**NOTICE OF PUBLIC BOARD MEETING OF**

**THE MAGMA FLOOD CONTROL DISTRICT**

(with option to participate telephonically)

www.azmfcd.org

**Tuesday, December 16, 2014 at 4:00 p.m.**

F.U.S.D. Anthem K-8 School -- Band Room,

2700 N. Anthem Way,

Florence, AZ, 85132

**To participate in the meeting telephonically follow the instructions below:**

Tele-Conference Participant:

1. At the specified time, dial the Access Number **1.800.920.7487**.
2. When prompted, enter your Participant Code followed by #.
3. Your Participant Code is **44317254#**.

Participant Star Commands:

* \*4-Volume - Pressing \*4 will increase/decrease the volume.
* \*6-Mute - Participants can mute/unmute their own lines by pressing \*6.

**AGENDA**

**From 4:00 – 4:15pm:** (Note: District Board will not be in attendance for these items):

1. Welcome & introductions.
2. The General Manager will give a brief presentation to public attendees upon the historical background and information relating to the formation and purpose of the District, the current challenges faced by the District, and the action plans and current goals of the District. Time permitting, an informal question and answer session with public attendees will also be held.

**From 4:15pm:** (Note: District Board will be in attendance for the following items):

1. General Manager to provide information to the board on District Business (including but not limited to):

* Update on design and plans to Magma FRS Rehabilitation Project Phase II.

1. Discussion / approval / disapproval of the minutes and ratification of the actions taken at the 8/6/14 board meeting & executive session. The minutes have been previously distributed to the Board via e-mail. The board mtg. minutes have been posted on the District website prior to this meeting.
2. **EXECUTIVE SESSION** – discussion and legal advice relating to the District’s litigation with FNF Construction Inc. for rehabilitation of the Magma Flood Retarding Structure (Dam), Magma FRS Rehabilitation Project Phase II, purchase of real property, and any other matters that may relate to items listed on the agenda. Pursuant to A.R.S. § 38-431.03(A)(3), (4), and (7).
3. **REGULAR SESSION** - Possible direction to General Manager, Legal Counsel or Staff to proceed as directed in Executive Session.
4. Discussion / approval / disapproval of ratification and approval of 1) all expenditures for the year ended 6/30/14; 2) the annual report to Pinal County for the year ended 6/30/14; and 3) the audited financial statements for the year ended 6/30/14.
5. Discussion / approval / disapproval of authorization for the General Manager to execute the Agreement between MFCD and NRCS for MFCD to advance funding to NRCS for Dam Rehabilitation Technical Assistance (which assistance and consultation is detailed and required under Agreement No. 68-9457-10-492 with NRCS).
6. Ratification of the General Manager’s response to Pinal County’s request that MFCD issue a Letter of Declaration (On December 3, 2014, the General Manager issued a letter to Pinal County indicating that MFCD will issue “LESS” than $10 million in total debt during 2015 calendar year).
7. Discussion / approval / disapproval of authorization for the General Manager to execute MFCD Contract 2014-01 with Hunter Contracting Co. (contractor) for Construction Manager at Risk pre-construction services for Magma FRS Rehabilitation Project Phase II, as well as authorization for the General Manager to approve change orders (as needed) to accommodate the goal of reaching an approved final design and a mutually agreed upon GMP.
8. Board Member / General Manager reports.
9. Other business that may come before the Board.
10. Adjourn

NOTICE: Pursuant to the Open Meeting Laws of the State of Arizona, including but not limited to A.R.S. § 38-431.03, and upon vote of the Board of Directors of the District, the Board may meet in Executive Session for discussion or consultation for legal advice with the attorney for the District for any of the above listed matters.

Please note that this agenda may be changed prior to the scheduled meeting by modifying or deleting listed matters or adding new ones. Anyone interest in the final agenda for the meeting should contact the Magma Flood Control District at 480-424-3438 twenty-four (24) in advance of the meeting.

Posted by Larry Pfeiffer on behalf of the District Board