

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
August 24, 2005**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., August 24, 2005, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: : Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Andrew Kunasek, District 3; and Mary Rose Wilcox, District 5. Absent: Fulton Brock, District 1. Also present: Lori Pacini, Deputy Clerk of the Board; Juanita Garza, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain

MINUTES

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to approve minutes of meeting held May 4, 2005, June 20, 2005 and June 22, 2005.

PERSONNEL AGENDA

Motion was made by Director Wilcox, seconded by Director Stapley, 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 AND RIGHT-OF-WAY

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

Property Management – Buckeye FRS (Per Resolution FCD 1999R016)

Item BW-72, Overhead Fiber Optic Easement from the Flood Control District of Maricopa County to Cox Communications for the sum of \$1,794.00.

Property Management – Laveen Area Conveyance Channel (Per Resolution FCD 1999R016)

Item A001.005, Drainage Easement from the Flood Control District of Maricopa County to Salt River Project Agricultural Improvement and Power District for the sum of \$1,686.00.

RESOLUTION FOR HORSPIITALITY RV PARK FLOODING HAZARD MITIGATION PROJECT

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to adopt Resolution FCD 2004R013, Horspitality RV Park Flooding Hazard Mitigation Project. This resolution authorizes the Flood Control District of Maricopa County to acquire rights-of-way, and negotiate agreements and intergovernmental agreements for cost sharing, design, construction, construction management, acquisition of rights-of-way, and operation and maintenance for construction of bank stabilization along the Hassayampa River. This will provide protection to the Horspitality RV Park, and the

district will not be required to fund any of the cost. The costs will be cost shared by Natural Resource Conservation Service and the owner of the Horspitality RV Park. (C6906014600) (ADM1900)

RESOLUTION

WHEREAS, The Flood Control District of Maricopa County (District) was established in accordance with provisions of 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 within Maricopa County; and,

WHEREAS, flooding in February 2005 resulted in property damage along the Hassayampa River in the vicinity of Wickenburg, including the Horspitality RV Park, which is located within unincorporated Maricopa County; and,

WHEREAS, the Natural Resource Conservation Service's (NRCS) Emergency Watershed Protection (EWP) program will provide funding for emergency response assistance, and the Horspitality RV Park may qualify for this federal assistance, only if a local jurisdictional agency will serve as the local sponsor; and,

WHEREAS, the Owners of the Horspitality RV Park have requested that the District be the local sponsor to apply for assistance under NRCS's EWP program for the installation of bank stabilization to repair damages and to protect from future erosion hazards caused by the Hassayampa River, as identified on the attached Exhibit A and hereinafter referred to as the Project; and,

WHEREAS, the NRCS will fund seventy-five percent (75%) of the Project cost; and,

WHEREAS, the Owners of the Horspitality RV Park will fund the total local sponsor remaining twenty-five percent (25%) cost share for the Project; and,

WHEREAS, the Owners of the Horspitality RV Park will be responsible for the Project operation and maintenance costs and will be required to reimburse any operation and maintenance costs expended by the District; and,

WHEREAS, the District submitted a request for assistance to NRCS under the EWP program; and,

WHEREAS, the NRCS has determined that the requested assistance to stabilize the erosion hazards associated with the Project meets NRCS's eligibility requirements.

NOW, THEREFORE, BE IT RESOLVED the Board authorizes and directs the Chief Engineer and General Manager of the District to negotiate and prepare agreements with NRCS and the Owners of Horspitality RV Park, and others, as appropriate, for cost sharing, rights-of-way acquisition, design, construction, construction management and future operation and maintenance,

BE IT FURTHER RESOLVED that the Chief Engineer and General Manager of the District is 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 required for the implementation of the Project in the following location:

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T7N, R4W, Section 18

Subject to the ratification and approval of this Board.

DATED this 24th day of August, 2005

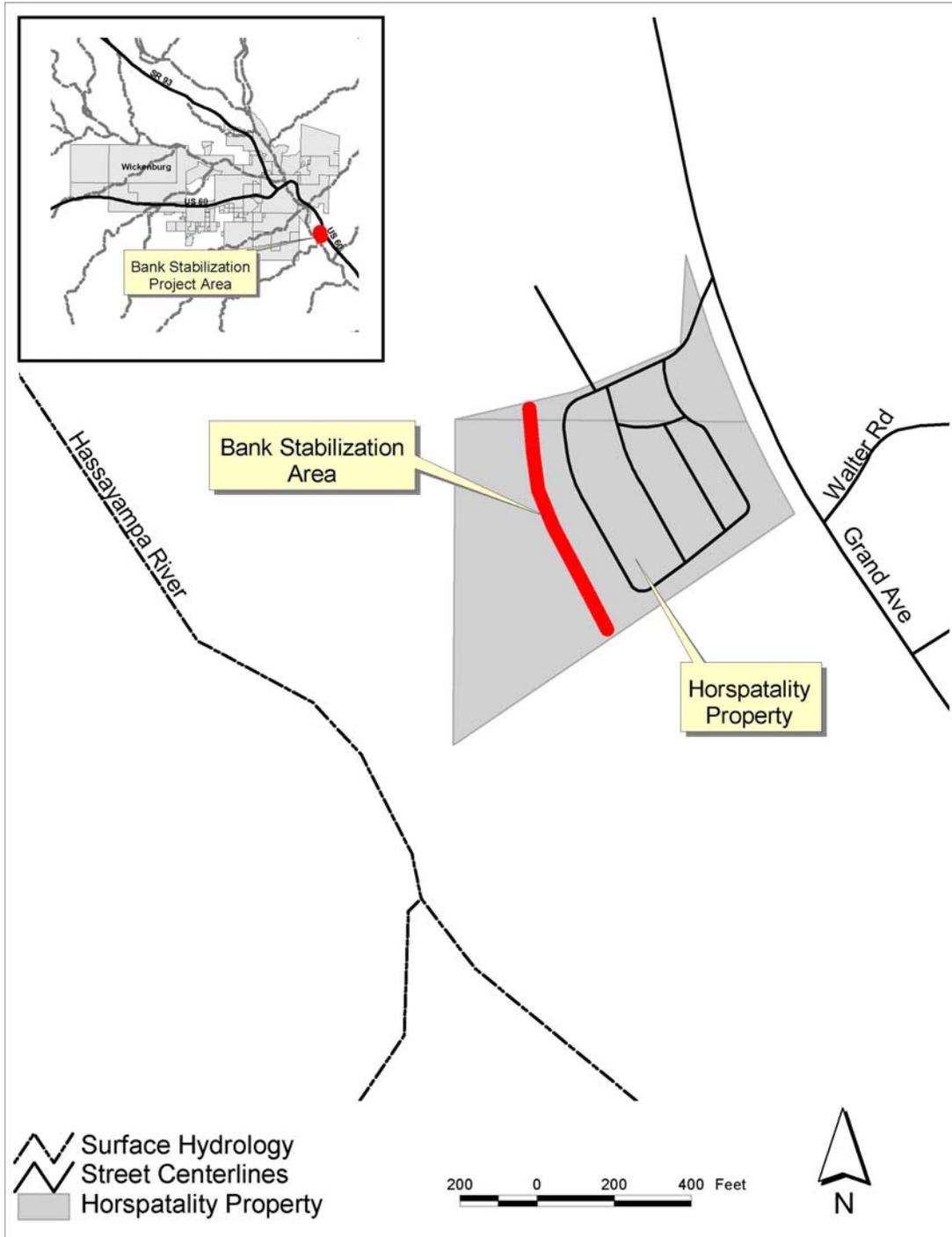
/s/ Max W. Wilson, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

Enclosure: Exhibit A

Horspitality Flooding Hazard Mitigation Project



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IGA WITH MCDOT FOR EL RIO EDUCATIONAL R & D PARKING LOT

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to approve Intergovernmental Agreement (IGA) FCD 2005A010, between the Flood Control District of Maricopa County and the Maricopa County Department of Transportation (MCDOT) for roles and responsibilities in construction of a parking lot for the El Rio Educational Research and Development Project. The project will be constructed in conjunction with a county roadway project that will make improvements to Vineyard Avenue/143rd Avenue from Estrella Parkway to Indian Springs Road (C6906021200)

APPOINTMENT

Motion was made by Director Wilcox, seconded by Director Stapley, and unanimously carried (4-0-1) to appoint Mr. Timothy S. Phillips, P.E. to the position of Chief Engineer and General Manager of the Flood Control District of Maricopa County effective August 18, 2005. (C6906029900) (ADM 1900)

The Directors' took the opportunity to congratulate Mr. Timothy Phillips on his newly appointed position as Chief Engineer and General Manager of the Flood Control District.

MEETING ADJOURNED

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

Max W. Wilson, Chairman of the Board

ATTEST:

Lori Pacini, Deputy Clerk of the Board