

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

April 7, 2004

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., April 7, 2004, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Andy Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2 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 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 Brock, and unanimously carried (4-0-1) to approve the minutes from meetings held on February 4 and 18, 2004.

PERSONNEL AGENDA

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

EASEMENTS, RIGHT-OF-WAY DOCUMENTS

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

Property Management – East Maricopa Floodway (Warner Road) (Per: Resolution FCD 1999R016)

Item N-2269-1, Transmission Line Easement from Flood Control District of Maricopa County to Salt River Project Agricultural Improvement and Power District for the sum of \$2,360.00.

SELL PORTION OF AN EXCESS PARCEL

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (4-0-1) to authorize the Flood Control District of Maricopa County to sell a portion of an excess parcel (FCD Parcel No. - portion of S-2204-1, located south of Indian Bend Road and west of Hayden Road, consisting of approximately 5,902 square feet of 0.14 acres) beginning in this Fiscal Year. The district will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be fair market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at fair market value without an auction. If an auction takes place, district staff will sell the parcel in accordance with ARS §9-402, which mandates that an invitation for bid be published for the sale of all real property. (C6904076B) (C6904076522) (ADM1903-002)

CONTRACTS (2) FOR ON-CALL VALUE ENGINEERING SERVICES

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Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (4-0-1) to approve contracts (2) for On-Call Value Engineering Services between the Flood Control District of Maricopa County and the following consultants:

- MACTEC Engineering and Consulting, Inc., Contract FCD 2004C003 (C69040785)
- SiteTek Financial Arts, Inc., Contract FCD 2004C004 (C69040795)

Each contract is effective for two years from the date of its execution, or until the expenditure of \$75,000, whichever occurs first. Total dollar amount for both contracts will not exceed \$150,000. The district and the consultants 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. This negotiated fee will be in accordance with the rates included as Exhibit B to the contracts. (C69040775ZZ)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF PHOENIX – 24TH AVENUE & CAMELBACK ROAD DETENTION BASIN AND STORM DRAIN PROJECT

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (4-0-1) to approve Intergovernmental Agreement (IGA) FCD 2003A018 between the Flood Control District of Maricopa County and the City of Phoenix, for the 24th Avenue & Camelback Road Detention Basin and Storm Drain [(Project) No. 625]. The purpose of this IGA is to identify responsibilities for cost sharing, design, rights-of-way acquisition, utility relocation, construction, construction management, and operation and maintenance; to include funding in the current and future Five Year Capital Improvement Programs, subject to approval of the Board of Directors of the Flood Control District of Maricopa County. The project costs for these activities will be shared equally (50/50) between the district (estimated \$3,600,000) and city (estimated \$3,600,000) for a total estimated cost of \$7,200,000. (C69040812)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF PHOENIX – 23RD AVENUE AND ROESER ROAD DETENTION BASIN AND STORM DRAIN PROJECT

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (4-0-1) to approve Intergovernmental Agreement (IGA) FCD 2003A004 between the Flood Control District of Maricopa County and the City of Phoenix, for cost sharing, design, rights of way acquisition, utility relocation, construction, construction management, and operation and maintenance for the 23rd Avenue and Roeser Road Detention Basin and Storm Drain Project (No. 117); to include funding in the current and future Five Year Capital Improvement Programs, subject to approval of the Board of Directors of the Flood Control District of Maricopa County. The district and the city shall share in the project costs, which are estimated to be \$4,200,000. The district's share is 50% of the estimated project costs, not-to-exceed \$2,100,000, and the city's cost share is 50% of the estimated project costs, not-to-exceed \$2,100,000. (C69040822)

ADJUSTMENTS TO CURRENT FY 2004 CAPITAL IMPROVEMENTS PROGRAM (CIP) BUDGET OF THE FLOOD CONTROL DISTRICT

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (4-0-1) to approve adjustments to the current FY 2004 Capital Improvements Program (CIP) budget of the Flood

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Control District of Maricopa County that have become necessary for a number of reasons including the following:

- Accelerated Rights-of-Way Acquisitions
- Higher Than Anticipated Land Acquisition Cost
- Design and Construction Schedule Delays
- District Partner's Current Inability to Financially Proceed With Project (Delay)
- Favorable Construction Bids

While the above encountered difficulties have resulted in schedule interruptions, they have not resulted in the abandonment of any of the projects approved by the Board of Directors of the District. Further, the resulting financial circumstances afford the district the opportunity to accelerate the completion of other meritorious, current, and new projects. Approval of this request by the Board will result in a budget adjustment affecting both the current and future years covered by the approved 5-year CIP. Future year adjustments are being resolved in the district's currently on-going FY 2005 budgeting process. The adjusted FY 2005 five-year CIP budget will be subject to Board approval prior to the commencement of the new fiscal year. Current total approved funding for the CIP remains unchanged by Board approval of this request. (C6904083M) (ADM1900-003)

MEETING ADJOURNED

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

Andy Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board