

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**FORMAL SESSION
June 22, 2005**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., 2005, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1; Absent: Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, 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

PERSONNEL AGENDA

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to approve Flood Control District Personnel Agenda (Exhibit C). Exhibit C will be found at the end of this set of minutes.

APPOINT MR. HEMANT PATEL TO THE FLOOD CONTROL DISTRICT CITIZENS ADVISORY BOARD

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to appoint Mr. Hemant Patel to the Flood Control District Citizens Advisory Board. The term is effective from Board of Directors' approval through November 15, 2009. (ADM1902-001)

EASEMENTS AND RIGHT-OF-WAY

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) 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 – Indian Bend Wash Interceptor (Per Resolution FCD 1999R016)

Item S-2204-1-EX, Quitclaim Deed from the Flood Control District of Maricopa County to Starpointe Corriente Condominiums Limited Partnership, a Delaware corporation for the sum of \$6,200.00.

Item S-2204-1-EX, Purchase Agreement and Escrow Instructions.

Property Management – Salt River Channel (Per Resolution FCD 1999R016)

Item SRC-11415-AE3, Abandonment of Portion of Easement granted to the Flood Control District of Maricopa County.

Property Management – Scatter Wash (Per Resolution FCD 1999R016)

Item SW4-4 EX, Special Warranty Deed from the Flood Control District of Maricopa County to Vision Hill Estates, LLC, an Arizona Limited Liability Company for the sum of \$21,371.00.

Item SW4-4 EX, Purchase Agreement and Escrow Instructions.

CHANGE ORDER WITH STANTEC CONSULTING INC. FOR EL RIO WATERCOURSE MASTER PLAN

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to authorize and approve Change Order No. 8 to Contact FCD 2001C024 with Stantec Consulting Inc. for the El Rio Watercourse Master Plan (WCMP) and Area Drainage Master Plan (ADMP) (PCN 106.01.20), in the amount not-to-exceed \$582,442.87. Board approval will increase the lump sum contract value to \$3,201,577.45. (C6902083502)

AMENDMENT WITH USDA NATURAL RESOURCES CONSERVATION SERVICE FOR WHITE TANKS NO. 3 REHABILITATION PROJECT

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to approve Intergovernmental Agreement (IGA) Amendment FCD 2004A006B to IGA FCD 2004A006 between the Flood Control District of Maricopa County and the United States Department of Agriculture Natural Resources Conservation Service for the White Tanks No. 3 Flood Retarding Structure Rehabilitation Project. This amendment is to increase the federal cost share for this agreement by \$3,000,000. (C6904101202)

CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR ENGINEERING SERVICES: MCDOWELL ROAD BASIN PROJECT

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to Award Contract FCD 2004C052 to Kimley-Horn and Associates, Inc., to provide professional engineering services for the McDowell Road Basin and Storm Drain Project, (#420). The contract includes providing services to prepare final design plans, special provisions, and engineer's estimates for the project. The contract is to be awarded for a lump sum amount of \$627,617.26, which includes \$67,554.02 in optional tasks for additional public involvement, additional geotechnical investigations, alternate channel hydraulics, investigating alternate pipe alternatives, preparing photo simulations, and potholing utilities. (C6905093500)

CIP BUDGET ADJUSTMENT - WICKENBURG

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to approve an amendment to agenda item C6905105800, approved on May 4, 2005. The requested Capital Improvement Program (CIP) budget adjustment for Project F343 Wickenburg should be revised to (-\$405,000). Approval of the requested budget adjustment by the Board of Directors will affect funding in the district's current year CIP budget. (C6905105801) (ADM1900-003)

IGA WITH TOWN OF GILBERT FOR QUEEN CREEK WASH CHANNEL IMPROVEMENTS

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to Approve Intergovernmental Agreement (IGA) FCD 2005A006, between the Flood Control District of Maricopa County and the Town of ~~Queen Creek~~ Gilbert (change announced by the Clerk) for roles and responsibilities for cost sharing in the Queen Creek Wash Channel (Recker Road to Higley Road) Improvements Project (#480). The IGA authorizes the Town of Gilbert to be the lead agency for all project tasks and to fund 66% of the total project cost. The district will fund 34% of the total project cost, with the

district cost share capped at \$1,000,000, subject to the ratification and approval of the IGA by the Board of Directors. (C6905106200)

RESOLUTION FOR LOOP 303 CORRIDOR/WHITE TANKS AREA DRAINAGE MASTER PLAN UPDATE

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to adopt Resolution FCD 2005R007, Loop 303 Corridor/White Tanks Area Drainage Master Plan Update (ADMP). The resolution is for the adoption of the ADMP and recommends that it be adopted by the City of Avondale, the City of Goodyear, the City of Glendale, the City of El Mirage, the City of Litchfield Park, the City of Surprise, the Town of Buckeye, and Maricopa County. (C6905123600) (ADM1915-017)

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 District (Board) to identify flood problems and plan for the construction of facilities to eliminate or minimize flooding problems within Maricopa County; and,

WHEREAS, the District has conducted the Loop 303 Corridor/White Tanks Area Drainage Master Plan Update, a regional drainage master plan, to identify and mitigate existing and future drainage and flooding problems in the western metropolitan Phoenix area as identified in Exhibit A, attached hereto and made a part hereof; and,

WHEREAS, the District conducted studies to identify drainage improvements necessary to mitigate the flood hazards within the White Tanks watershed; and,

WHEREAS, the current drainage improvements in the watershed, as a system, do not have sufficient nor consistent capacity for the 100-year storm event; and,

WHEREAS, the area is urbanizing and the regional drainage and flooding problems in the area may not have been adequately addressed; and,

WHEREAS, the District has finalized the Loop 303 Corridor/White Tanks Master Plan Update and has defined a preferred alternative shown on Exhibit A, for mitigation of storm water flows with drainage infrastructure; and,

WHEREAS, the District, in cooperation with the City of Avondale, the City of Goodyear, the City of Glendale, the City of El Mirage, the City of Litchfield Park, the City of Surprise, the Town of Buckeye, and Maricopa County, will cooperate and coordinate to implement the features defined in the Loop 303 Corridor/White Tanks Area Drainage Master Plan update, in total or in part, subject to funding, priorities and future authorizations.

NOW, THEREFORE, BE IT RESOLVED that the Board adopts the Loop 303 Corridor/White Tanks Area Drainage Master Plan Update Final Report as the basis to mitigate storm water flooding within the watershed area; and,

BE IT FURTHER RESOLVED that the Board recommends that the City of Avondale, the City of Goodyear, the City of Glendale, the City of El Mirage, the City of Litchfield Park, the City of Surprise, the Town of Buckeye, and Maricopa County adopt the Loop 303 Corridor/White Tanks Area Drainage Master

Plan Update within their respective jurisdictions as a planning tool to establish regional flood control infrastructure to mitigate storm water flows within the study area.

IGA WITH CITY OF PHOENIX FOR 10TH STREET WASH IMPROVEMENTS

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to approve Intergovernmental Agreement (IGA) FCD 2005A001 between the Flood Control District of Maricopa County and the City of Phoenix for the design, utility relocations, rights-of-way acquisition, 404 permit, construction, construction management, and operation and maintenance of 10th Street Wash Improvements, from Alice Avenue to Arizona Canal Diversion Channel (ACDC) #580. The total estimated project cost is \$3,100,000. The district will be the lead agency. The overall project cost will be shared equally (50% district/50% city). Approve an adjustment to the FY 2005-06 Five-Year Flood Control District of Maricopa County Capital Improvements Program budget. The adjustment is to be made to Year 3 (FY 2007-08) of the requested FY 2005-06 budget. The adjustment is required to increase funding to the ACDC ADMP (Function Class F580) in the amount of \$170,000 and decrease funding to the Project Reserve (Function Class FCPR) in the amount of \$170,000. (C6905127200)

CONTRACTS WITH JE FULLER/HYDROLOGY & GEOMORPHOLOGY, INC.

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to award the following contracts to JE Fuller/Hydrology & Geomorphology, Inc. (consultant):

- a. **Award Contract FCD 2004C073, On-Call Engineering Service for Consulting/Litigation Support.** The contract will be effective for two years or until the expenditure of \$250,000, whichever occurs first. The Flood Control District of Maricopa County and the consultant will mutually agree to a detailed scope of work for each work assignment prior to notice-to-proceed with each assignment. This 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 engineering services for expert witness and consulting/litigation support services for the district. (C6905129500)
- b. **Award Contract FCD 2004C049, for Sun Valley Area Drainage Master Plan (ADMP) Project #211 - Sun Valley ADMP,** to provide engineering services, surveying, aerial mapping, geotechnical investigations, development of hydrology and hydraulics, floodplain delineations, preparing design plans and construction documents. The contract is to be awarded for a lump sum amount of \$1,680,907.87, which includes \$309,359.87 in optional tasks for additional public involvement, hydrologic and hydraulic analysis, floodplain delineation studies, maintenance and landscaping plans. (C6905133500)

CONTRACT WITH URS CORPORATION FOR ON-CALL POST DESIGN SERVICES: WHITE TANKS

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to award contract FCD 2004C046, on-call post design services for the White Tanks Flood Retarding Structure #3 Remediation Phase I, to URS Corporation, a Nevada Corporation (consultant). The contract will be effective for 730 calendar days from the date of execution or until the contract expenditure of \$250,000, whichever occurs first. The Flood Control District of Maricopa County 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 the notice-to-proceed,

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with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C6905130500)

AGREEMENT WITH US DEPARTMENT OF INTERIOR BUREAU OF RECLAMATION FOR EL RIO EDUCATIONAL RESEARCH AND DEVELOPMENT PROJECT

Motion was made by Director Stapley, seconded by Director Brock, and unanimously carried (3-0-2) to approve Agreement FCD 2004G001 for federal Cooperative Agreement #05FC320380 between the Flood Control District of Maricopa County and the U.S. Department of Interior Bureau of Reclamation, which identifies the district's and reclamation's roles and responsibilities for the El Rio Educational Research and Development Project. (C6905132300)

MEETING ADJOURNED

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

Max W. Wilson, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board