

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
July 12, 2006**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., July 12, 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; Sandi Wilson, Deputy County Manager; Bruce White, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain

PERSONNEL AGENDA

Motion was made by Director Brock, seconded by Director Wilcox, 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 Brock, seconded by Director Wilcox, 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 201-15-006E, Letter Agreement for a Temporary Ingress and Egress Permit from David J. and Rita M. Coffman to the Flood Control District of Maricopa County for the sum of \$100.00.

Item 201-15-006H, Letter Agreement for a Temporary Ingress and Egress Permit from BEMA Family Trust to the Flood Control District of Maricopa County for the sum of \$100.00.

Item 201-15-006P, Letter Agreement for a Temporary Ingress and Egress Permit from Devin L. Dahn to the Flood Control District of Maricopa County for the sum of \$100.00.

Item 201-15-028C, Letter Agreement for a Temporary Ingress and Egress Permit from Steven and Tauni Vaughan to the Flood Control District of Maricopa County for the sum of \$100.00.

Item 201-15-028G, Letter Agreement for a Temporary Ingress and Egress Permit from David J. and Sherrie A. Saueressig to the Flood Control District of Maricopa County for the sum of \$100.00.

Item 201-15-028J, Letter Agreement for a Temporary Ingress and Egress Permit from John J. Durkin to the Flood Control District of Maricopa County for the sum of \$100.00.

Item 201-15-029J, Letter Agreement for a Temporary Ingress and Egress Permit from Frances V. Langford to the Flood Control District of Maricopa County for the sum of \$100.00.

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White Tanks #3 North Inlet Channel (Per Resolution FCD 2002R009)

Item FA025.001-TCE, .001-Ingress/Egress; Temporary Construction Easement and Agreement for Flood Control Purposes from Maricopa County Municipal Water Conservation District Number One to the Flood Control District of Maricopa County at no cost to the District.

PERIODIC AND EMERGENCY DISCHARGE OF RECLAIMED WATER

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (5-0) to approve the Intergovernmental Agreement (IGA) FCD 2006A009 for the Periodic and Emergency Discharge of Reclaimed Water from the Greenfield Water Reclamation Plant into the East Maricopa Floodway between the Flood Control District of Maricopa County and the City of Mesa. The district estimates that maintenance costs directly related to the discharge of reclaimed water by the city will be no more than \$25,000 per fiscal year. The IGA identifies roles and responsibilities of both parties so that the district can allow this discharge to occur within the East Maricopa Floodway. This IGA will be effective for 10 years from the date of execution. (C6906086200)

OPERATION AND MAINTENANCE OF THE GILA RIVER IMPROVEMENTS

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (5-0) to adopt Resolution FCD 2006R008, Operation and Maintenance of the Gila River Improvements Project. This resolution authorizes and directs the Chief Engineer and General Manager of the Flood Control District of Maricopa County to negotiate intergovernmental agreements with the City of Goodyear for operation and maintenance of the Gila River Improvements associated with the Cotton Lane Bridge. Increased operation and maintenance cost are estimated to total \$250,000.00 per annum. (C6906088600) (ADM1900)

**RESOLUTION FCD 2006R008
OPERATIONS AND MAINTENANCE
GILA RIVER IMPROVEMENTS PROJECT**

WHEREAS, Arizona Revised Statutes Title 48, Chapter 21 requires 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 District Board of Directors (Board) to identify and eliminate or minimize flooding problems by implementing flood hazard mitigation programs within Maricopa County; and,

WHEREAS, Arizona Revised Statutes Title 48, Chapter 36, as revised, authorizes the Board to enter into Intergovernmental Agreements (IGA) with political subdivisions of the state for the operations and maintenance of capital facilities that eliminate or minimize flooding problems within Maricopa County; and,

WHEREAS, the Maricopa County Department of Transportation (MCDOT) in partnership with the City of Goodyear (City) and in cooperation with two (2) private developers, Sonterra Partners/King Ranch and Newland Communities/Estrella Mountain Ranch, proposes to construct the Cotton Lane Bridge and Gila River Improvements which include a widening and extension of Cotton Lane, including a 2,067 foot-long bridge over the Gila River, and river improvements to facilitate the hydraulic efficiency of the bridge and allow development in the reclaimed floodplain/floodway lands; and,

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WHEREAS, the Gila River Improvements (Project) include soil-cement bank protection, soil-cement guide vanes, and partial river channelization through selective excavation of river bed material; and,

WHEREAS, the District, in cooperation with the City and MCDOT reviewed the design of the Cotton Lane Bridge and Gila River Improvements for compatibility with the El Rio Watercourse Master Plan (El Rio) and included these features in the final El Rio documents; and,

WHEREAS, the District operates and maintains regional flood control facilities in the course of its regular duties and responsibilities.

NOW, THEREFORE, BE IT RESOLVED the Board authorizes and directs the Chief Engineer and General Manager to negotiate and prepare Intergovernmental Agreements (IGA) with the City of Goodyear to provide oversight and review of the Gila River Improvements Project during construction and to assume responsibility for operations and maintenance of the Project following completion of construction, subject to the ratification and approval of the Board.

DATED this 12th day of July 2006.

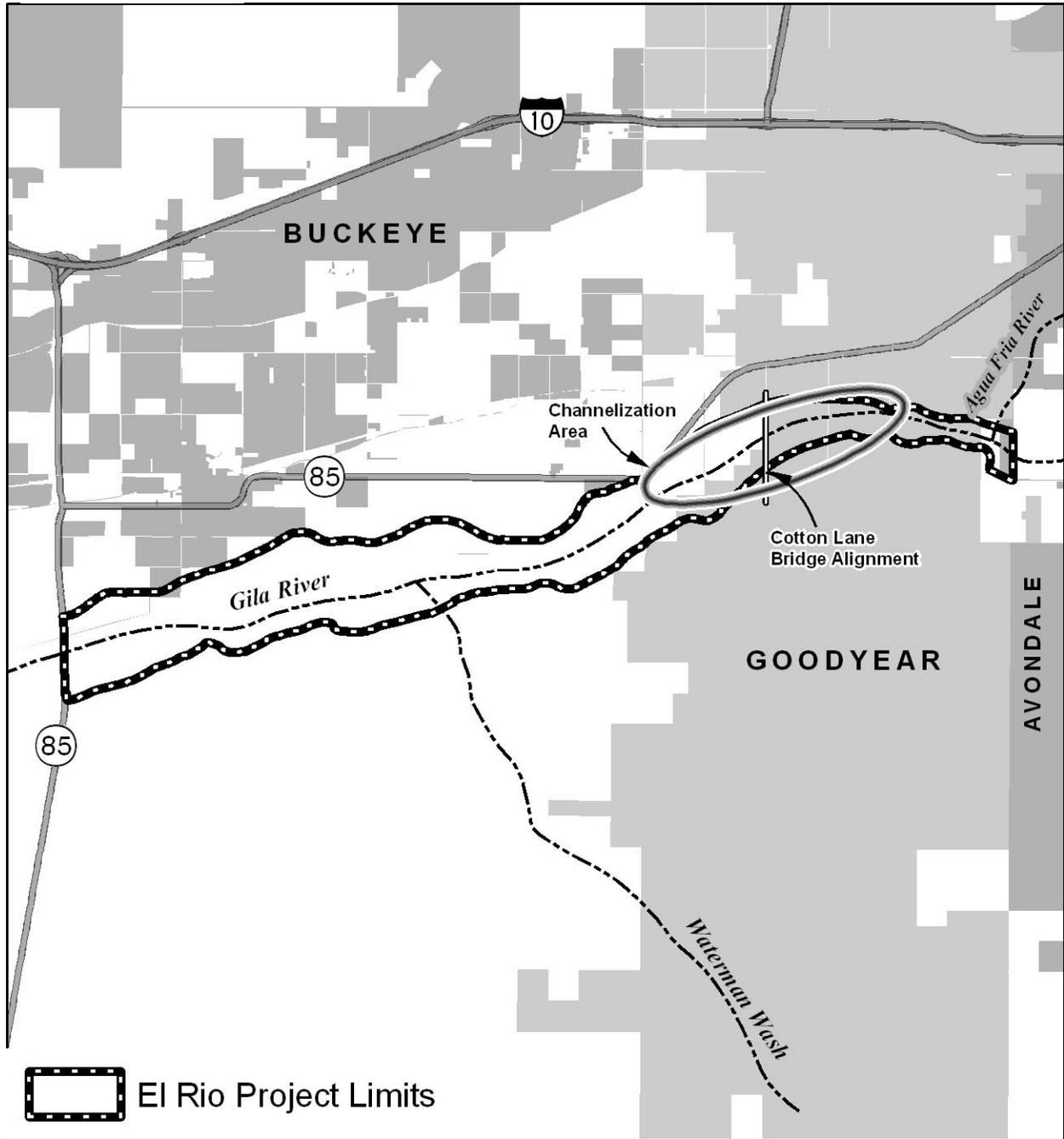
/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

Enclosure: Exhibit A – Cotton Lane Bridge and Gila River Improvements Vicinity Map

Exhibit A – Cotton Lane Bridge and Gila River Improvements Vicinity Map



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JOINT DEFENSE AGREEMENT

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (5-0) to approve and authorize entering into a Joint Defense Agreement in regard to the Mayer Unified School District and Gadsden Elementary School District vs. Mark Winkleman, et. al. litigation. This action is scheduled to be discussed in Executive Session on July 10, 2006. (C6907001M00) (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