

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
July 25, 2007**

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 a.m., July 25, 2007, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1, Andrew Kunasek, Vice Chairman, District 3, Don Stapley, District 2 and Mary Rose Wilcox, District 5. Absent: Max W. Wilson, District 4. Also present: Fran McCarroll, Clerk of the Board, Shirley Million, Minutes Coordinator, David Smith, County Manager and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-no-absent-abstain.

MINUTES

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve the minutes of the meeting held on December 4, 2006, December 18, 2006, March 21, 2007, April 18, 2007, May 2, 2007, ~~May 21, 2007~~. (Note: the last date was removed by the Clerk prior to the vote.)

PERSONNEL AGENDA

Motion was made by Director Stapley, 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. (ADM1900-001)

EASEMENTS AND RIGHT-OF-WAY ACQUISITION DOCUMENTS

No easements and right-of-way acquisition documents were submitted for approval at this meeting. (ADM1910)

BUDGETING FOR RESULTS ACCOUNTABILITY POLICY

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve changes to the Budgeting for Results Accountability Policy (B1001) for the Flood Control District to provide for establishing appropriated budgets at varying levels and to make other technical adjustments. (C4908006600)

BUDGETING FOR RESULTS ACCOUNTABILITY POLICY

A. Purpose

The purpose of the Budgeting for Results Accountability Policy is to provide guidelines and direction on managing Board-approved budgets to elected, appointed and judicial branch agencies so that they can be accountable and comply with the law.

B. Introduction

A.R.S. §42-17106 specifies that the County may not incur expenditures in excess of the amounts appropriated by the Board of Supervisors in the annual budget. A Special District may not exceed its duly adopted budget without an action by its Board of Directors amending its budget. The Budgeting for Results Accountability Policy provides Departments/Special Districts with flexibility in managing their allocated public resources in order to achieve results for customers while upholding accountability for spending within legal appropriations.

C. Definitions

Appropriation Adjustment: A change in an appropriated budget, which must be approved by the Board of Supervisors/Board of Directors.

Appropriated Budget: A budget legally adopted by the Board of Supervisors/Board of Directors, which authorizes expending funds or incurring obligations for a specific purpose, referred to as "budget items" in A.R.S. §42-17106. Appropriations may be set at different levels as directed by the Board of Supervisors/Board of Directors.

Appropriation Level: The level of detail to which a budget is appropriated by the Board of Supervisors/Board of Directors, such as by department and fund, project, activity, etc.

Department: All County/District departments, including elected and judicial branch agencies and/or offices as well as appointed departments and/or offices.

Detailed Budget: The detailed budget plan within an appropriated budget. In Maricopa County, detailed budgets are specified by month, function, organizational unit, program/activity/service, object/source, and position.

Function: Classification of expenditures and revenues by recurring vs. non-recurring uses, including projects.

Special District: Special Districts for which the Maricopa County Board of Supervisors acts as the District Board of Directors, including the Flood Control, Library, and Stadium Districts.

D. Policy Guidelines

1. At a minimum, the Office of Management and Budget shall validate that all detailed budget adjustments balance and reconcile to appropriations set by the Board of Supervisors/Board of Directors.
2. All budgets are appropriated and controlled by the Board of Supervisors/Board of Directors at the level of department and fund, with appropriated budgets for any specific projects included within a department/fund. Where applicable, appropriation levels may be established by function, program/activity, or object of expenditure.
3. Appropriated budgets are not guaranteed from one fiscal year to the next. Each year, appropriated budgets for each department shall be recommended by the Office of Management and Budget according to the *Budgeting for Results Policy Guidelines (B1006)*.
4. Departments shall develop and maintain detailed revenue and expenditure budgets that will be loaded into the main financial system. Detailed budgets will be prepared by month, function, organizational unit, program/activity/service, object/source and position according to instructions developed by the Office of Management and Budget. Detailed budgets shall exactly equal appropriated budgets approved by the Board of Supervisors/Board of Directors. The Office of Management and Budget shall validate that all detailed budget adjustments balance and reconcile to appropriations set by the Board of Supervisors/Board of Directors.

5. Appropriated budgets shall be changed during the fiscal year only with Board of Supervisors/Board of Directors approval, with the exception of grants approved by the Board of Supervisors/Board of Directors in the previous fiscal year and carried over into the next fiscal year. The Office of Management and Budget may approve appropriation adjustments for carried-over grants if the Board of Supervisors/Board of Directors previously appropriated the grant, and the Department of Finance certifies the carried-over grant balance.
6. The Board of Supervisors/Board of Directors must approve all changes in project appropriations. All requests for changes in project appropriations must be accompanied by a request for Board of Supervisors/Board of Directors approval to amend the relevant five-year capital improvement program or other project plan approved by the Board of Supervisors/Board of Directors.
7. In order to maximize results, departments have the flexibility to incur expenditures that vary from their detailed budgets for the remainder of the current fiscal year, so long as they comply with the appropriated budget. This flexibility is accompanied by the responsibility to produce expected results while absorbing unanticipated spending increases. If a department requests an appropriated budget increase or contingency transfer for an unanticipated spending increase, the Board of Supervisors/Board of Directors may adopt appropriated budgets for that department at the level of program/activity and/or object of expenditure.
8. All positions must be fully funded in accordance with the *Funded Positions Policy (B3001)*. In order to create new positions, departments must first verify full-year funding. If a position loses funding, it shall be identified and eliminated.
9. Departments shall not recommend for approval any agreements that commit the County/Special District to expenditures for which funding is not identified in future years. Departments shall verify funding for all purchase requisitions or other contracts or agreements.
10. Department expenditures and revenues shall be monitored and reported on a monthly basis throughout the fiscal year. The Department of Finance shall prepare and submit to the Board a comprehensive monthly analysis of budget variances by department and fund or by lower appropriation level, and will investigate any negative year-to-date variances.
11. Any departments for which the Department of Finance reports a negative year-to-date expenditure or revenue variance must provide a written explanation and corrective action plan to the Department of Finance and the Office of Management and Budget. The Office of Management and Budget and the Department of Finance will review and approve all corrective action plans, and report them to the Board once they are finalized.
12. If there is a significant risk that a department will exceed its appropriated budget, the Board of Supervisors/Board of Directors may adopt appropriated budgets for that department at the level of program/activity and/or object of expenditure.

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13. Departments shall not exceed their appropriated expenditure budgets. Departments shall be required to reduce expenditures to offset any shortfall in their budgeted revenue unless the Board of Supervisors/Board of Directors has approved other adjustments to offset the shortfall. At the close of the fiscal year, the Department of Finance will prepare and submit to the Board of Supervisors/Board of Directors a comprehensive report of audited actual expenditures and expenditures relative to all department appropriated budgets. The report will include an explanation of each instance in which expenditures exceeded appropriated budgets.
14. If a department exceeds its appropriated expenditure budget, the department's expenditures will be reviewed by the Office of Management and Budget to identify the causes of the overrun. The Office of Management and Budget will report its findings, along with a recommended corrective action plan, to the Board of Supervisors/Board of Directors. Corrective action plans may include (but will not be limited to) adopting appropriated budgets for that department at the level of program/activity and/or object of expenditure and a reduction of the department's appropriated budget in the subsequent fiscal year in an amount up to the amount of the overrun in the prior fiscal year.

RESOLUTION - NORTHERN PARKWAY DRAINAGE IMPROVEMENTS

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to adopt Resolution FCD 2007R002, Northern Parkway Drainage Improvements. The Resolution authorizes and directs the Chief Engineer and General Manager of the Flood Control District of Maricopa County to develop and negotiate intergovernmental agreements (IGA) and/or agreements for the cost sharing, design, construction, construction management, rights-of-way acquisition, operation and maintenance with the Maricopa County Department of Transportation, and others and authorization to perform design; authorization for rights-of-way acquisition, and program funding for Northern Parkway Drainage Improvements (Project). (C6907069600)

RESOLUTION FCD 2007R002 NORTHERN PARKWAY DRAINAGE IMPROVEMENTS

WHEREAS, The Flood Control District of Maricopa County (District) was established in accordance with provisions of Arizona Revised Statutes Title 48-3603, Chapter 21, which requires the Board of Directors of the District (Board) identify flood problems and plan for the construction of facilities to eliminate or minimize flooding problems within Maricopa County; and,

WHEREAS, the District has updated the White Tanks Area Drainage Master Plan (ADMP), a regional drainage master plan, originally published in 1992, and subsequently updated with the Loop 303 Corridor / White Tanks ADMP Update, published in 2005, to identify and mitigate existing, future drainage, and flooding problems in the western metropolitan area bounded by the Agua Fria River, McMicken Dam, White Tank Mountains, and the Gila River; and,

WHEREAS, the ADMP recommended a preferred regional solution to the identified flooding problems associated with a portion of the watershed that includes channel(s) and basin(s) located east of SR 303(L) to the Agua Fria River just north of Northern Avenue, as shown on Exhibit A, attached hereto and made a part hereof; and,

WHEREAS, the area continues to rapidly urbanize and the regional drainage and flooding problems in the area have not been comprehensively addressed; and,

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WHEREAS, the Maricopa County Department of Transportation (MCDOT) requested in the FY 2005/2006 and 2006/2007 CIP Prioritization Procedure that the District cost share in the Northern Parkway Channel project from Sarival Avenue to Reems Road; and the AT&SF Channel & Northern Parkway Channel, from the Dysart Basin to the AT&SF Railroad spur at the 143rd Avenue alignment, project, collectively called the Northern Parkway Drainage Improvements Project. These drainage improvements will be incorporated as part of the MCDOT Northern Parkway improvements, which will mitigate a portion of the regional drainage problems identified in the ADMP; and,

WHEREAS, the Northern Parkway Drainage Improvements is herein defined as the channel(s) and basin(s) system as generally shown on Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes and directs the Chief Engineer and General Manager to negotiate and prepare intergovernmental agreements and/or agreements with the MCDOT, other municipalities, agencies and others, as appropriate, for cost sharing, rights-of-way acquisition, design, construction, construction management and future operation and maintenance including appropriate District participation in landscape and multi-use improvements for the Northern Parkway Drainage Improvements, subject to the ratification and approval of this Board; and,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is hereby authorized and directed to negotiate with landowners and/or appropriate agencies to obtain the necessary Rights-of-Entry, Property and/or Easements and all other necessary land rights and is authorized and directed to hire, retain or otherwise utilize the professional services of the County Attorney's office or private counsel to initiate and prosecute actions and proceedings in the manner required by law to condemn any and all Rights-of-Entry, Property, and/or Easements required for the implementation of the Northern Parkway Drainage Improvements, which cannot be obtained by donation or purchase in the following locations:

T3N, R1W, Section 36;
T3N, R2W, Sections 22, 27, 28, 31, 32, 33, 34;
T2N, R1W, Section 3; and,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to advertise, select, negotiate and award contracts for engineering services for implementation of the Northern Parkway Drainage Improvements, subject to the ratification and approval of this Board; and,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is authorized and directed to include funds in the District's current and future Five-Year Capital Improvement Program (CIP) for the Northern Parkway Drainage Improvements, subject to the District's funding availability and subsequent approvals by this Board of future Five-Year CIP.

DATED this 25th day of July 2007. (C6907069600)

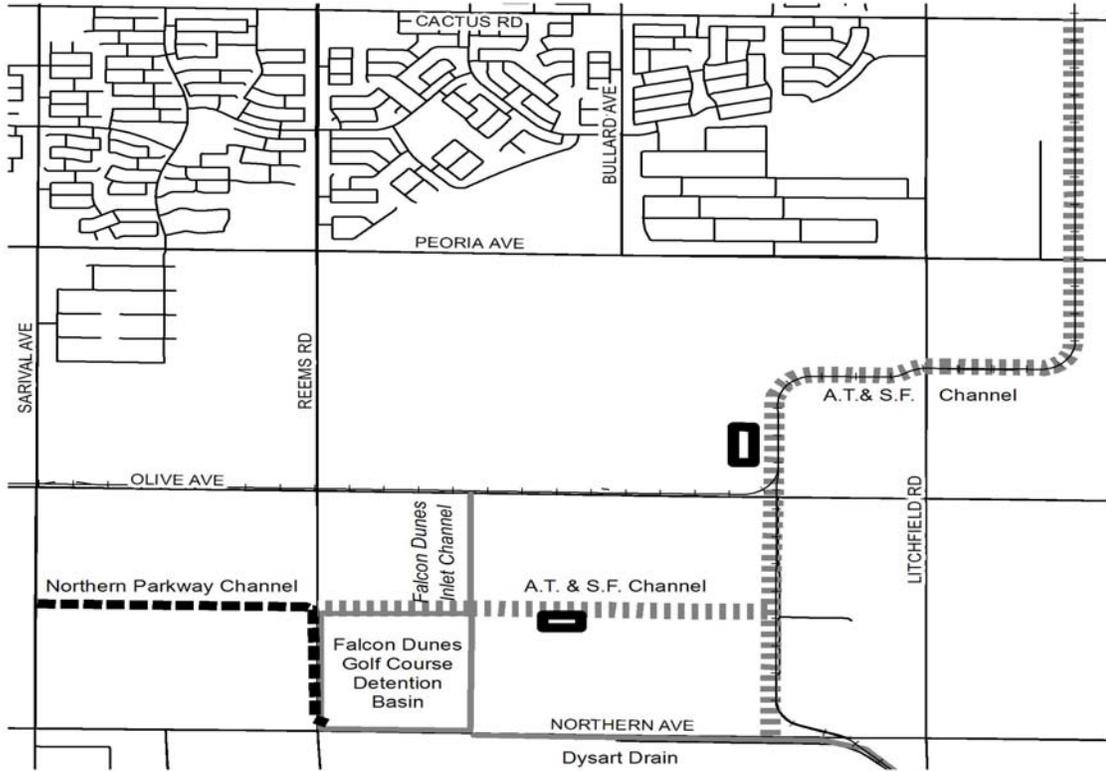
/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

Attachment: Exhibit A

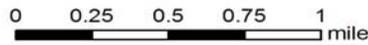
**EXHIBIT A: RESOLUTION FCD2007R002,
NORTHERN PARKWAY DRAINAGE IMPROVEMENTS**



Legend

Proposed Channels

- ||||| AT& SF Channel - Northern Parkway to Dysart Drain
- Northern Parkway - Sarival Avenue to Reems Road
- ▭ Proposed Basins
- FCD Projects
- Streets
- + + AT&SF Railroad



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MOU WITH PROJECT PARTNERS FOR EL RIO WATERCOURSE MASTER PLAN

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve Memorandum of Understanding (MOU) FCD 2007U002 between the following parties, hereinafter called the Project Partners: City of Avondale; Town of Buckeye; Flood Control District of Maricopa County; City of Goodyear; Maricopa County Parks and Recreation Department and Maricopa County Planning and Development. The MOU establishes the framework of cooperation between the Project Partners for the strategy development for the Implementation of the El Rio Watercourse Master Plan. (C6907070000)

ON-CALL STRUCTURES ASSESSMENT GEOTECHNICAL INVESTIGATIONS, PHASE II,

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to award Contract FCD 2006C020 On-Call Structures Assessment Geotechnical Investigations, Phase II, to AMEC Earth and Environmental Inc. The contract will be effective for a period of two years from date of execution or until the contract expenditure of \$500,000, whichever occurs first. The Flood Control District of Maricopa County and AMEC Earth and Environmental Inc, will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each work assignment prior to notice to proceed with each assignment. (C6907071500)

ON-CALL STRUCTURES ASSESSMENT GEOTECHNICAL INVESTIGATIONS, PHASE II

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to award Contract FCD 2006C021 On-Call Structures Assessment Geotechnical Investigations, Phase II, to Gannett Fleming, Inc. The contract will be effective for a period of two years from date of execution or until the contract expenditure of \$500,000.00, whichever occurs first. The Flood Control District of Maricopa County and Gannett Fleming, Inc. will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each work assignment prior to notice to proceed with each assignment. (C6907072500)

IGA FOR FLOODPROOFING PROJECT

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve Intergovernmental Agreement (IGA) FCD 2006A015 between the Flood Control District of Maricopa County and the Town of Carefree, which identifies and defines the responsibilities of the District and Carefree for a floodproofing project. The District will reimburse Carefree up to \$220,000 for the construction of this project. (C6907073200)

RESOLUTION REGARDING THE DELEGATION OF DUTIES TO THE FLOODPLAIN REVIEW BOARD

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to adopt Resolution FCD 2007R006 which outlines the Delegation of Duties to the Floodplain Review Board in accordance with A.R.S. §48-3603(C)(24) that mandates the Board of Directors of the Flood Control District of Maricopa County establish a board of hearing review for the Enforcement Rules of the Flood Control District of Maricopa County. The Board of Directors of the Flood Control District of Maricopa authorize the five members of the Flood plain Review Board representing the Board of Directors' five districts to serve on and act as the Board of Hearing Review.(C6908002600) (ADM1912)

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**RESOLUTION FCD 2007R006
FLOOD CONTROL DISTRICT OF MARICOPA COUNTY
DELEGATION OF DUTIES TO THE FLOODPLAIN REVIEW BOARD**

WHEREAS, the Board of Directors of the Flood Control District of Maricopa County (Board of Directors) adopted Enforcement Rules on February 7, 2007; and,

WHEREAS, the Enforcement Rules provide for an administrative hearing process that assists the Flood Control District of Maricopa County (District) in carrying out its statutory duty to protect flood control district property and facilities; and,

WHEREAS, Arizona Revised Statutes Section 48-3603(C)(24) mandates that the Board of Directors establish a board of hearing review to review decisions of a hearing officer; and,

WHEREAS, Arizona Revised Statutes Section 48-3615.01(G) mandates that the board of hearing review, upon written request, review any decision and order of the Chief Engineer and General Manager of the District; and,

WHEREAS, Arizona Revised Statutes Section 48-3603(C)(24) provides that the board of hearing review shall consist of one member from each Board of Directors districts and that the Board of Directors of may authorize the Floodplain Review Board to serve as the board of hearing review.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors hereby authorizes the five (5) members of the Floodplain Review Board representing the Board of Directors five (5) districts to serve on and act as the board of hearing review.

DATED this 25th day of July 2007. (C6908002600)

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

RESOLUTION AUTHORIZING REHABILITATION OF LAND

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to adopt Resolution FCD 2007R005 authorizing the rehabilitation of Flood Control District of Maricopa County(District) land previously leased to the Surprise Sportsman's Club (formerly the Peoria Rod and Gun Club), located south of McMicken Dam and east of Grand Avenue in the City of Surprise. Rehabilitation by the District is required to achieve environmental regulatory compliance. Requests for specific funding authorization will follow pending contract award. (C6908003600)

**RESOLUTION FCD 2007R005
McMICKEN DAM / SURPRISE SPORTSMAN'S CLUB
SITE CLEAN-UP**

WHEREAS, Arizona Revised Statutes Title 48, Chapter 21 requires the Board of Directors of the Flood Control District (DISTRICT) to identify flood problems and plan for the construction and modification of facilities, such as the McMicken Dam, that eliminate or minimize flooding problems within Maricopa County; and,

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WHEREAS, the DISTRICT is completing a feasibility study to modify the existing McMicken Dam, in particular the emergency spillway; and,

WHEREAS, the DISTRICT has identified several alternatives to modify the existing dam downstream of the emergency spillway located west of Grand Avenue and southeast of Deer Valley Road in Surprise Arizona; and,

WHEREAS, some of the alternatives include the expansion of the emergency spillway into the DISTRICT's downstream property located just east of McMicken Dam and south of the training levee, and

WHEREAS, a portion of the downstream property had been under lease to the Surprise Sportsman's Club (CLUB) and its predecessors for over 40 years, expiring April 10, 2007, and said leased property contains a rifle range with 50, 100, 200 and 300 yard berms, two pistol ranges, a trap range and a "practical" pistol range; and,

WHEREAS, the DISTRICT has conducted environmental site assessments including a review of historical records, a regulatory analysis, a corrective measure study and limited site characterization report that included soil sampling, sieve and laboratory analysis to assess the site specific impacted soil from the CLUB activities; and,

WHEREAS, the site assessment activities have indicated the presence of lead shot in the larger soil fraction and concentrations of lead and arsenic which may trigger soil remediation under current Arizona Department of Environmental Quality regulations (ADEQ) for a portion of the site cleanup; and,

WHEREAS, if the cleanup and disposal of the soil is regulated as a hazardous waste under the Resource Conservation and Recovery Act (RCRA) it must be done with the oversight of the ADEQ; and,

WHEREAS, the DISTRICT may be eligible to enroll under a Volunteer Remediation Program (VRP) with ADEQ to cleanup the site to Arizona residential soil remediation levels (SRLs) in compliance with RCRA and the Clean Water Act; and,

WHEREAS, the lead shot cleanup plan will include having the lead removed from each of the berms by a raking or screening process and recycled as a non-hazardous waste; and,

WHEREAS, the assessments indicate that the remaining soil in the berms can be treated and disposed of as a non-hazardous waste in a solid waste landfill; and,

WHEREAS, in anticipation of the VRP process, the DISTRICT is currently expending funds to complete the final site characterization to better define the extent of lead contamination in the shooting berms and bullet impacted areas, and provide a more accurate cost estimate for overall site cleanup including but not limited to the removal of all structures such as housing, storage areas, shooting stands, water tank, water well and ancillary piping, tires, earthen berms, empty 55 - gallon drums, concrete slabs and concrete debris; and,

WHEREAS, the total cost of the soil excavation, recycling/remediation and site cleanup is estimated to be \$2,000,000, including the ADEQ permits application fees and oversight costs, current as well as any additional consulting fees, and contracts for the cleanup work.

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NOW, THEREFORE, BE IT RESOLVED, that the Chief Engineer and General Manager of the DISTRICT is authorized and directed to proceed with cleanup of the site and to advertise, select, negotiate and award contracts for engineering services necessary for environmental oversight and contracts for the excavation of the site, and disposal of all waste materials subject to the availability of funds and subject to the ratification and approval of this Board; and,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the DISTRICT is hereby authorized and directed to sign any applications to ADEQ or other agencies that may be necessary to undertake the site cleanup as herein described, and

BE IT FURTHER RESOLVED, that the Chief Engineer and General Manager of the DISTRICT is hereby authorized and directed to pursue any and all legal means of enforcing the terms of the lease with the CLUB and to take any and all appropriate legal actions necessary to obtain reimbursement of all costs associated with the site cleanup that are necessary due to the CLUB's failure to perform according to the terms of the lease; and,

BE IT FURTHER RESOLVED, that the Chief Engineer and General Manager of the DISTRICT is hereby authorized and directed to hire, retain, or otherwise utilize the professional services of the County Attorney's office or private counsel to initiate and prosecute actions and proceedings against the CLUB, and/or its members, officers, insurers or any agents or representatives in the manner required by law to obtain full compensation for all costs associated with these site cleanup activities; and,

BE IT FURTHER RESOLVED, that the Chief Engineer and General Manager of the DISTRICT is authorized and directed to include funds in the DISTRICT's current and future Operating Budgets to pay for these activities, subject to the availability of funds and subject to the ratification and approval of this Board.

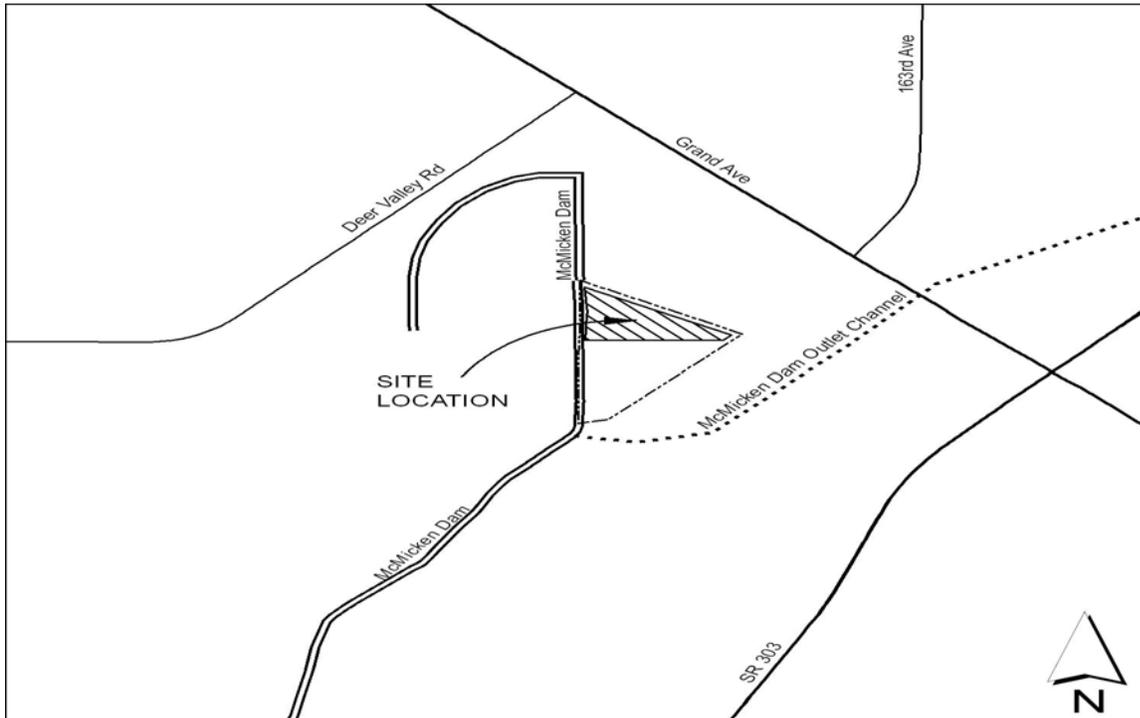
DATED this 25th day of July 2007. (C6908003600)

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

Exhibit 1:



ADJUSTMENTS TO FISCAL YEAR 2007-08 CAPITAL IMPROVEMENTS PROGRAM

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve the following adjustments to the Maricopa County Flood Control District (690) FY 2008-2012 five-year Capital Improvement Program (CIP), which result in a net decrease of \$207,000:

Decrease Flood Control Capital Projects Fund (990) Year 1 (FY 2007-08) project expenditure budgets as follows:

Project No.	Name	Amount
F120	PVSP (Paradise Valley, Scottsdale, Phoenix)	\$274,000
F420	Spook Hill Watershed	\$551,000
F450	Glendale-Peoria	\$1,662,000
F480	Queen Creek	\$3,030,000
F565	Durango ADMP	\$339,000
F625	Metro	\$234,000

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Increase Flood Control Capital Projects Fund (990) Year 1 (FY 2007-08) project expenditure budgets as follows:

Project No.	Name	Amount
F117	So. Phoenix Drainage Improvement	\$102,000
F126	Salt/Gila	\$10,000
F343	Wickenburg ADMP	\$523,000
F371	Upper New River ADMP	\$77,000
F442	East Mesa	\$18,000
F470	White Tanks	\$4,032,000
F491	Higley ADMP	\$8,000
F520	Adobe Dam ADMP	\$34,000
F580	ACDC	\$17,000
F620	Maryvale	\$58,000
	Project Reserve (FCPR)	\$1,004,000

Reduce the approved fund transfer from the Flood Control Fund (991) to the Flood Control Capital Projects Fund (990) by \$207,000. These funds will be reallocated in the Flood Control Fund (991) to provide for non-capital flood proofing objectives in the Town of Carefree. This action requires an appropriation adjustment reducing the Flood Control Capital Projects Fund (990) revenue and expenditure appropriations by \$207,000 and increasing the Flood Control Eliminations Fund (900) revenue and expenditure appropriations by \$207,000. (C6908006800) (ADM1900-003)

ACQUISITION OF REAL PROPERTY

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to authorize and direct the Flood Control District and the Maricopa County Attorney's Office to take all necessary action to preserve and pursue the claims of the Flood Control District under Intergovernmental Agreements No's FCD 94006 and 96008 and for the recovery of District funds advanced under those agreements. The Flood Control District for Maricopa County entered Intergovernmental Agreements Nos. FCD 94006 and 96008 pursuant to which \$2,156,100.00 has been advanced by the District for acquisition of real property for the proposed Reata Pass/ Beardsley Wash Channel Phase I Project. The project has been cancelled without reimbursement of the funds advanced to the District. This matter was discussed in Executive Session on July 23, 2007. (Subject to approval by OMB, Legal, and County Engineer) (Supplemental item SF-1) (C6908010M00) (ADM1900-004)

MEETING ADJOURNED

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

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board