

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTES BOOK

**INFORMAL SESSION
September 18, 2006**

The Board of Directors of the Flood Control District of Maricopa County Arizona convened in Informal Session at 10:00 a.m., September 18, 2006, in the Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman, District 1, Andrew Kunasek, District 3, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Lori Pacini, Deputy Clerk of the Board; Liz Evans, Administrative Coordinator; David Smith, County Manager; Bruce White, Deputy County Attorney, and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

EXECUTIVE SESSION CALLED

Motion was made by Director Brock, seconded by Director Wilson, and unanimously carried (5-0) to recess and reconvene in Executive Session in the Tom Sullivan Conference Room to consider items listed on the Executive Agenda dated September 18, 2006 pursuant to listed statutory authority, as follows.

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

FCD-1. Flood Control District of Maricopa County v. Raven Rock Construction, LLC, TRP, LLC Greg York and Jane Doe York; CV2003-020855; and Raven Rock Construction, LLC Chapter 11 Bankruptcy Case No. 04-03861-RTB and TRP, LLC Chapter 11 Bankruptcy Case No. 04-05015-RTB.

Tim Phillips, Chief Engineer and General Manager
Geraldine Roll, Division of County Counsel
Tamalyn Lewis, Outside Counsel, **did not attend**
Julie Lemmon, General Counsel
Jean Rice, Deputy County Attorney
Joy Rich, Assistant County Manager, **did not attend**

MEETING ADJOURNED

At the conclusion of discussion on the above items and there being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Don Stapley, Chairman of the Board

Lori Pacini, Deputy Clerk of the Board