



CAPITAL IMPROVEMENT PROGRAM PROCEDURE

Calendar Year 2024

FLOOD CONTROL CAPITAL PROJECTS PROCEDURE

Purpose of the Procedure

In accordance with Flood Control District of Maricopa County (District) Resolution 2022R003, potential Capital Improvement Program (CIP) projects submitted by Agencies* are evaluated through this Capital Improvement Program Procedure (Procedure).

Through these resolutions, the District Board of Directors (Board) has also resolved that the District shall:

- Determine CIP funding levels based on a balance of needs, funding availability, and sustainability;
- Leverage available external funding and cost share to the maximum extent practicable without compromising the District's mission;
- Use the Procedure to
 - Evaluate proposed flood control capital projects;
 - Establish funding priority for such projects based upon
 - Project readiness and hazard mitigation need; and
 - Proposed agency cost share (which shall be no less than 20% except as approved by the Board);
- Advance resolutions for the design and construction of recommended projects to the Board for approval; and
- Review and update the Procedure's guidelines and administrative requirements as necessary.

The Procedure applies only to the recommended allocation of CIP resources (funding for design, right-of-way acquisition, and construction of flood control capital projects). The District's eligibility determination of a CIP project **does not guarantee funding for the project**. The District's inclusion of a project in its budget requires Agency commitments to proceed, the successful negotiation of associated agreements with the Agency, and approval by the Board.

*Agencies are state, county, city, town, and tribal governments, political subdivisions, and federal government agencies that may partner with the District to improve flood control within Maricopa County.

Procedural Summary

The application of the Procedure results in the following actions:

- Agencies submit project proposals (continual).
- Project proposals are reviewed and evaluated by Flood Control CIP Reviewers as appointed by the Director. Projects deemed eligible are forwarded to the District Director.
- The District notifies Agencies of the proposed project eligibility.
- Eligibility results are published annually (June).
- The Flood Control District Advisory Board (FCAB) endorses a resolution for the District to enter IGA negotiations with the Agency.
- The Board approves the Resolution.
- The District and the Agency negotiate the IGA.
- The FCAB endorses the IGA.
- The Board approves the IGA.
- Funding is approved and included in the District's 5-year CIP budget plan.

This procedural summary is represented graphically in Attachment A.

The eligibility determination of a project through the Procedure precedes final project approval by the Board (in the form of a resolution); however, this final approval is not inevitable. Moreover, an eligibility determination under this procedure does not, at any level, constitute an agreement to cost share in a proposed project.

Once an Agency is ready to move forward with an eligible project, intergovernmental agreements (IGAs) subject to negotiation and approval by the Flood Control District Board of Directors and the Agency are required. IGAs are typically subject to the following common terms.

- Standard cost share is 65/35 unless particular project conditions argue otherwise;
- Design/construction/land acquisition lead may be the Agency or the District; and
- The Agency will assume operations and maintenance. If the Agency determines they cannot commit to Operations and Maintenance responsibilities for the project, the 65/35 cost share split is no longer applicable and will be 50/50.



Project Proposal Submission Process

Agency project proposals can be submitted year-round. Project proposals and applicable supporting documents must be submitted via the Partnership Application (<https://apps.fcd.maricopa.gov/partnerapp/>). In order to be evaluated in accordance with the Procedure, project proposals must also include a signed letter of intent (LOI, Attachment B).

Maps and similar graphic aids describing prospective project elements are recommended. Additionally, where local (non-District) master plans are referenced, copies of those master plans should be included for reference. Where discrepancies exist between a LOI and the supporting submittal, the information contained within the LOI is considered overriding. The LOI is not a legally binding document, but it assists in establishing a common starting point for negotiating future potential project agreements.

This Procedure and a fillable LOI form may be found at <https://www.maricopa.gov/5440/District-Programs>.

Review of Prior Eligible Projects

Concurrent with the semi-annual solicitation for project proposals and to assist the District as it develops mid and long-range budget forecasts, Agencies are asked to reconfirm their intent to proceed with their project(s) that have been previously deemed eligible for inclusion in the District's CIP but have not yet entered formal MOU or IGA negotiations. If an Agency intends to proceed with its project, it will also be asked to identify the funding mechanism and the schedule for implementing the project and to provide updates to the project scope and estimated costs if applicable.

If the Agency does not intend to proceed with its project, it will be removed from the District's list of eligible CIP projects. If an Agency has not proceeded with an eligible CIP project within five years, the project proposal will be removed from the District's list of eligible CIP projects, and District funding may no longer be available.

Points of Contact

For questions concerning the Procedure and project proposals:

Kim Belt, CPM
Capital Improvement Program Supervisor
Kim.Belt@maricopa.gov
602-506-3639

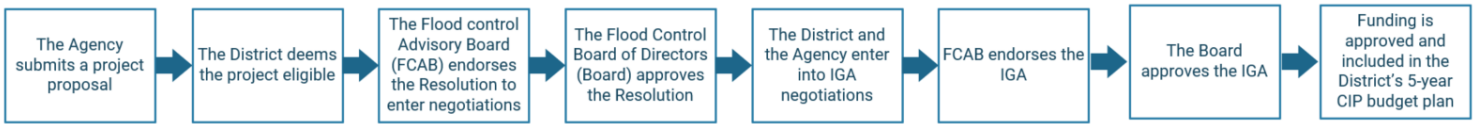
For general questions regarding the Capital Improvement Program:

Don Rerick, P.E.
Planning and Project Management Division Manager
Don.Rerick@maricopa.gov
602-506-4878



Attachment A: Process Flow

Capital Improvement Program Procedure – Process Flow



Attachment B: Letter of Intent



Flood Control Capital Project Letter of Intent

Reset Form

Print Form

Project Name:
Name of Submitting Agency:

1. General

A. Project Area

B. Summary Project Description

C. Estimated Project Cost

2. Proposed Lead Agency by Task (For each task, indicate "District", City/Agency name, or "Not Applicable")

A. Design
B. Rights-of-Way Acquisition
C. Construction
D. Operations and Maintenance

3. Proposed Cost Share

Table with 4 columns: District, City/Agency, Other, Total. Rows for Percentage and Dollars.

4. Estimated Availability of City/Agency Funding (Dollars)

Table with 6 columns: FY 2023/24, FY 2024/25, FY 2025/26, FY 2026/27, FY 2027/28, Later FYs

5. Master Plan/Study Applicable to Submitted Project

A. Title (if applicable)
B. Adopted by City/Agency? (checkboxes for Adopted, Not Adopted, Pending, Not Applicable)

6. Agency Approval (City Engineer, Public Works Director, or Agency Manager)

Signature, Date, Printed Name, Title

Submittals must adhere to the CIP Procedure guidelines - in particular: (1) Explicitly and quantitatively address the evaluation criteria identified by the CIP Procedure, giving particular attention to quantifying flood control benefits; (2) include maps and other graphic attachments demonstrating the conceptual components of the project; (3) provide corresponding signed letters of intent; (4) if a non-District study generated the project, provide one copy of the study.



2801 W. Durango Street : Phoenix, Arizona 85009 : 602.506.1501 : Maricopa.gov/floodcontrol



2801 W. Durango St. : Phoenix, Arizona 85009 : 602.506.1501 : Maricopa.gov/floodcontrol