

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
March 1, 2006**

The Board of Directors of the Flood Control District of Maricopa County Arizona, convened in Formal Session at 9:00 a.m., March 1, 2006, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman, District 1, Andrew Kunasek, District 3 and Max W. Wilson, District 4. Absent: Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

MINUTES

Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve the minutes of the meetings held December 21, 2005.

PERSONNEL AGENDA

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

EASEMENTS AND RIGHT-OF-WAY ACQUISITION DOCUMENTS

Motion was made by Director Brock, seconded by Director Kunasek, 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)

83rd Avenue and Pinnacle Peak Road Project (Per Resolution FCD 2001R012)

Item 20115214-ROE, Temporary Right-of-Entry Easement and Agreement for Flood Control Purposes from Shu-Chu Wu Yang to the Flood Control District of Maricopa County for the sum of \$500.00.

TERMINATE IGA WITH THE U. S. ARMY CORPS OF ENGINEERS – WITHDRAWN

Item Summary. Authorize the Flood Control District of Maricopa County staff to terminate Intergovernmental Agreement FCD 2004A013, Trilby Wash (McMicken Dam) Feasibility Study Cost Share Agreement with the U. S. Army Corps of Engineers, approved by the Board of Directors on September 9, 2004 (C6905032200). Per the IGA, Article X, A "upon a 30-day written notice either party may terminate or suspend this agreement".

Additional Information. Originally named "Trilby Wash Detention Basin Dam", the McMicken Dam Project, inclusive of McMicken Dam, McMicken Outlet Channel and McMicken Outlet Wash was constructed by the U. S. Army Corps of Engineers (USACOE) in 1955 to protect Luke Air Force Base, the Litchfield Park Naval Air Facility and agriculture activities in the area from flooding. Since its initial construction, communities such as Sun City Grand as well as the cities of Surprise, El Mirage, Litchfield

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Park, and Goodyear have developed downstream from the dam and have been afforded significant flood protection by the project. The project is operated and maintained by the district. If the current level of flood protection provided by the project is to be maintained well into the future, issues of dam safety, aging infrastructure, land subsidence, earth fissuring and urban encroachment must be addressed. The district now proposes to terminate the IGA with the USACOE and proceed unilaterally with planning studies for the McMicken Dam Rehabilitation Project. (Supervisorial District 4) (C6906062M00) (C6905032YY)

FLOODPLAIN DELINEATION PROGRAM RESOLUTION

Item Summary. Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to adopt the Floodplain Delineation Program Resolution.

Additional Information. This Resolution FCD 2005R020, Fiscal Year 2006/07 Floodplain Delineation Program, authorizes the Chief Engineer and General Manager of the Flood Control District of Maricopa County to negotiate technical service contracts for the new and continuing floodplain delineation studies and negotiate with landowners and/or appropriate agencies to obtain all necessary rights-of-entry, for the purpose of obtaining topographic, hydrographic, and surveying data for the studies.

Budgetary Details. The total FY 2006-07 Floodplain Delineation Program is budgeted at \$1,387,000. The FY 2007-08 Floodplain Delineation Program is estimated at \$1,387,000. (C6906063600) (ADM1913)

BUDGET AND APPROPRIATION ADJUSTMENTS

Item Summary. Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve a budget adjustment, in the amount of \$600,000, in order to accelerate the District's Flood Hazard Identification and Planning Program and to assist in the accomplishment of meeting the district's goal of completing Area Drainage Master Plans and Watercourse Master Plans for all of Maricopa County.

Budgetary Details. Also approves a budget adjustment to the Flood Control District of Maricopa County FY 2005-06 operating expenditure budget (Department 690, Fund 991) increasing Outside Engineering Contract Services by \$600,000 and reducing Transfers-Out to the District Capital Improvement Program Fund (990) by \$600,000. This action will require an appropriation adjustment reducing the Flood Control Capital Improvement Program Fund (990) revenue appropriation by \$600,000 and increasing the District's Elimination Fund (990) revenue and expenditures appropriation by \$600,000. The net effect to the district's total budget is an increase of \$600,000. The requested funding applies only to FY 2005-06 operations. Adequate planning program funding will be requested as part of the district's FY 2006-07 Budget request. (C6906064800) (ADM1900-003)

SALE OF EXCESS PARCEL

Item Summary. Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve and authorize the Chairman to sign the necessary documents from the sale of Excess Parcel SR-1F-EX, APN #304-05-982A, that was conducted at Public Auction on January 19, 2006, to Cobra Land Development, LLC for \$1,155,000. (C6906065B00) (ADM1903-002)

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MEETING ADJOURNED

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

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board