

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
April 5, 2006**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., April 5, 2006, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman, District 1; Andrew Kunasek, District 3, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Bruce White, 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 Kunasek, and unanimously carried (5-0) to approve the minutes of the meeting held January 18, 2006 and March 1, 2006.

PERSONNEL AGENDA

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to approve the 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 ACQUISITION DOCUMENTS

Motion was made by Director Wilcox, seconded by Director Kunasek, 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)

83rd Avenue and Pinnacle Peak Road Project (Per Resolution FCD 2001R012)

Item FA024.008, Permanent Storm Drain Easement and Agreement for Flood Control Purposes from Alexander and Sons, Inc., a Minnesota Corporation to the Flood Control District of Maricopa County for the sum of \$2,150.00.

Item FA024.008, Temporary Construction Easement and Agreement for Flood Control Purposes from Alexander and Sons, Inc., a Minnesota Corporation to the Flood Control District of Maricopa County for the sum of \$500.00.

Item FA024.008, Purchase Agreement and Escrow Instructions.

Property Management – Aqua Fria River (Per Resolution FCD 1999R016)

Item A12034-EX, Special Warranty Deed from the Flood Control District of Maricopa County to Vested Interests, Inc., an Arizona corporation and/or Nominee for the sum of \$4,500.00.

Item A12034-EX, Purchase Agreement and Escrow Instructions.

Item Section 5-T5N, R1E; Quitclaim Deed from the United States of America, acting through the Secretary of Health and Human Services to the Flood Control District of Maricopa County at no cost to the District.

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WHITE TANKS REHABILITATION PROJECT

Item Summary. Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to approve Amendment No. 4 for the White Tanks No. 3 Flood Retarding Structure Rehabilitation Project, which increases the federal cost share obligation for this agreement by \$3,500,000.

Additional Information. Amendment No. 4 FCD 2004A006D to Intergovernmental Agreement IGA 2004A006, approved by the Board of Directors on June 16, 2004 (C6904101200), is between the Flood Control District of Maricopa County and the United States Department of Agriculture Natural Resources Conservation Service (NRCS). (C6904101204)

ENGINEERING, GIS AND DIGITAL PROCESSING SERVICES

Item Summary. Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to award a contract for on-call engineering, GIS and digital processing services.

Additional Information. Contract FCD 2005C032, between the Flood Control District of Maricopa County and Dewberry & Davis, LLC is effective for a period of 1,461 calendar days or until the contract amount of \$500,000 is expended, whichever occurs first. The district and the consultant 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 contract. All work assignments authorized under this contract will be for district engineering services, GIS services, and digital data processing. (C6906066500)

BIDS AND AWARD FOR 83RD AVENUE & PINNACLE PEAK ROAD

Item Summary. Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to authorize the Flood Control District of Maricopa County to issue an invitation for bids for Contract FCD 2006C005, 83rd Avenue & Pinnacle Peak Road Drainage Improvements Project No. 450, and to award the contract to the lowest responsive responsible bidder if the bid is not more than 10% over the engineer's estimate. (C6906069500)

EXCEPTION TO EMPLOYEE COMPENSATION PLAN

Item Summary. Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to request an exception to the Maricopa County Employee Compensation Plan, Section VI - Permanent Salary Advancements, granting approval of non-merit salary advancements retroactive to July 18, 2005.

Additional Information. A market study was implemented in Public Works on July 18, 2005. It was discovered that Richard Ayon, a Flood Control District employee, was promoted on July 18, 2005, and would have been paid more had he stayed in his previous position instead of taking the promotion. In order to remedy this inequity, it was determined that Mr. Ayon should receive at least the pay rate he would have received had he not been promoted. The District will absorb the fiscal impact of the additional compensation. (C6906070M00) (ADM1900-001)

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MEETING ADJOURNED

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

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board