

**NOTICE OF PUBLIC BOARD MEETING OF
THE MAGMA FLOOD CONTROL DISTRICT (MFCD)**

(with option to participate via Zoom, telephone, or in-person)

Tuesday, March 1, 2022 at 4:00 p.m.

F.U.S.D. Anthem K-8 School, Room B-100,
2700 N. Anthem Way, Florence, AZ, 85132

The meeting is being conducted using measures to protect public health, including technological means, as permitted under Arizona law.

To participate in the meeting follow the instructions below:

Join Zoom Meeting:

<https://zoom.us/j/91370040429?pwd=WWloSUFHRWpaSE04aDE5SDhML0FyQT09>

Meeting ID: 913 7004 0429

Passcode: ks43NE

Join by Telephone:

Dial +1 346 248 7799 (If outside the US: Find your local number: <https://zoom.us/u/aXLhYeyUH>)

Meeting ID: 913 7004 0429

Passcode: 468691

AGENDA

1. Welcome & introductions.
2. General Manager to provide a brief update to the board on District Business (including but not limited to):
 - Annual ADWR dam safety inspection held on 1/20/22.
 - SCIDD's desire to terminate the Northside Canal at the intersection with Lower Magma Channel.
 - Update on the Middle Magma Regional Flood Control Project
 - i. Phase 1: Environmental Assessments & Planning (ongoing thru end of 2022)
 - a) Major Milestone achieved: Preliminary Plan/EA submitted to NRCS NWMC on 2/18/22
 - ii. Phase 2: Final Design & Construction Plans (just started, ongoing thru end of 2022)
 - a) IGA between MFCD & Pinal County splits the costs 50/50
 - b) Major Milestone upcoming: 60% Design Plans to be submitted to Govt. stakeholders on 3/14/22
3. Discussion / approval / disapproval of:
 - The minutes and ratification of the actions taken at the 12/7/21 board meeting.
 - The minutes of the 12/7/21 executive session.

Note: 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:
 - Legal advice with attorneys and designated representatives concerning the lawsuit filed by Standard Construction against MFCD in Pinal County Superior Court (Case No. CV202001073) relating to the MFRS Erosion Mitigation Project (MFCD Contract No. 2019-01).
 - any 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. Ratification of the Joint Legal Representation and Conflict Waiver Agreement (previously signed by Stephen Cooper on behalf of the District) in which Rick Cobb of Holden Willits PLC agrees to represent both the District and Kent Pace in the lawsuit filed by Standard Construction and Ringo Canyon Pinal County Superior Court (Case No. CV202001073).
7. Board Member / General Manager reports.
8. Other business that may come before the Board.
9. 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.