

# NOTICE OF PUBLIC BOARD MEETING OF THE MAGMA FLOOD CONTROL DISTRICT

(with option to participate telephonically)

**Tuesday, June 14, 2016 at 9:00 a.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

- 1) Welcome & introductions.
- 2) General Manager to provide information to the board on District Business (including but not limited to):
  - Update on the construction of Magma FRS Rehabilitation Project Phase II.
- 3) Discussion / approval / disapproval of:
  - a) The minutes and ratification of the actions taken at the 3/1/16 board meeting.
  - b) The minutes of the 3/1/16 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.
- 4) **EXECUTIVE SESSION** – Pursuant to A.R.S. § 38-431.03(A)(3), (4), and (7) discussion and legal advice relating to:
  - a) the District's litigation with FNF Construction, Inc. for rehabilitation of the Magma Flood Retarding Structure (Dam),
  - b) Magma FRS Rehabilitation Project Phase II,
  - c) the District's agreements with NRCS,
  - d) matters relating to the fiscal year 2017 Budget & Tax Levy, cash flow analysis, and
  - e) any other matters that may relate to items listed on the agenda.
- 5) **REGULAR SESSION** - Possible direction to General Manager, Legal Counsel or Staff to proceed as directed in Executive Session.
- 6) Discussion / approval / disapproval of authorization to the General Manager to take all administrative and other actions that are reasonable and necessary (including amending previously approved contracts between MFCD and NRCS) to obtain funding for the Magma FRS Rehabilitation Projects which include, but are not limited to, the following:
  - a) Ratification of the General Manager's action of signing Amendment No. 2 to the NRCS Agreement No. 68-9457-15-533.
  - b) Authorization for the General Manager to sign Amendment No. 7 to the NRCS Agreement No. 68-9457-09-473.
  - c) Authorization for the General Manager to sign Amendment No. 8 to the NRCS Agreement No. 68-9457-10-492.
- 7) Discussion / approval / disapproval of a final agreement with FNF Construction, Inc. The agreement involves multiple parties including AMEC, Cogitate, and the General Manager. Approval would include authorization for the General Manager to:
  - a) take all actions needed to execute the agreement, and
  - b) take all actions necessary to see that MFCD's requirements within the agreement are fulfilled.
- 8) Discussion / approval / disapproval of authorization for the General Manager to have authority to take all actions necessary to participate in the Town of Florence annexation of parcels 200-24-009H and 200-24-009E. General Manager shall have the authority to use discretion including ceasing MFCD's participation in the annexation actions should concerns outweigh the benefits.
- 9) Board Member / General Manager reports.
- 10) Other business that may come before the Board.
- 11) 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.