



MARICOPA COUNTY

FLOOD CONTROL DISTRICT

Board Members Present: Daniel Worth, Chairman; Richard Schaner, Hemant Patel, Eric Froberg, Kyle Tilghman, and Patricia Trites.

Board Members Absent: DeWayne Justice

Staff Members Present: Michael Fulton, Director; Gus Martinez, Chief Administrator; Wayne Peck, General Counsel; Marie Lopez, Clerk of the Board

1) **CALL TO ORDER**

Chairman Daniel Worth called the meeting of the Flood Control Advisory Board (FCAB) to order at 2:02 p.m. on Wednesday, January 25, 2023.

2) **ACTION ITEM - APPROVE THE MINUTES OF DECEMBER 07, 2022 MEETING**

ACTION: It was moved by Mr. Schaner and seconded by Ms. Trites to approve the minutes as submitted. The motion carried unanimously, and the minutes were approved.

** **CHAIRMAN WORTH PAUSED SCHEDULED AGENDA TO MAKE AN ANNOUNCEMENT**

Chairman Worth passed the floor to Board member Ms. Trites representing District five. Ms. Trites presented her resignation as a Board member of the FCAB to be effective at the end of the FCAB meeting on January 25, 2023. Chairman Worth shared his appreciation and time dedicated to the Board. Flood Control District Director Michael Fulton and City of Phoenix Floodplain Administrator Eric Froberg. Gave special thanks to Ms. Trites for her dedicated service as a county citizen long before she was a Board Member.

3) **ACTION ITEM – DETROIT BASIN AREA DRAINAGE IMPROVEMENTS PROJECT IGA 2022A019: THE FLOOD CONTROL ADVISORY BOARD ENDORSES AND**

RECOMMENDS THAT THE BOARD OF DIRECTORS OF THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY ADOPT DETROIT BASIN AREA DRAINAGE IMPROVEMENTS PROJECT IGA 2022A019

Presented by Dan Frank, Project Manager

Mr. Frank presented details of the project. The project is within the City of Chandler. Chandler Boulevard on the south, Ivanhoe Place to the north, Hamilton Street to the East, and Delaware Street on the west. Detroit Basin Drainage improvements were identified in the storm water master plan update completed in 2006 as a conceptual plan to mitigate the flooding in the area. This is a joint project with the District and the City of Chandler. The project cost will be shared 65/35, respectively. The total cost for the elements of this IGA is estimated to be \$5,100,000. The District's estimated share of the project cost is 65 percent.

Mr. Froberg had a question about the cost share for the City; how confident was FCD with that estimated cost being accurate in today's economy, and what are some things that the City can do to raise its 35% of the share if the cost was to go up? Project Manager Dan responded that the FCD is as confident with the cost as they can be. This comes from the 90% submittal that came from the consultant the previous week. The City also has a CMAR in place, and the City of Chandler will ask CMAR to verify the project's cost. General Counsel Mr. Peck pointed out that the IGA states that in case of a rise in the estimated cost of the project, they did not have to get the IGA reapproved and go through FCAB if the cost percentages within the city and FCD stayed the same as previously written out.

ACTION: It was moved by Mr. Froberg and seconded by Ms. Trites to approve the Detroit Basin Area Drainage Improvement Project IGA 2022A019. The motion carried unanimously, and the motion was approved.

4) PROPOSAL TO AMEND BYLAWS

Presented by Daniel Worth, Chairman

PURPOSE: Information and discussion item only. No formal action required

Chairman Worth reminded the FCAB that in the December meeting, Director Fulton had discussed the potential for the FCAB to make future changes to the Bylaws. Chairman Worth mentioned particularly making changes that allowed the FCAB to have a bit more flexibility and establish a meeting schedule. Chairman Worth emphasized a section of the Bylaws that currently states FCAB is required to give notification before making any changes. This is an informational item only no action will be taken but serves as proper notice of FCAB obeying Bylaws and

planning on making future edits by adding this to the agenda of the following FCAB meeting as an action item. Chairman Worth mentioned that the agenda book had an attached redlined bylaws document to further look at and to suggest any other changes they like to see in the bylaws to the clerk before the next meeting.

5) COMMENTS FROM THE DIRECTOR

Presented by Mike Fulton, Director

PURPOSE: Information and discussion item only. No formal action required.

Director Fulton presented the new Maricopa County logo. Mr. Fulton mentioned that we are all one. Part of the County's mission is to show unity across all departments in the county now as one identity. Director Fulton also mentioned that the FCD worked on putting letters, tri-fold brochures, and a future scheduled workshop to help expand the news of the changes in the SPAP and CIP programs. Mr. Fulton showed the Board Members a sample letter that was sent to all city managers, floodplain administrators, and public works directors, as well as other past partners that have previously partnered with Flood Control District in Maricopa County. Mr. Fulton mentioned that if anyone could think of any others who could benefit from our future workshop, to forward the information to them.

6) SUMMARY OF RECENT ACTIONS BY THE BOARD OF DIRECTORS

Presented by Mike Fulton, Director

PURPOSE: Information and discussion item only. No formal action required.

At the Board of Director's meeting on December 07, 2022, authorization was granted to the Flood Control District of Maricopa County to award the Pre-Construction Services Contract (FCD 2022C014) to the selected CMAR respondent (Rummel Construction) and, pending negotiation of a mutually acceptable Guaranteed Maximum Price (GMP), authorize the District to award one or more Construction Services Contracts to Rummel Construction without further action by the Board of Directors (BOD) provided that the aggregate of all such contracts does not exceed the sum of \$4,500,000.

At the Board of Director's meeting on January 11, 2023, there were no FCD agenda items to be approved by the Board of Directors.

At the Board of Director's meeting on January 25, 2023, Approval of Amendment No.3 Intergovernmental Agreement (IGA) FCD 2018A011C to IGA 2018A011 (C-

69-19-003-3-00) for the 27th Avenue and Olney Avenue Drainage Improvements Project between the City of Phoenix and the Flood Control District of Maricopa County. This Amendment No.3 shall become effective when executed by all parties.

At the Board of Director's meeting on January 25, 2023, Adopt Resolution FCD 2022R002 for the Pecos Road Drainage Improvements Project, authorizing the Director of the Flood Control District of Maricopa County to include funds for Project implementation in the District's current and future Five-Year Capital Improvement Program; to negotiate and prepare Intergovernmental Agreements for cost sharing, rights-of-way acquisition, design, construction, construction management and future operation and maintenance of the Project; to advertise, select, negotiate, and award contracts for Project engineering and construction services as appropriate.

7) OTHER BUSINESS AND COMMENTS FROM THE PUBLIC

Presented by Daniel Worth, Chairman

There were no comments by members of the public.

Chairman Daniel Worth adjourned the meeting at 2:42 p.m.