and the Child and Adult Care Food Program (CACFP). The purpose of this contract is to provide food catering to participants in Maricopa County Head Start Zero-Five Program. This contract is effective from October 1, 2010 until September 30, 2011.

The contract represents a fixed price agreement per each meal and snack served for an amount not to exceed \$399,413. The contract requires the District to provide a minimum 1/3 to 2/3 of the daily recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program and the U.S. Department of Health and Human Services provide funding for the contract. This agreement does not include any County General Funds. (C-22-11-025-3-00)

49. CONTRACT WITH CHANDLER UNIFIED SCHOOL DISTRICT FOR HEAD START FOOD SERVICES

Approve a contract between Chandler Unified School District and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$126,126. This contract is funded by grants from U.S. Department of Health and Human Services (C-22-10-048-G-00), and the Child and Adult Care Food Program (CACFP). The purpose of this contract is to provide food catering to participants in Maricopa County Head Start Zero-Five Program. This contract is effective from October 1, 2010 until September 30, 2011.

The contract represents a fixed price agreement per each meal and snack served for an amount not to exceed \$126,126. The contract requires the District to provide a minimum 1/3 to 2/3 of the daily recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program and the U.S. Department of Health and Human Services provide funding for the contract. This agreement does not include any County General Funds. (C-22-11-026-3-00)

50. IGA WITH THE CITY OF CHANDLER FOR DEVELOPMENT OF AN ACCESS POINT

Approve the Intergovernmental Agreement (IGA) between City of Chandler and Maricopa County administered by its Human Services Department to establish City of Chandler as an Access Point for purposes of Workforce Development activities. This non-financial IGA is effective upon signature by both parties and will expire December 31, 2011.

Access Points are a network of faith-based and community based organizations that provide residents with a location where job seekers can access abbreviated One Stop Career Center services. As an Access Point, City of Chandler will assist youth and adult job seekers to access employment-related services to assist them in obtaining employment. This IGA will create a partnership enabling Maricopa County residents who are unable to travel to a One Stop Career Center the ability to access services through an Access Point that is located in their community. (C-22-11-027-3-00)

51. AMENDMENT TO CONTRACT WITH PIMA PREVENTION PARTNERSHIP

Approve Amendment No. 4 to the Contract between Pima Prevention Partnership and Maricopa County through its Human Services Department/Education Division/ Head Start Zero-Five Program in an amount up to \$336,000 to provide marriage education training to Head Start and Early Head Start eligible parents. This amendment is funded by a Healthy Marriage Initiative grant from U.S. Department of Health and Human Services (C-22-08-128-3-01) that is composed of five, one-year terms. This amendment extends the contract term for the fourth of five years from September 30, 2010 through September 29, 2011.

Maricopa County is one of 24 programs across the county to be awarded a Healthy Marriage Initiative Grant with funding of \$411,772 awarded each year. As part of this grant, the program is required to contract with an organization in our community that has demonstrated success in delivering marriage education services to provide this education with the balance of the funding used to support the county program operations for this grant. Maricopa County Head Start Zero-Five Program has contracted with Pima Prevention Partnership to provide 1,200 service units of marriage education training. All other terms and conditions of the original Contract remain the same, and all prior unexpired Amendments are in full force and effect. (C-22-08-129-1-04)

52. AMENDMENT TO THE MANAGEMENT AND IMPLEMENTATION AGREEMENT OF A COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY ACTIVITY WITH THE TOWN OF GUADALUPE

Approve Amendment No. 1 to the Management and Implementation Agreement of a Community Development Block Grant Recovery (CDBG-R) Activity with the Town of Guadalupe for Guadalupe Gastelo Sidewalk Improvements. Amendment No. 1 increases the funding by \$119,069, which increases total compensation from \$133,782 to \$252,851, and increases the Scope of Work from construction of 5,868 LF to 8,265 LF of 4' wide sidewalks in the Gastelo Neighborhood of the Town of Guadalupe. This amendment is effective upon signature by the Board of Supervisors until such time as all CDBG-R program requirements are met. Funds for this amendment are provided by a grant from the U.S. Department of Housing and Urban Development as part of the American Recovery and Reinvestment Act of 2009 and do not impact the County's General Fund.

The original Management and Implementation Agreement (MIA) was approved by the Board of Supervisors on June 17, 2009 under C-17-09-059-3-ZZ (C-17-09-058-3-00) and effective on November 2, 2009. (C-17-09-058-3-01)

53. AMENDMENT TO IGA WITH THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) between the Regional Public Transportation Authority (RPTA) and Maricopa County through its Human Services Department (C-22-10-054-3-00). Amendment No. 1 modifies language in Section II, Special Provisions and Section III, Work Statement, reduces the amount of the IGA from \$183,168 by \$3,168 for a total amount of \$180,000 for the IGA and extends the term of the Agreement for an additional twelve months, from July 1, 2010 to June 30, 2011.

All other terms and conditions of the original contract remain unchanged. This IGA does not impact County general funds.

The RPTA will utilize these funds to provide public transportation assistance to residents of the unincorporated areas of Maricopa County who are considered elderly, disabled or low-income as defined by the Americans with Disabilities Act (ADA).

This amendment is funded through Local Transportation Assistance Fund (LTAF) grant funds from Arizona Department of Transportation (ADOT) C-22-10-051-G-00 and matched with funds from Prop 400 grant funding from RPTA in an amount not-to-exceed \$90,000. C-22-07-125-3-03. (C-22-10-054-3-01)

54. ADDITION OF VEHICLES TO THE FLEET

Approve the addition of two new vehicles to the fleet, to replace vehicles #51912 and #51702 that were previously approved for surplus by the Board of Supervisors on August 18, 2010 (C-22-11-015-V-00). The cost of these new vehicles is approximately \$50,000 and will be paid for with ARRA grant funds. There will be no impact to the County General Fund.

Funding for the Early Head Start and Head Start ARRA Expansion grants were approved by the Board of Supervisors on September 2, 2009(C-22-09-153-G-00 and C-22-10-018-G-00).

The purchased vehicles will be used for the Head Start program to ensure available transportation for staff operations. Recently, two older vehicles were retired due to age and inability to provide service. This has placed a strain on the staff and the remaining vehicles. (C-22-11-015-V-01)

55. CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES FOR YEAR 2 OF ARRA EXPANSION EARLY HEAD START SERVICES

Approve a Contract between Catholic Charities Community Services and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$443,271. The purpose of this Contract is to provide a second year of comprehensive child development and family support services to 46 low-income children 0-3 years of age and their families in western Maricopa County. This Contract is effective from September 30, 2010 through September 29, 2011.

This Contract is funded by an American Recovery and Reinvestment Act (ARRA) grant from the U.S. Department of Health and Human Services/Administration for Children and Families/Office of Head Start and requires Catholic Charities to provide a 25 percent match (non-federal share). This is the second year of the ARRA of 2009 Early Head Start Expansion grant, a two-year grant that ends September 29, 2011. The contract does not include any County general funds. (C-22-11-028-3-00)

56. CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES FOR YEAR 2 OF ARRA EXPANSION HEAD START SERVICES

Approve a Contract between Catholic Charities Community Services and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$255,700. The purpose of this Contract is to provide a second year of comprehensive child development and family support services to 36 low-income children 3-5 years of age and their families in western Maricopa County. This Contract is effective from September 30, 2010 through September 29, 2011.

This Contract is funded by an American Recovery and Reinvestment Act (ARRA) grant from the U.S. Department of Health and Human Services/Administration for Children and Families/Office of Head Start and requires Catholic Charities to provide a 25 percent match (non-federal share). This is the second year of the ARRA of 2009 Head Start Expansion grant, a two-year grant that ends September 29, 2011. The contract does not include any County general funds. (C-22-11-029-3-00)

57. IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR WORKFORCE INVESTMENT ACT ACTIVITIES

Approve a financial Intergovernmental Agreement (IGA) with Arizona Department of Economic Security (DES) and Maricopa County, administered by its Human Services Department (HSD) for a total of \$11,302,545: Youth \$3,011,637; Adult \$2,907,482; Dislocated Worker \$5,383,426. The purpose of this Agreement is to provide funding for Workforce Investment Act activities for Youth, Adults and Dislocated Workers. The funds are provided under the Workforce Investment Act (WIA) Title, 1B Federal Grant program from the U.S. Department of Labor. As such, the funds are subject to all the provisions of Public Law 111-5 as well as any guidance issued by the U.S. Department of Labor and DES. Services to be provided under this agreement include: Youth, Adult and Dislocated Worker services. The term of the Agreement is from April 1, 2010 to June 30, 2013.

The Fiscal Year 2011 Human Services Department approved indirect cost rate is 16.1%. The total grant funds are \$11,302,545, of which \$6,060,529 is allowable pass through to sub-recipients and/or is direct support services and not subject to indirect cost recovery. Therefore, the total indirect cost amount is estimated at \$726,929. (C-22-11-021-3-00)

Parks and Recreation

58. COMMERCIAL MANAGEMENT CONCESSIONS AGREEMENT

Approve the Commercial Management Concessions Agreement between Maricopa County and Ice Cubes in order to manage, operate and maintain a food vending concession within the Maricopa County Regional Park System. Term of the Agreement is from the Effective Date, the date approved by the Board of Supervisors, through December 31, 2011 with ten (10) one (1)-year renewal options. Guaranteed revenue for Maricopa County Parks and Recreation Department (Department 300) (Fund 240) throughout the term of the Agreement is \$150.00. (C-30-11-012-3-00)

59. COMMERCIAL MANAGEMENT CONCESSIONS AGREEMENT

Approve the Commercial Management Concessions Agreement between Maricopa County and Yoga Breeze in order to manage, operate and maintain a commercial concession within the Maricopa County Regional Park System. Term of the Agreement is from the Effective Date, the date approved by the Board of Supervisors, through December 31, 2011 with ten (10) one (1)-year renewal options. Guaranteed revenue for Maricopa County Parks and Recreation Department (Department 300) (Fund 241) throughout the term of the Agreement is \$150.00. (C-30-11-014-3-00)

60. COMMERCIAL MANAGEMENT CONCESSIONS AGREEMENT

Approve the Commercial Management Concessions Agreement between Maricopa County and Cave Creek – Adventure Boot Camp, LLC in order to manage, operate and maintain a commercial concession within the Maricopa County Regional Park System. Term of the Agreement is from the Effective Date, the date approved by the Board of Supervisors, through December 31, 2011 with ten (10) one (1)-year renewal options. Guaranteed revenue for Maricopa County Parks and Recreation Department (Department 300) (Fund 241) throughout the term of the Agreement is \$150.00. (C-30-11-013-3-00)

CHIEF FINANCIAL OFFICER

Finance

61. FUNDS TRANSFERS; WARRANTS

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are on file in the Clerk of the Board's office.

62. ADMINISTRATIVE CORRECTION TO ACCESS AGREEMENT WITH CITY OF PHOENIX FOR AIR QUALITY MONITORS AT FIRE STATION NO. 27

Approve an administrative correction to agenda item C-18-11-003-3-00 by changing the previously assigned agreement tracking number (G-30126) for a license agreement with City of Phoenix for access to Fire Station No. 27, for the purpose of maintaining an Air Quality Monitor station at the subject site, to the corrected agreement tracking number of G-30129. (C-18-11-003-3-01)

CHIEF PROCUREMENT OFFICER

Materials Management

63. SOLICITATION SERIALS

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

a. 10033-C, CANNED FRUIT

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 10033-C

Item: Canned Fruit (\$1,511,250.00 estimate/three years until September 30, 2013, with three one-year renewal option) Contract to provide canned fruit for MCSO'S inmate population.

H.Schrier & Co. Inc.

La Foods (C-73-11-023-7-00)

b. 10063-ROQ, STATE LEGISLATIVE SERVICE PROVIDERS (LOBBYIST)

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 10063-ROQ

Item: State Legislative Service Providers (Lobbyist) (\$1,500,000.00 estimate/three years until October 31, 2013, with three one year renewal option) TO PROVIDE ADVOCACY SERVICES (LOBBYING) AT THE ARIZONA STATE LEGISLATIVE AS REQUESTED AND REQUIRED ON A FIXED ANNUAL RETAINER.

First Strategic LLC
LaSota & Peters PLC
Law Office of Lee Miller
Public Policy Partners
Rory Hays
SRW Consulting (C-73-11-025-7-00)

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Air Quality Department

64. EXECUTIVE COMPENSATION PACKAGE - ADDITIONAL LEAVE REQUEST

Approve an Executive Compensation Package (ECP) for William Wiley, an unclassified Director Air Quality in the Air Quality Department, awarding a Schedule 3 Leave Accrual Rate effective August 30, 2010. (C-85-11-001-M-00)

ASSISTANT COUNTY MANAGER - PUBLIC WORKS

Public Works

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

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-11-089-7-00)

66. AMENDMENT TO ADOPTED BUDGET AND FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR PROJECT CONTINGENCY

Pursuant to A.R.S. Section 42-17106(B), authorize the following amendment to the Non-Departmental (470) FY 2010-11 Budget and the Five-Year Capital Improvement Plan:

- Increase the expenditure appropriation in the General Fund County Improvement (445) project titled "West Court 2nd, 3rd and 4th Remodel" (WCFR) by \$312,824 from \$2,784,519 to \$3,097,343 for reconciliation of actual project expenditures in FY10 and the project increase. Also increase the total project expenditure appropriation in the General Fund County Improvement (445) titled "West Court 2nd, 3rd and 4th Remodel" (WCFR) in the amount of \$801,154 from \$4,055,204 to \$4,856,358 due to an increased project budget estimate.

- Decrease the expenditure appropriation in the General Fund County Improvement (445) project titled "Security Building" (SSCB) in the amount of \$3,697 from \$2,669,424 to \$2,665,727 for reconciliation of actual project expenditures in FY10.

- Increase the expenditure appropriation in the General Fund County Improvement (445) project titled "Santa Fe Depot Remodel" (SFDR) in the amount of \$8,795 from \$3,822,106 to \$3,830,901 for reconciliation of actual project expenditures in FY10
- Decrease the expenditure appropriation in the General Fund County Improvement (445) Project Reserve (PRSA) in the amount of \$317,922 from \$18,907,923 to \$18,590,001

Approval of this item will adjust the Five Year Capital improvement Program budget by reconciling projected versus actual spending on these projects during FY 2009-10. This budget does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

These actions will have a County-wide impact of \$0 in FY 2010-11 and will allow these projects to be completed as designed. (C-91-11-035-2-00)

67. IGA WITH THE CITY OF SURPRISE FOR THE EXCHANGE OF SERVICES (ENTENTE)

Approve the Intergovernmental Agreement (IGA) between Maricopa County and the City of Surprise for the Exchange of Services (also known as an Entente Agreement).

This Agreement looks beyond jurisdictional boundaries and instead focuses on executing transportation related maintenance tasks in the most economical manner. The Agreement enables partnerships between the County and Municipality to provide a more seamless transportation system for the public through a cooperative highway maintenance program. The Agreement can be used for both routine and emergency highway maintenance tasks. Each maintenance task is approved by the City Manager and the County Department of Transportation Director or their designee through a Letter of Agreement. Supervisorial District 4. (C-91-11-036-M-00)

68. JOB ORDER CONTRACT WITH J. BANICKI CONSTRUCTION, INC FOR ROADWAY STABILIZATION & PAVING SERVICES

Approve the award of Job Order Contract (JOC), Contract No. 2009-054 with J. Banicki Construction, Inc., for a not-to-exceed amount of \$9,000,000 for Roadway Stabilization and Paving Services performed when requested by the Maricopa County Department of Transportation through a specific Work Assignment.

This JOC shall be effective for a period of one year from the Board award date and may be renewed, if mutually agreed to by both the Contractor and the County, for an additional two one-year periods. The Contractor shall be paid a total fee not-to-exceed \$9,000,000 over three years. The annual contract amount not-to-exceed \$3,000,000. Supervisory District No(s). All (C-91-11-037-5-00)

69. JOB ORDER CONTRACT WITH SUNLAND ASPHALT FOR ROADWAY STABILIZATION & PAVING SERVICES

Approve the award of Job Order Contract (JOC), Contract No. 2009-055 with Sunland Asphalt, for a not-to-exceed amount of \$9,000,000 for Roadway Stabilization and Paving Services performed when requested by the Maricopa County Department of Transportation through a specific Work Assignment.

This JOC shall be effective for a period of one year from the Board award date and may be renewed, if mutually agreed to by both the Contractor and the County, for an additional two one-year periods. The Contractor shall be paid a total fee not-to-exceed \$9,000,000 over three years. The annual contract amount not-to-exceed \$3,000,000. Supervisory District No(s). All (C-91-11-038-5-00)

70. JOB ORDER CONTRACT WITH NESBITT CONTRACTING COMPANY INC FOR ROADWAY STABILIZATION & PAVING SERVICES

Approve the award of Job Order Contract (JOC), Contract No. 2010-033 with Nesbitt Contracting Company, Inc., for a not-to-exceed amount of \$9,000,000 for Roadway Stabilization and Paving Services performed when requested by the Maricopa County Department of Transportation through a specific Work Assignment.

This JOC shall be effective for a period of one year from the Board award date and may be renewed, if mutually agreed to by both the Contractor and the County, for an additional two one-year periods. The Contractor shall be paid a total fee not-to-exceed \$9,000,000 over three years. The annual contract amount not-to-exceed \$3,000,000. Supervisory District No(s). All (C-91-11-039-5-00)

71. JOB ORDER CONTRACT WITH CACTUS ASPHALT FOR TRAFFIC CALMING

Approve the award of Job Order Contract (JOC), Contract No. 2010-053 with Cactus Asphalt, for a not-exceed amount of \$1,500,000.00 for Traffic Calming Services performed when requested by the Maricopa County Department of Transportation through a specific Work Assignment.

This JOC shall be effective for a period of one year from the Board award date and may be renewed, if mutually agreed to by both the Contractor and the County, for an additional two one-year periods. The Contractor shall be paid a total fee not-to-exceed \$1,500,000.00 over three years. The annual contract amount not-to-exceed \$500,000.00. Supervisory District: All (C-91-11-040-5-00)

BOARD OF SUPERVISORS

Clerk of the Board

72. REAPPOINTMENTS TO THE GREATER PHOENIX ECONOMIC COUNCIL

Approve the reappointment of Supervisor Fulton Brock, Supervisor Andrew Kunasek, Rick West and Don Kile to the Greater Phoenix Economic Council Board of Directors. All appointed directors shall hold office for a term of one year, commencing on the date of the GPEC annual meeting or until their respective successors are appointed and qualified. (C-06-11-067-9-00)

SETTING OF HEARINGS

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

Clerk of the Board

73. FORMATION PETITIONS FOR THE PROPOSED CLEARWATER HILLS FIRE DISTRICT

Pursuant to A.R.S. § 48-261(A), set a public hearing on the petitions for the proposed Clearwater Hills Fire District to be held at 9 a.m., October 6, 2010, at the Board of Supervisors' Auditorium, 205 W. Jefferson.

Petitions have been validated pursuant to A.R.S. § 48-261(A)9.

The proposed district is generally located in the unincorporated area between the Town of Paradise Valley and the Phoenix Mountains Preserve and contains approximately 200 parcels. (Supervisorial District 3) (C-06-10-266-7-02)

Planning and Development

74. ZONING CASES

~~Schedule Planning and Development public hearings on zoning cases and other matters for the October 6, 2010 hearing. (List will be on file with the Clerk's Office) (C-44-11-013-M-00)~~

CONSENT AGENDA

Clerk of the Board

75. DUPLICATE WARRANTS

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-11-095-7-00)

76. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors meetings held April 28, 2010, May 10, 2010, May 24, 2010, May 26, 2010, June 9, 2010, June 23, 2010, July 7, 2010, July 8, 2010, July 14, 2010. (C-06-11-081-7-00)

77. PROPERTY RE-CLASSIFICATION APPEAL - FOR APPROVAL

Pursuant to A.R.S. §42-12052, approve the property owner's appeal to re-classify property, which has satisfied the requirements of occupancy status, and re-classify the property to class three properties (owner occupied). Waive assessed penalties and liens related to this recent reclassification action. Direct the County Assessor to re-classify the property to class three (owner occupied), pursuant to A.R.S. 42-12003

Property Owner, Mizraim Montante, Parcel Number (APN): 165-20-087
Property Owner, Brenda Kauffman, Parcel Number (APN): 201-17-012B

Property Owner, MCZ/Centrum, Parcel Number (APN): 130-28-341
Property Owner, MCZ/Centrum, Parcel Number (APN): 130-28-387
Property Owner, MCZ/Centrum, Parcel Number (APN): 130-28-268
Property Owner, MCZ/Centrum, Parcel Number (APN): 130-28-332
Property Owner, MCZ/Centrum, Parcel Number (APN): 130-28-328 (C-06-11-086-M-00)

78. PROPERTY RE-CLASSIFICATION APPEAL CASES - FOR DENIAL

Pursuant to A.R.S. §42-12052, deny the property owner's appeal to re-classify properties, which has not satisfied the requirements of occupancy status, and maintain property classification at class four property (non-owner occupied). The class four property classification (non-owner occupied), remains in effect. (ADM310-002)

Property Owner, MCZ Centrum, Parcel Number (APN): 130-28-639
Property Owner, MCZ Centrum, Parcel Number (APN): 130-28-601 (C-06-11-087-M-00)

79. SECURED TAX ROLL CORRECTIONS

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-11-096-7-00)

80. SETTLEMENT OF PROPERTY TAX CASES

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated September 15, 2010. List is on file in the Clerk of the Board's Office. (C-06-11-094-7-00)

81. TAX ABATEMENTS

Approve requests for tax abatements from the Treasurer's Office pursuant to ARS 42-18353. List is on file in the Clerk of the Board's Office. (C-43-11-007-M-00)

BOARD OF SUPERVISORS ADDENDUM

Workforce Management and Development

A-1. APPLY AND ACCEPT GRANT FOR RYAN WHITE HIV/AIDS TREATMENT MODERNIZATION ACT-PART A

Approve the application and acceptance of grant funds from Health Resources and Services Administration (HRSA), (H89HA11478), for Ryan White HIV/AIDS Treatment Modernization Act-Part A for FY 2011-2012, in the not-to-exceed amount of \$9,333,635, for the purpose of providing life saving medical and support services to low income or uninsured people infected with HIV or AIDS. The grant award begins on March 1, 2011 and ends on February 29, 2012. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The Ryan White Healthcare program indirect rate for FY11 is 26.9%. The grant allows a 10% rate for indirect costs. The recoverable indirect cost of administering this grant is \$122,132; the non-recoverable indirect cost is \$206,402. \$7,990,188 is passed through to sub-recipients and is not subject to indirect rates charged by Maricopa County departments. Once awarded, an agenda item to request an overall grant budget adjustment will be submitted. Grant revenues are not local revenues for the purpose of the constitutional

expenditure limitation, and therefore, expenditure of the funds is not prohibited by budget law.

Also, direct the Chairman to sign a letter of explanation regarding the Department of Justice Title VI lawsuit to be attached to this grant. (C-31-11-003-G-00)

Clerk of the Board

A-2. AMEND CONTRACT WITH SIRE TECHNOLOGIES

Amend the contract with SIRE Technologies (Serial 06123-RFP, Agenda Management Software System and Associated Services) to include hosting services for the Agenda Management Software System in accordance with Section 4.12 Additions/Deletions of Services of the contract and increase the contract value from \$1,000,000 to not-to-exceed \$1,810,000. The increase to the contract will be funded by the transfer of funds originally appropriated for this project in the Office of Enterprise Technology. The term of the contract will remain the same, from June 7, 2007 to June 30, 2013. This action is subject to Legal Counsel's review and approval of the contract amendment and subsequent execution of the agreement and an approved site visit.

Also, in accordance with A.R.S. Section 42-17106(B), authorize a FY 2010-11 expenditure appropriation transfer increasing the Clerk of the Board (060) General Fund (100) Operating (0000) expenditure appropriation and decreasing the Office of Enterprise Technology (410) General Fund (100) Operating (0000) expenditure appropriation in the amount of \$259,401. This results in a net zero impact for the County.

In addition, direct the Office of Management and Budget to adjust the FY 2011-12 targets as appropriate for both departments.
(C-06-11-093-3-00)

IMPROVEMENT DISTRICT AGENDA

I-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Improvement District meetings held May 24, 2010. (C-06-11-085-7-00)

FLOOD CONTROL DISTRICT AGENDA

F-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Flood Control District meetings held April 28, 2010, May 24, 2010, May 26, 2010, June 9, 2010, June 23, 2010, July 7, 2010. (C-06-11-083-7-00)

F-2. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-11-088-7-00)

F-3. 10053-C, GRAVEL MULCH AND DECOMPOSED GRANITE

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 10053-C

Item: Gravel Mulch and Decomposed Granite (\$420,000.00 estimate/three years until September 30, 2013, with three one-year renewal option) Price agreement for the purchase and delivery of Gravel Mulch and Decomposed Granite for use by the Flood Control department.

Image Trucking
Siewers Construction LLC
Pioneer Sand Company (C-73-11-024-7-00)

LIBRARY DISTRICT AGENDA

L-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Library District meetings held May 12, 2010, May 24, 2010, May 26, 2010, June 23, 2010. (C-06-11-082-7-00)

STADIUM DISTRICT AGENDA

S-1. MINUTES

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Stadium District meetings held May 24, 2010, May 26, 2010, June 23, 2010. (C-06-11-084-7-00)

STADIUM DISTRICT ADDENDUM

SA-1. AMENDMENT TO FY 2010-11 CAPITAL PLAN FOR LED LINEUP BOARD PROJECT

Approve and authorize David Smith, Stadium District Executive Director to execute a letter agreement, in substantially the form provided, between the Stadium District and AZPB Limited Partnership and related Team Entities that provides for the renovation of the lineup boards. Renovation of the lineup boards will allow for the replacement of the existing incandescent lineup boards with new LED lineup boards. The total estimate cost of the new

project is not-to-exceed \$1,400,000 and will be paid for with funds transferred from the Stadium District (680) Long Term Project Reserve (450) account.

Approve and authorize a one-time exception to the Maricopa County Procurement Code (Section MC1-504G) which limits the single maximum value of a work assignment to \$1,000,000. This one time exception shall be in the amount of \$1,300,000. This change in the Job Order Contract single maximum value of a work assignment has been evaluated and approved by the County Engineer to allow for the timely completion of the project as well as allowing the Maricopa County Stadium District to achieve a project cost savings that will not be realized under the other project delivery methods available to the Maricopa County Stadium District. The maximum yearly contract value amount of the JOC contract will be governed by the Maricopa County Procurement Code and the Article 5 Procedures Manual in accordance with statutory limits. County Engineer Kenny Harris has consented, in writing, to this one-time exception imposed by Article 5 of the Procurement Code.

Approve a transfer in the amount of \$1,400,000 from the Stadium District (680) Long Term Project Reserve Fund (450) to the Stadium District (680) Ballpark Operations Fund (253). This action will require an increase in the amount of \$1,400,000 to be Stadium District (680) Long Term Project Reserve Fund (450) Non Recurring Non Project (0001) expenditure appropriation and an increase in the amount of \$1,400,000 to the Stadium District (680) Ballpark Operations Fund (253) Non Recurring Non Project (0001) revenue appropriation. The above transactions will be offset with corresponding adjustments to Stadium District (680) Eliminations Fund (900) Non Recurring Non Project (0001) budget for a net impact of zero.

Approve an increase in the amount of \$1,400,000 to the Stadium District (680) Ballpark Operations Fund (253) Non Recurring Non Project (0001) expenditure appropriation. (C-68-11-002-2-00)

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

- 82. Public comment on matters pertaining to Maricopa County government. Please limit comments to two minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)
- 83. Supervisors'/County Manager's summary of current events.

PLANNING AND ZONING AGENDA

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

CONSENT AGENDA

1. SPECIAL USE PERMIT - JOHNSTON COTTAGE INDUSTRY

Case Number: Z2007090
Supervisorial 3
District:

Applicant: Floyd and Beth Johnston
Location: East of New River Rd. and north of Mano Dr. in the north Phoenix/New River area
Request: Removal of a Special Use Permit (SUP) for a Cottage Industry in the Rural-43 zoning district (approx. 0.72 acres)
Commission Action: Recommended removal by a unanimous vote of 7-0.
(C-44-11-016-7-00)

REGULAR AGENDA

2. SPECIAL USE PERMIT - PACIFIC MOBILE MANOR

Case Number: Z2010048
Supervisorial District: 2
Applicant: Pew & Lake, PLC for Case Del Sol #1, LLC and Casa Del Sol #2, LLC
Location: North of Apache Trl. and east of Crismon Rd. & Merrill Rd. in the east Mesa area.
Request: Zone Change from C-3 to R-5 and A Special Use Permit for a RV Park in the R-5 zoning district (approx. 1.32 acres)
Commission Action: Approval by a vote of 7-0 subject to staff recommended stipulations 'a' - 'o' as outlined in the staff report and shown below:
a. Development of the site shall comply with the Site Plan entitled "Pacific Mobile Manor (RV Park)", consisting of two (2) full-size sheets, stamped received July 21, 2010, except as modified by the following stipulations. The applicant shall submit a revised site plan within 15 days of Board of Supervisor's approval with the following corrections:
1. Outdoor light fixtures shall be in conformance with provisions in Chapter 11, Section 1112. Outdoor light fixtures shall be moved out of any drive lane and to the interior lot line of all affected RV spaces.
2. Water, sewer, and electrical service hookups shall be located within each designated RV space. Hookups shall be relocated to the rear of spaces 1 to 9, 11, and 19 to 22. Any existing hookups located outside of the designated spaces shall be removed.
3. All on-site vehicle parking shall be striped in accordance with the approved site plan.
b. Development of the site shall be in conformance with the Narrative Report entitled "Pacific Mobile Manor Mobile Home and RV Park", consisting of six (6) pages, dated July 22, 2010, and stamped received July 22, 2010, except as modified by the following stipulations. However, if a redesign of the park is necessary the applicant shall submit a revised narrative in accordance with those requirements within 15 days of Board of Supervisor's approval.
c. The following Drainage Review stipulations shall apply:
1. All development and engineering design shall be in conformance with the Drainage Regulation, Drainage Policies and Standards and current engineering policies, standards and best practices at the time of application for construction.
2. Drainage review of this zone change case is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
d. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.
e. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
f. Development of the site shall be in compliance with all applicable Maricopa County Air Quality rules and regulations.
g. Development and use of the site shall comply with requirements for fire protection measures as deemed necessary by the Rural Metro Fire Department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
h. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services,

covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.i. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction. j. This Special Use Permit shall expire 30 years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.k. The applicant shall submit a written report outlining the status of the development at the end of five (5) and twenty eight (28) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.l. Amendments to the site plan and narrative report shall be processed as a revised application in accordance with Maricopa County Zoning Ordinance Article 304.9. m. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning)n. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Plan Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.o. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions and stipulations. In the event of the failure to comply with any condition or stipulation the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that revocation due to the failure to comply with any conditions or stipulations does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.

(C-44-11-014-7-00)

3. TEXT AMENDMENT - BY-RIGHT SOLAR AND SMALL WIND

Case Number: TA2009014
Supervisory District: All Districts
Applicant: Commission-initiated
Location: County-wide
Request: Text amendment to the Maricopa County Zoning Ordinance (MCZO) as it pertains to by-right solar and small wind electrical generating equipment.
Commission Action: Recommended approval by a unanimous vote of 6-0.

(C-44-11-015-7-00)