

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

September 24, 2003

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., September 24, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Andy Kunasek, Vice Chairman, District 3; Don Stapley, District 2, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

MINUTES

Motion was made by Director Kunasek, seconded by Director Wilcox, and unanimously carried (5-0) to approve the minutes from meetings held on July 30, and August 13, 2003.

PERSONNEL AGENDA

Motion was made by Director Kunasek, seconded by Director Wilcox, and unanimously carried (5-0) to approve Flood Control District Personnel Agenda (Exhibit C). (List on file in the Clerk of the Board's Office.)

RIGHT-OF-WAY DOCUMENTS

Motion was made by Director Kunasek, seconded by Director Wilcox, and unanimously carried (5-0) to approve easements, right-of-way documents, relocation assistance, and appraisal services contracts under \$5,000 per resolution FCD 87-12; escrow instructions per resolution FCD 87-13; license procedures and fee schedules per resolution FCD 97-02; and payment of tax notices per resolution FCD 97-07 for Flood Control purposes. (ADM1910)

East Mesa ADMP - Hawes Road Channel (Per: Resolution FCD 2000A018)

Item 2001.002/TCE, Temporary Construction Easement and Agreement for Flood Control Purposes from the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole to the Flood Control District of Maricopa County for the sum of \$500.00.

Spook Hill Area Drainage Master Plan (Per: Resolution FCD 2002R008)

Item A014.001, Warranty Deed from Henry C. Douglas and Marilyn R. Douglas to the Flood Control District of Maricopa County for the sum of \$871,000.00.

Item A014.001, Escrow Instructions.

Property Management - Trilby Wash (Per: Resolution FCD1999R016)

Item TW30C-2, Underground Utility Easement from the Flood Control District of Maricopa County to Southwest Gas Corporation for the sum of \$1,500.00.

INTERGOVERNMENTAL AGREEMENT WITH US GEOLOGICAL SURVEY

September 24, 2003

Motion was made by Director Kunasek, seconded by Director Wilcox, and unanimously carried (5-0) to approve Intergovernmental Agreement (IGA) FCD 2003A007, between the Flood Control District of Maricopa County (District) and the US Geological Survey (USGS), covering the period October 1, 2003, to September 30, 2004, to continue collecting data on local watersheds. This has been an ongoing joint agreement for more than 20-years. The total cost of the IGA is \$239,830. The district costs under this agreement will be \$119,915 with the USGS contributing the remaining \$119,915. Payments are made quarterly. (C69040252)

SETTLEMENT WITH JE FULLER/HYDROLOGY & GEOMORPHOLOGY, INC.

Motion was made by Director Kunasek, seconded by Director Wilcox, and unanimously carried (5-0) to approve settlement between JE Fuller/Hydrology & Geomorphology, Inc. (JE Fuller) and the Flood Control District of Maricopa County (District) to correct survey errors performed by subconsultant, Urban Engineering, Inc. (Urban), under Contract FCD 97-13. JE Fuller has been responsive and has stepped forward to correct these errors. They have performed and continue to perform the necessary surveying and engineering work to re-delineate the floodplains to the District's standards and to remediate the survey errors made by Urban. The settlement is in the amount of \$198,424 to be paid to the District by the insurance carrier of JE Fuller. JE Fuller will invoice the district at regular intervals in accordance with the settlement for the corrections of the work. Upon satisfactory completion and acceptance of the re-delineation of this survey work, the district will pay JE Fuller an amount not-to-exceed \$198,424. (C69040271) (ADM1905)

ADJUSTMENT TO FY 2004 OPERATING BUDGET

Motion was made by Director Kunasek, seconded by Director Wilcox, and unanimously carried (5-0) to authorize an adjustment to the FY 2004 Operating Budget of the Flood Control District of Maricopa County (District) by increasing the total Operating budget target from the approved amount of \$25,805,243 to \$26,125,243 (a net increase of \$320,000). Also, approve and stipulate that the funding source for the budget adjustment be the District's treasury fund balance. The additional funding will be used to continue and accelerate the multi-Maricopa County departments on-going Aerial Ortho-Photography effort being led and coordinated by the district. The aerial photographs obtained from this program are used (through purchase or cost share) by a significant number of county departments, as well as other municipal, state, and federal agencies. (C69040298) (ADM1900-003)

RESOLUTION – CHANGING PROCUREMENT CODE USED BY THE FLOOD CONTROL DISTRICT

Motion was made by Director Kunasek, seconded by Director Wilcox, and unanimously carried (5-0) to adopt Resolution FCD 2003R004 changing the Procurement Code used by the Flood Control District of Maricopa County (District) to conform to the Procurement Code used by Maricopa County. (C69040306) (ADM1918)

MEETING ADJOURNED

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

Fulton Brock, Chairman of the Board

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

September 24, 2003

ATTEST:

Fran McCarroll, Clerk of the Board