

**Informal Meeting Minutes
Monday, December 15, 2008
Meeting Scheduled Start Time: 10:00 AM**

**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)**



"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

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

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Tom Sullivan Conference Room
301 W Jefferson, 10th Fl
Phoenix, AZ 85003

FLOOD CONTROL DISTRICT

The Board of Directors of the Flood Control District of Maricopa County Arizona convened in Informal Session at 10:00 AM on Monday, December 15, 2008, in the Sullivan Conference Room with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1 (entered late); Don Stapley, District 2; Mary Rose Wilcox, District 5. Absent: Max Wilson, District 4. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Deputy County Manager; Bruce White, Deputy County Attorney.

The Board of Supervisors convened in dual session with the Board of Directors of the Flood Control District for the following item, which was on both meeting agendas for December 15, 2008.

1. EXECUTIVE SESSION

Vote to convene in Executive Session to consider items on the Executive Agenda dated Monday, December 15, 2008, pursuant to statutory authority listed for each item.

Motion to approve by: Director Wilcox, Seconded by: Director Stapley
Ayes: Kunasek, Stapley, Wilcox
Absent: Brock, Wilson

~ Chairman Kunasek declared a conflict of interest on item F-1. He handed the gavel to Supervisor Brock and left the meeting room at 11:05 a.m. ~

F-1. LEGAL ADVICE - §ARS 38-431.03(A)(3) PENDING OR CONTEMPLATED LITIGATION - §ARS 38-431.03(A)(4) SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION - §ARS 38-431.03(A)(4)

Transwestern Pipeline Company v. Flood Control District of Maricopa County (E-19-09-071-3-00)

Kenny Harris, Assistant County Manager, Public Works
Tim Phillips, Chief Engineer and General Manager, Flood Control District
Mike Wilson, Real Property Manager, Public Works
Adrian Gough, Deputy County Attorney
Jean Rice, Deputy County Attorney

F-2. LEGAL ADVICE - §ARS 38-431.03(A)(3) PENDING OR CONTEMPLATED LITIGATION - §ARS 38-431.03(A)(4)

A Tumbling T Ranches v. Flood Control District 1 CA-CV 07-0760 (E-19-09-072-3-00)

Tim Phillips, Chief Engineer & General Manager, Flood Control District

Peter Crowley, Risk Manager, Risk Management

Michael J. Frazelle, Outside Counsel

Julie Lemmon, Outside Counsel

John Paulsen, Deputy County Attorney

MEETING ADJOURNED

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

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board