

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
May 17, 2006**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., May 17, 2006, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, 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 and Anne Longo, Assistant Chief Counsel. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

MINUTES

Motion was made by Director Wilson, seconded by Director Brock, and unanimously carried (5-0) to approve the minutes of the meeting held February 15, 2006.

PERSONNEL AGENDA

No personnel changes were submitted for approval at this time.

EASEMENTS AND RIGHT-OF-WAY ACQUISITION DOCUMENTS

Motion was made by Director Wilson, 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)

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

Item FA024.044, Warranty Deed from Bradford H. Robinson to the Flood Control District of Maricopa County for the sum of \$35,820.00.

Item FA024.044, Purchase Agreement and Escrow Instructions.

Laveen Area Conveyances Channel (Per: Resolution FCD 2000R011)

Item A001.024B, Right of Entry Letter from Standard Pacific Homes to the Flood Control District of Maricopa County at no cost to the District.

Property Management – Arizona Canal Diversion Channel (Per Resolution FCD 1999R016)

Item T-051, Non Exclusive Drainage Easement from the Flood Control District of Maricopa County for the sum of \$600.00.

SOLICITATION SERIALS

Motion was made by Director Wilson, seconded by Director Brock, and unanimously carried (5-0) to approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM1922)

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Increase in the price agreement amount for the following contracts. This request is due to an increased usage by county departments.

04074-C Gravel Mulch & Decomposed Granite (\$800,000 increase). Increase price agreement value from \$523,000 to \$1,323,000. This \$800,000 increase is requested by the Flood Control District to complete current and future projects through the agreement term of August 31, 2007. This agreement was initially awarded by the Board of Supervisors on August 18, 2004, in the amount of \$500,000 and later increased by the Materials Management Director to \$523,000 on April 25, 2005.

AMEND PERFORMANCE-BASED SALARY ADVANCEMENT PLAN

Motion was made by Director Wilson, seconded by Director Brock, and unanimously carried (5-0) to amend the FY 2006-07 Performance-Based Salary Advancement Plan for the Maricopa County Flood Control District to allow for one-time lump sum performance payments to eligible employees who are at the maximum of their salary range (i.e., "redlined" employees). The provisions of this document supersede Section VI, Paragraph A of the Maricopa County Compensation Plan, entitled "Salary Advancements". (Clerks Note: This is not an official part of the minutes. The Performance-Based Salary Advancement Plan was amended and reapproved on June 7, 2006. Refer to those minutes for the corrected plan.) (C4906029601) (ADM1900-001)

TENTATIVE BUDGET

Motion was made by Director Wilson, seconded by Director Brock, and unanimously carried (5-0) to approve the FY 2006-07 Tentative Budget by total appropriation for each fund for the Flood Control District in the amount of \$105,544,173 and set a public hearing to solicit public comment on the FY 2006-07 budget for June 19, 2006, at 10:00 am at 301 W. Jefferson Street, 10th Floor, Phoenix. (C4906052800) (ADM1900-003)

GENERAL LEGAL COUNSEL SERVICES

Motion was made by Director Wilson, seconded by Director Brock, and unanimously carried (5-0) to approve Amendment No 2, exercising the option to renew Contract FCD 2003C003, On-Call General Legal Counsel Services, with Julie M. Lemmon, Attorney-At-Law for one additional year effective May 17, 2006 through May 16, 2007. The contract expenditure amount for this period of performance is \$200,000. The firm has agreed to continue providing services in accordance with the fee schedule furnished with the original contract, which is incorporated as Schedule A to Amendment No 2. (C6903067502)

RESOLUTION TO MAINTAIN MAPPING EFFORTS

Motion was made by Director Wilson, seconded by Director Brock, and unanimously carried (5-0) to approve Resolution FCD 2005R019, which authorizes the FY 2006-07 Flood Control District of Maricopa County Planning Budget (Fund 812) of \$5,697,000. This action will allow the District to maintain the accelerated efforts of mapping and studying the entire county by FY 2011-12. (C6906077600) (ADM1900)

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SETTLEMENT OF A TUMBLING T RANCHES

Motion was made by Director Wilson, seconded by Director Brock, and unanimously carried (5-0) to approve the Offer of Judgment in settlement of A Tumbling T Ranches v. P.I.L.P. and Maricopa County Flood Control District, CV1995-000253. This item was heard in Executive Session on May 15, 2006. This item is continued from May 3, 2006. (C7506017100) (ADM1900-004)

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