

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
November 2, 2005**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m. November 2, 2005, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: : Max W. Wilson, Chairman, District 4; Fulton Brock, District 1; Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Absent: Don Stapley, Vice Chairman, District 2. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Paul Golab, Deputy County Attorney and Anne Longo, Assistant Chief Counsel. Votes of the Members will be recorded as follows: aye-aye-absent-abstain

MINUTES

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve the minutes of the meeting held on August 24, 2005.

PERSONNEL AGENDA

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve Flood Control District Personnel Agenda (Exhibit C). Exhibit C will be found at the end of this set of minutes.

PUBLIC HEARING ON RESOLUTION OF FCD COMPREHENSIVE PLAN 2005

Chairman Wilson called for a public hearing to solicit comments and adopt the Resolution FCD 2005R011, "Comprehensive Plan 2005 - Flood Control Program Report (Adoption of Comprehensive Program). No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to adopt this resolution. This item was continued from October 19, 2005. (C6906020600) (ADM1901-001)

RESOLUTION FCD 2005R011

**“Comprehensive Plan 2005 – Flood Control Program Report”
(Adoption of Comprehensive Program)**

WHEREAS, the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) is required under Arizona Revised Statutes Title 48, Chapter 21, §48-3616 to prepare or have prepared a report for a comprehensive program of flood hazard mitigation describing existing flood control facilities and identifying work proposed to eliminate or minimize flood control problems within Maricopa County; and,

WHEREAS, the District is required to prepare this comprehensive flood control program report, that since 1985, must be updated every five (5) years, and must be adopted by the Board of Directors of the Flood Control District of Maricopa County (Board); and,

WHEREAS, the Board adopted the “Comprehensive Flood Control Program Report – 1991” on March 13, 1991, Resolution FCD 91-02; and,

WHEREAS, the Board did not adopt Resolution FCD 1997R001 for the “Comprehensive Flood Control Report/Plan – 1997”; and,

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
November 2, 2005**

WHEREAS, the Board adopted the “Comprehensive Plan 2002 – Flood Control Program Report” (Plan 2002) on September 18, 2002, Resolution FCD 2002R010 (C-69-03-016-6-00); and,

WHEREAS, the “Comprehensive Plan 2005 – Flood Control Program Report” (Plan) is an update to Plan 2002, and has been prepared based on information from the District’s Capital Improvement Program, Area Drainage Master Studies/Plans, Floodplain Delineation Studies, and other District programs to identify work proposed to eliminate or minimize flood control problems since adoption of the Plan 2002; and,

WHEREAS, the Flood Control Advisory Board of the District endorsed the “Comprehensive Plan 2005 – Flood Control Program Report” on June 22, 2005, recommending to the Board that the “Comprehensive Plan 2005 – Flood Control Program Report” be adopted; and,

WHEREAS, the District provides floodplain regulation and management for Maricopa County to eliminate or minimize flood control problems within the County; and,

WHEREAS, the Plan also serves as the Comprehensive Floodplain Management Plan as required by the National Flood Insurance Program Community Rating System, Section 510; and,

WHEREAS, on August 22, 1990 the Flood Control Advisory Board recommended that the Board request classification in the National Flood Insurance Program Community Rating System; and,

WHEREAS, in 1990 Maricopa County volunteered to participate in the Community Rating System (CRS) of the National Flood Insurance Program agreeing to be rated by the federal government on its effectiveness in performing floodplain management so that citizens of Maricopa County may be eligible for flood insurance premium credit based on the community’s rating (control number PW 1179); and,

WHEREAS, the CRS recognizes ten (10) classes and credits are awarded in eighteen (18) categories, with Class 1 receiving the largest premium discounts. Maricopa County is currently rated Class 5, which results in lower flood insurance rates within the unincorporated County, and is a category **C** community (10 or more repetitive losses); and,

WHEREAS, a comprehensive floodplain management plan is necessary because Maricopa County is a repetitive loss community and if a plan is not adopted by the community’s governing body, the County could revert to Class 10; and,

WHEREAS, the residents of Maricopa County can receive reduced flood insurance premium rates as part of the National Flood Insurance Program Community Rating System if the “Comprehensive Plan 2005 – Flood Control Program Report” is adopted by the community’s governing body; and,

WHEREAS, the District Plans and Studies summarized in the Comprehensive Plan require extensive input and review by the public and affected agencies, which is documented in Appendix C of the “Comprehensive Plan 2005 – Flood Control Program Report”; and,

WHEREAS, the “Comprehensive Plan 2005 – Flood Control Program Report” has been made available to other jurisdictions and agencies for their review and comment and has been made available on the District web page for general review by the public; and,

WHEREAS, the Board of Directors of the Flood Control District of Maricopa County has held a public hearing as required under ARS §48-3616.

FORMAL SESSION
November 2, 2005

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Flood Control District of Maricopa County approve and adopt the "Comprehensive Plan 2005 – Flood Control Program Report"; and,

BE IT FURTHER RESOLVED the Chief Engineer and General Manager of the District forward the adopted report to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program by October 1, 2005 and provide copies of the report to local communities and other interested agencies and entities.

DATED this 19th day of October 2005.

/s/ Max W. Wilson, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

EASEMENTS AND RIGHTS-OF-WAY

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to 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. (ADM1910)

Bethany Home Outfall Channel Phase IIC (Per Resolution FCD 98-12)

Item A002.302-TCE, Temporary Construction Easement and Agreement for Flood Control Purposes from Hatch Properties, L.L.C. to Flood Control District of Maricopa County for the sum of \$12,587.00.

Property Management – Aqua Fria (Per Resolution FCD 1999R016)

Item A-1105, A-1107; Utility Easement from the Flood Control District of Maricopa County to AT&T Corporation for the sum of \$6,150.00.

Property Management – Saddleback FRS (Per Resolution FCD 1999R016)

Item T-1178, Utility Easement from the Flood Control District of Maricopa County to AT&T Corporation for the sum of \$850.00.

Property Management – Signal Butte Floodway (Per Resolution FCD 1999R016)

Item T-2125, Transmission Line (Overhead) Easement from the Flood Control District of Maricopa County to Salt River Project Agricultural Improvement and Power District for \$1,184.00.

BIDS AND AWARD FOR BETHANY HOME OUTFALL CHANNEL

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to authorize the Flood Control District of Maricopa County to issue an Invitation for Bids for Contract FCD 2004C055, Bethany Home Outfall Channel Reach C - 83rd Avenue to 73rd Avenue (Project #620), and to

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
November 2, 2005**

award the contract to the lowest responsive responsible bidder if the bid is not more than 10% over the engineer's estimate. (Supervisorial Districts 4 and 5) (C6906031500)

APPROPRIATION INCREASE TO CIP FOR ELLSWORTH CHANNEL PROJECT

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve an appropriation increase to the current FY 2005-06 Flood Control District of Maricopa County Capital Improvements Program (CIP) expenditure budget (Department 690, Fund 990) by \$2,100,000. The funding will be used to continue the district's cooperative participation with The Maricopa County Department of Transportation and the City of Mesa in the Ellsworth Channel Project (F442- East Mesa ADMP). (C6906034M00) (ADM1900-003)

MODIFY AGREEMENT FOR RID OVERCHUTE PROJECT

Motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to approve the modification to the agreement for the Roosevelt Irrigation District (RID) Overchute Project Operation and Maintenance, and right-of-way, approved by the Flood Control District of Maricopa County Board of Directors on July 9, 1997 (C6998004000), among the Flood Control District of Maricopa County, City of Avondale, ~~City of Litchfield Park~~, SunCor Development and the RID. (The Clerk made the correction prior to the vote.) (C6998004000) (C6906038000)

MEETING ADJOURNED

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

Max W. Wilson, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board