

**MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK**

**FORMAL SESSION  
April 6, 2005**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., April 6, 2005, in the Board of Directors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1; Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Stefanie Pesqueira, Administrative Coordinator; David Smith, County Manager; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain

**PERSONNEL AGENDA**

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (5-0) to approve Flood Control District Personnel Agenda (Exhibit C). Exhibit C will be found at the end of this set of minutes.

**EASEMENTS AND RIGHT-OF-WAY DOCUMENTS**

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (5-0) to approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

**Floodprone Properties Voluntary Buyout (Per Resolution FCD2004R013)**

Item FP004, Warranty Deed from Donna L. Anderson to the Flood Control District of Maricopa County for the sum of \$70,000.00.

Item FP004, Purchase Agreement and Escrow Instructions (three (3) copies enclosed for signature).

Item FP015, Warranty Deed from Roy E. Crutchfield and Cynthia G. Crutchfield to the Flood Control District of Maricopa County for the sum of \$246,000.00.

Item FP015, Purchase Agreement and Escrow Instructions (three (3) copies enclosed for signature).

Item FP016; Warranty Deed from Juan Flores and Jo Ann M. Flores, Trustees, to the Flood Control District of Maricopa County for the sum of \$318,000.00.

Item FP016, Purchase Agreement and Escrow Instructions (three (3) copies enclosed for signature).

**ADOPTION OF CAPITAL ASSET POLICY**

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (5-0) to adopt a new policy, A2507 Capital Asset Policy, as a district-wide policy. The Capital Asset Policy will ensure

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consistency throughout Maricopa County regarding the management and reporting of capital asset information. (C1805024600) (ADM1918)

**RESOLUTION FOR QUEEN CREEK WASH CHANNEL IMPROVEMENTS**

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (5-0) to adopt Resolution FCD 2004R014, Queen Creek Wash Channel (Recker Road to Higley Road) Improvements Project 480. The resolution authorizes the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to negotiate Intergovernmental Agreements with the Town of Gilbert and others as appropriate to define the District's role and responsibility for the project, subject to the ratification and approval of the Board of Directors of the Maricopa County Flood Control District. (C6905098600) (ADM1900)

**RESOLUTION FCD 2004R014**

**QUEEN CREEK WASH CHANNEL (RECKER ROAD TO HIGLEY ROAD) IMPROVEMENTS PROJECT**

**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 Flood Control District of Maricopa County (Board) to identify flood problems and plan for the construction of facilities to eliminate or minimize flooding problems in Maricopa County; and,

**WHEREAS**, Queen Creek Wash upstream of Recker Road, has been improved to 100-year conveyance by developers, the Town of Queen Creek and the District. The Queen Creek Wash downstream of Higley Road will be improved to 100-year conveyance capacity by the District as part of the East Maricopa Floodway (EMF) Chandler Heights Basin improvements project. The only remaining reach of Queen Creek Wash from Hawes Road to the EMF that has not been improved to 100-year conveyance capacity is between Recker Road and Higley Road; and,

**WHEREAS**, This Project is defined as improvements to the Queen Creek Wash between Recker Road and Higley Road, as shown in Exhibit "A", and is intended to contain and convey the 100-year storm event, and to be compatible with existing wash improvements upstream of Recker Road with already designed and to be constructed improvements downstream of Higley Road; and,

**WHEREAS**, In July 2004, the Town of Gilbert (Town) submitted the Project to the District's CIP Prioritization Procedure for FY 2005-06 and the Project received a favorable rating and was recommended by the Flood Control Advisory Board for inclusion into future CIP budgets; and,

**WHEREAS**, Project hydrology and hydraulics will be based on the Queen Creek/Sonoqui Wash Hydraulic Master Plan (HMP), as well as being made compatible with the Queen Creek Wash improvements already in place or already designed and to be constructed; and,

**WHEREAS**, The Town will be the lead agency for all Project tasks, including design, rights-of-way acquisition, construction and construction management. The Town will also be responsible for operation and maintenance of the completed Project; and,

**WHEREAS**, The Project costs are estimated to be \$3,000,000, for 404 Permits, utility relocations, rights-of-way, construction and construction management.

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**NOW, THEREFORE, BE IT RESOLVED** the Board authorized and directed the Chief Engineer and General Manager of the District is to negotiate and prepare Intergovernmental Agreements (IGA) with the with the Town of Gilbert and others, as necessary, for the coordination and cost sharing of the 404 Permits, utility relocations, rights-of-way acquisition, construction, and construction management, and for the operation and maintenance of the Project, 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 cost sharing funds in the District's current and future Five-Year Capital Improvement Program to pay for the District's portion of the Project, subject to the ratification and approval of this Board.

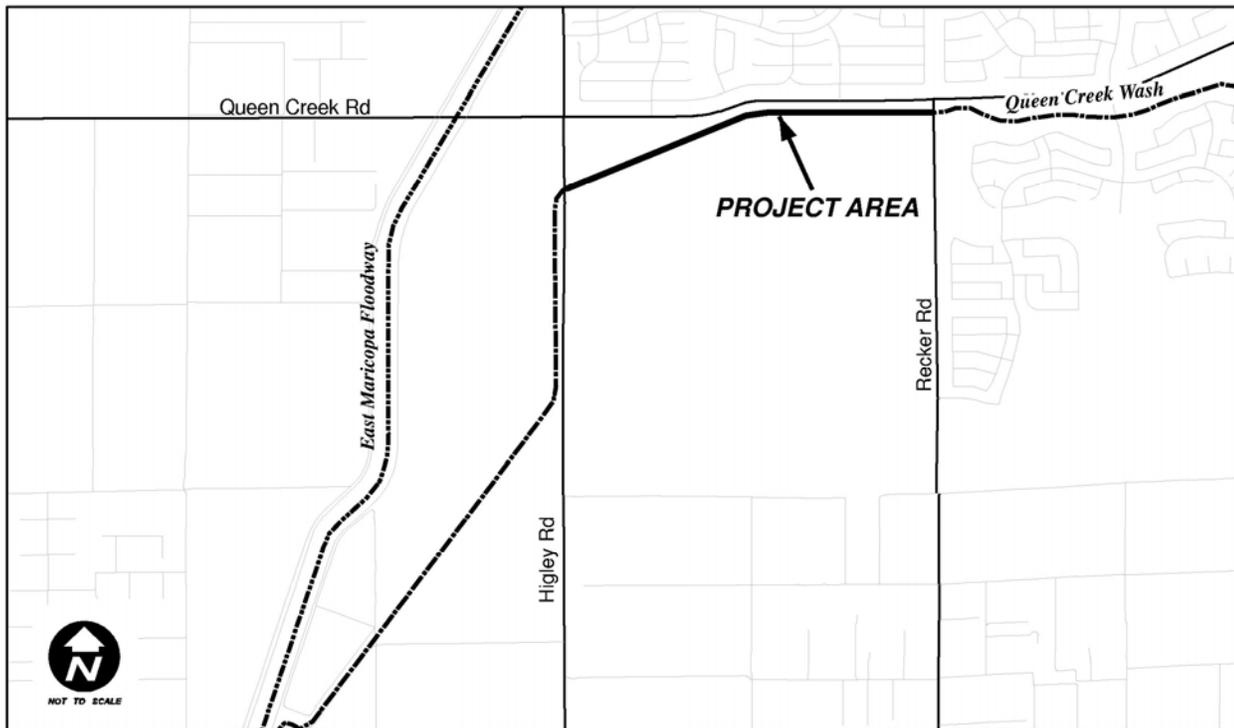
Dated this 6<sup>th</sup> day of April, 2005.

/s/ Max W. Wilson, Chairman Board of Directors

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

Enclosure: Exhibit A, Resolution FCD 2004R0014



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**RESOLUTION FOR SCATTER WASH BASIN IMPROVEMENTS**

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (5-0) to adopt Resolution FCD 2004R012, Scatter Wash Basin Improvements Project 590. The resolution authorizes the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to negotiate Intergovernmental Agreements with the Arizona Department of Transportation and the City of Phoenix and others as appropriate to define the District's role and responsibility for the project, subject to the ratification and approval of the Board of Directors of the Flood Control District of Maricopa County. (C6905099600) (ADM1900)

**RESOLUTION FCD 2004R012  
SCATTER WASH BASIN IMPROVEMENTS PROJECT**

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

**WHEREAS**, the Arizona Department of Transportation (ADOT) has completed a Design Concept Report (DCR) for Interstate 17 (I-17) improvements which will include a detention basin along and improvements to Scatter Wash; and,

**WHEREAS**, the City of Phoenix (City), the District, and ADOT have identified that the basin and improvements to Scatter Wash can provide a regional flood control benefit by reducing an existing floodplain downstream of I-17 along Scatter Wash; and,

**WHEREAS**, the Project, as shown on Exhibit A, includes a detention basin located west of I-17 along Scatter Wash, with improvements to Scatter Wash from I-17 to about 27<sup>th</sup> Avenue; and,

**WHEREAS**, in July 2003, ADOT submitted the Project to the District's Capital Improvements Program (CIP) Prioritization Procedure for fiscal year (FY) 2004-2005 and the Project received a favorable rating and was recommended for inclusion in the future CIP budgets; and,

**WHEREAS**, the Project costs are estimated to be \$3,600,000 for design, 404 Permits, utility relocations, rights-of-way, construction and construction management; and,

**WHEREAS**, ADOT is the lead agency for all aspects of the Project, having already begun pre-design for the Project, and rights-of-way acquisition for the basin, and the District and the City will cooperate and cost share the implementation of the Project with ADOT and/or other municipalities and agencies, as appropriate.

**NOW, THEREFORE, BE IT RESOLVED** that the Board authorizes and directs the Chief Engineer and General Manager of the District to negotiate and prepare Intergovernmental Agreements (IGA's) with ADOT, the City, and others, as necessary, for the coordination and cost sharing of the design, rights-of-way acquisition, construction, and construction management, and for the operation and maintenance of the Project, subject to the ratification and approval of this Board; and,

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**BE IT FURTHER RESOLVED** that the Chief Engineer and General Manager of the District is authorized and directed to include cost sharing funds in the District's current and future Five-Year CIP to pay for the District's portion of the Project, subject to the ratification and approval of this Board.

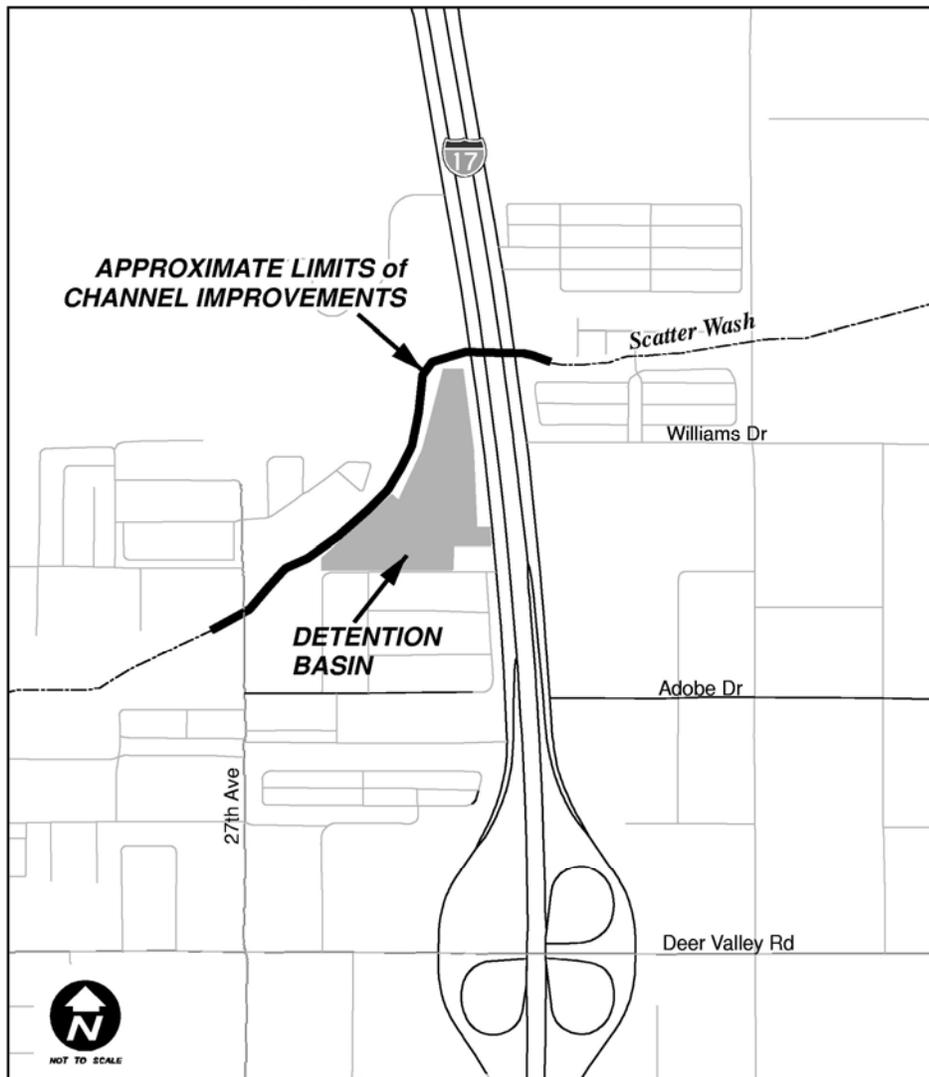
**DATED** this 6<sup>th</sup> day of April 2005.

/s/ Max W. Wilson, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

Enclosure: Exhibit A, Resolution FCD 2004R0012



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**MEETING ADJOURNED**

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

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board