

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

March 5, 2003

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., March 5, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman; Andy Kunasek, Vice Chairman; Don Stapley, Max W. Wilson. Absent: Mary Rose Wilcox. 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 Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve the minutes from meetings held on December 2, 2002 and January 8, 2003.

PERSONNEL AGENDA

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve the personnel agenda. (List on file in the Clerk of the Board's Office.)

EASEMENTS AND RIGHT-OF-WAY

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) 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)

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

Item A002.102, Warranty Deed from Jose T. Martinez and Andrea L. Martinez to the Flood Control District of Maricopa County for the sum of \$110,000.00.

Item A002.102, Escrow Instructions.

Item A002.103, Warranty Deed from Alfredo R. Diaz to the Flood Control District of Maricopa County for the sum of \$97,500.00.

Item A002.103, Escrow Instructions.

Item A002.173, Warranty Deed from Doroteo Ibarra and Elvia Castaneda to the Flood Control District of Maricopa County for the sum of \$109,000.00.

Item A002.173, Escrow Instructions.

East Mesa Area Drainage Master Plan (Per: Resolution FCD 97-11)

Item SEM 8, 9, Offer to Purchase Real Estate and Acceptance agreement between the Flood Control District of Maricopa County and United States of America acting by and through the Administrator of General Services.

Property Management - Guadalupe Highline Canal, Basin #3 (Per: Resolution FCD 86-21)

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Item GHC-58-1EX, Special Warranty Deed from the Flood Control District of Maricopa County to Cesar Barraza Parra for the sum of \$761.00.

Property Management - Pecos Road Improvements (Per: Resolution FCD 1999R016)

Item 304-61-020A, Land Purchase Agreement between the Flood Control District of Maricopa County and the City of Mesa.

TERMINATION OF CONTRACT WITH PREMIER ENGINEERING, INC.

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve the termination of Contract FCD 2001C055, On-Call Candidate Assessment Report Services, effective January 4, 2003. Pursuant to Section VIII – Termination of the contract, it was determined to be in the best interest of the Flood Control District of Maricopa County to cancel the contract upon notification from the awarded firm, Premier Engineering, Inc. that the firm could no longer perform the services required due to the departure of Jeff Holtzmeister, their key personnel for this contract. A contract to replace FCD 2001C055 is under consideration for future action by the Board of Directors of the District. (C69021035YY)

CALL FOR BIDS AND AWARD – LAVEEN AREA CONVEYANCE CHANNEL PROJECT – SOUTH PHOENIX DRAINAGE IMPROVEMENT

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to authorize the District to advertise an invitation for bids for contract FCD 2002C031, Laveen Area Conveyance Channel (LACC) (Project No. 117 – South Phoenix Drainage Improvement) and award the contract to the lowest responsible bidder, if the bid does not exceed the engineer's estimate by more than 10%. Having determined that this action is in the public interest and based upon a demonstrated need, it is also requested that the Board approve an amendment to the current FY 2003 Five Year Capital Improvement Program (CIP) for fund 990 – South Phoenix Drainage Improvement (function code DPDI) projects budget (adopted by the Board on July 22, 2002) by decreasing the FY 2003 (Year 1) capital budget by \$3,871,000 (from \$9,145,000 to \$5,274,000, and adjusting the current Project Reserve (function code FCPR) and capital budget as follows:

- Increase the FY 2003 (year 1) Current Project Reserve (FCPR) by \$3,871,000 (from \$438,000 to \$4,309,000) Decrease the FY 2003 (year 1) capital budget for Project No. 117 (DPDI)-S. Phoenix Drainage Improvement by \$3,871,000 (from \$9,145,000 to \$5,274,000) The net change in FY 2003 (year 1) is \$0.
- Increase the FY 2004 (year 2) capital budget for Project #117 (DPDI)-South Phoenix Drainage Improvement by \$1,927,000 (from \$4,188,000 to \$6,115,000) Decrease the FY 2004 (year 2) capital budget for Project No. 580 (AADL)-ACDC ADMP by \$1,500,000 (from \$6,600,000 to \$5,100,000) Decrease the FY 2004 (year 2) Project Reserve (FCPR) by \$427,000 (from \$1,659,000 to \$1,232,000).
- Increase the FY 2005 (year 3) capital budget for Project #117 (DPDI)-S. Phoenix Drainage Improvement by \$800,000 (from \$200,000 to \$1,000,000) Decrease the FY 2004 (year 3) Project Reserve (FCPR) by \$800,000 (from \$2,640,000 to \$1,840,000).

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The requested adjustment is necessary because commencement of the sub-project has been delayed due to longer than anticipated formalization of agreements between the project partners. This circumstance requires that project expenditures extend into FY 2005. (C69030205)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF PEORIA

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve Intergovernmental Agreement (IGA) FCD 2002A010 between the Flood Control District of Maricopa County and the City of Peoria for the New River Channel - Grand Avenue to Skunk Creek, including Paradise Shores (Project No 400). The purpose of this IGA is to identify the roles, responsibilities, liabilities, and rights of the District and the City for cost sharing, design, rights-of-way acquisition, and utility relocations for the Project. The project costs for these activities will be shared equally between the District (estimated at \$450,000) and the City (estimated at \$450,000) at a total estimated cost of \$900,000. (C69030532)

CONTRACT WITH ENVIRONMENTAL AND ENGINEERING CONSULTANTS, INC.

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to award Contract FCD 2002C024, Waterman Wash Floodplain Delineation Study, to Environmental and Engineering Consultants, Inc.,(EEC), in the lump sum of \$506,335. This contract is to delineate floodplains of wash tributaries to Waterman Wash located within unincorporated Maricopa County and the Town of Goodyear. The contract performance period is 940 calendar days following the notice-to-proceed. (C69030545)

CONTRACT WITH HOSKIN-RYAN CONSULTANTS

Motion was made by Director Stapley, seconded by Director Kunasek, and unanimously carried (4-0-1) to award Contract FCD 2002C022, Tempe Canal Floodplain Delineation Study, to Hoskin-Ryan Consultants, in the lump sum of \$287,081.29. This contract is to re-delineate the floodplains along the Tempe Canal, located within the City of Mesa. The contract performance period is 665 calendar days following the notice-to-proceed. (C69030555)

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