

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

May 7, 2003

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., May 7, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman; Don Stapley, Max W. Wilson and Mary Rose Wilcox. Absent: Andy Kunasek, Vice Chairman. 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 Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to approve the minutes from meetings held on March 5 and 19, 2003.

PERSONNEL AGENDA

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

EASEMENTS & RIGHT-OF-WAY DOCUMENTS

Motion was made by Director Wilcox, seconded by Director Stapley, 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 A002.114, Warranty Deed from Thomas Wheelwright to the Flood Control District of Maricopa County for the sum of \$100,000.00.

Item A002.114, Escrow Instructions.

Item A002.120, Relocation Assistance Entitlements for Robert L. and Doris O. Mattingly in the amount of \$27,500.00.

Item A002.123, Relocation Assistance Entitlements for Donald and Kathleen Taylor in the amount of \$27,500.00.

Item A002.129, Relocation Assistance Entitlements for Jimmy M. and Donna M. Reid in the amount of \$27,500.00.

Item A002.133, Relocation Assistance Entitlements for Bernabe and Maria D. Fuertes in the amount of \$27,500.00.

Item A002.145, Relocation Assistance Entitlements for Robert Jerome in the amount of \$12,000.00.

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Item A002.149, Relocation Assistance Entitlements for Gonzalo and Pam Becerra in the amount of \$27,500.00.

Item A002.152, Relocation Assistance Entitlements for Robert S. Walker in the amount of \$12,000.00.

Item A002.159, Relocation Assistance Entitlements for Robert P. and Joyce M. Delger in the amount of \$27,500.00.

Item A002.160, Relocation Assistance Entitlements for Pedro A. Valdovinos and Ana B. Lopez in the amount of \$27,500.00.

Item A002.168, Relocation Assistance Entitlements for Evelyn Summer in the amount of \$27,500.00.

Laveen Conveyance Channel Project (Per: Resolution FCD 2000R011)

Item A001.023, 025, Letter Agreement for Temporary Right of Entry from Ted Hutchinson to the Flood Control District of Maricopa County for the sum of \$500.00.

Northern Butler Storm Drain Project (Per: Resolution FCD 93-15)

Item NO2-01, Warranty Deed from the Flood Control District of Maricopa County to the City of Peoria for the sum of \$1.00 [per IGA FCD # 94003].

Item 9911.003-DE; 9911.004-DE, Assignment of Easements from the Flood Control District of Maricopa County to the City of Peoria for the sum of \$1.00 [per IGA FCD #94003].

REVISED GENERAL TRAVEL POLICY (A2313) AND RESCIND OTHER RELATED POLICIES

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to adopt revised policy A2313 General Travel Policy and Travel Manual for the Flood Control District. And rescind the following policies as they may have been adopted or followed by the District: A2314 Travel Agency; A2315 Travel Advances; A2316 Conferences, Seminars, and Meetings; A2317 Travel – Transportation; A2318 Travel – Rented Motor Vehicles; A2319 Travel – Air Travel; A2320 Travel – Meals/Per Diem; A2321 Travel – Incidental Expenses; A2322 Travel – Lodging; A2323 Travel – Out of Country; and Federal Publication 1542 – Per Diem Rates. During the past year, the Travel Focus Group containing members from Finance, Human Resources and Materials Management revised policy A2313 - General Travel Policy (formerly known as General Travel Guidelines). The purpose of A2313 - General Travel Policy is to establish policies and procedures governing the travel activities of Maricopa County Elected Officials and employees in accordance with ARS §38-621 et seq. This policy defines the overall responsibility for travel and travel-like expenditures. One of the primary objectives of the group was to streamline the policies. Therefore, the revised policy is a compilation of the Maricopa County Travel and Travel-Related Policies. (Policy on file in the Office of the Clerk of the Board.) (Continued from meeting of April 16, 2003.) (C18030246) (ADM1918)

SELL EXCESS PARCELS

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Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to authorize the Flood Control District of Maricopa County (District) to sell the excess parcels listed below in Fiscal Year beginning 2002-2003 or subsequent years. The District will sell all parcels at public auction after public notice, as required by A.R.S. §9-402, unless the municipality in which a parcel is located requests to purchase that parcel at full appraised value plus cost without auction. The appraisal price plus costs will be the minimum bid price for the auction. (C6903062B) (ADM1903-001)

- Parcel A006.001-EX Excess parcel A006.001-EX, assessors parcel 401-42-269A, located at 351st Avenue and Siesta Way. It is vacant land containing 44,393 square feet or 1.02 acres, zoned R43 rural.

AMENDMENT TO FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM BUDGET

In accordance with A.R.S. §42-17106(B), motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to approve an amendment to the Flood Control District of Maricopa County (District) FY 2003 approved five-year Capital Improvement Program (CIP) budget (approved by the Board on July 22, 2002). The adjustments are required due to changes in current and future project schedules, delays in negotiating requisite partnership agreements, and the continuing fiscal uncertainty presently being experienced by the District's potential project cost share partners. For these reasons, a number of current CIP project expenditures are presently forecasted to end FY 2003 at an amount greater than 10% at variance to the current budget. In an effort to take advantage of the current real estate market and the opportunities presented for advancing the schedule for previously prioritized and programmed projects; several new projects have been introduced into the current Fiscal Year. The requested adjustments also serve to align the current CIP Budget with the CIP Budget requested (and now pending Board approval) during the FY 2004 budgeting process. The schedules detail the requested adjustments for each individual project over the duration of the current five-year CIP budget. The total net affect upon the FY 2003 current revised CIP is \$0. In summary, the FY 2003 CIP budget adjustment being requested is as follows: (C69030708) (ADM1900-003)

- a. Increase the current revised FY 2003 (year 1) CIP budget funding for dedicated project expenditures by \$4,511,000.
- b. Decrease the current revised FY 2003 (year 1) Project Reserve (FCPR) by \$4,511,000.

CHANGE ORDER TO CONTRACT WITH HDR ENGINEERING, INC.

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to approve Change Order No. 2 to Contract FCD 2001C018, Aguila Area Drainage Master Plan (Project 345 - Aguila ADMP) (AAMP) to HDR Engineering, Inc. for a time extension of thirty (30) days, a revised Exhibit B Fee Schedule to add Subconsultant, LTM Engineering to the Consultant's Fee proposal, and the deletion of original Phase II Scope of Work in the amount of (\$315,976), and add a Revised Phase II Scope of Work in the amount of \$312,686 to develop a comprehensive Flood Response Plan incorporating a non-structural approach. This change order establishes a new contract amount of \$715,162 and a new completion date of November 29, 2003. (C6902064501)

RESOLUTION AMENDMENT TO 75TH AVENUE STORM DRAIN AND DURANGO REGIONAL CONVEYANCE CHANNEL PROJECT

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Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to adopt Resolution Amendment FCD 2002R012A to Resolution FCD 2002R012 for the 75th Avenue Storm Drain and Durango Regional Conveyance Channel Project (DRCC) (Project No. 565 - Durango ADMP). This amendment authorizes and directs the Chief Engineer and General Manager to negotiate with landowners and/or appropriate agencies to obtain necessary rights-of-entry, property and/or easements and all other necessary land rights within Township 1 North, Range 1 East, Sections 11, 12, 13, 14, 23, 24, 25, 26, and Township 1 North, Range 2 East, Section 7, subject to the ratification and approval of the Board. All other authorities and conditions of Resolution FCD 2002R012 remain unchanged. Funding for the expenditures associated with Resolution Amendment FCD 2002R012A have been provided for in the Board-approved (July 22, 2002) FY 2003 District CIP Budget, as revised in Agenda Item C69030708, which is being heard concurrently with Agenda Item C6903035601. (C6903035601) (ADM1900)

FISCAL AGENT FOR STORMWATER OUTREACH FOR REGIONAL MUNICIPALITIES (STORM)

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to approve the Flood Control District of Maricopa County (District) to be the fiscal agent for Stormwater Outreach for Regional Municipalities (STORM). By acting as the fiscal agent, and accepting and disbursing membership fees, the District will help to maintain the regional perspective to public education on stormwater management issues. The District will provide these services in lieu of payment of a membership fee for Maricopa County in STORM. (C69030728) (ADM1909)

CRITICAL MARKET SALARY INCREASE

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to approve a critical market salary increase for the Floodplain Management Branch Manager position in the Flood Control District of Maricopa County, from \$30.94 to \$34.00 per hour, retroactive to March 17, 2003. Approval of this item will allow the District to process the critical salary increase and by so doing correct an internal pay inequity that presently exists in the District's salary structure. The Floodplain Management Branch Manager Position is a professional engineering position that requires knowledge with respect to the Code of Federal Regulations, State statutes, and local regulations in order to ensure that Maricopa County's Floodplain Regulations are current. In addition, the position is responsible for the technical review of all development within floodplains to ensure that it is in compliance with local, state, and federal requirements, Maricopa County subdivision and drainage regulations, and Floodplain Regulations. Moreover, the position is instrumental in developing documentation required to ensure that Maricopa County stays within good standing in the National Flood Insurance Program in order to receive disaster assistance as well as federally insured loans. (C6903077M) (ADM1900-001)

SIGN DOCUMENTS FOR SALE OF EXCESS PARCEL

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to approve and authorize the Chair to sign the necessary documents from the sale of Excess Parcel A-10030-EX-2 at Public Auction on March 18, 2003, to Granite Capitol Corporation and/or Nominee for \$12,780,000. (C6903078B) (ADM1903-001)

MEETING ADJOURNED

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

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Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board