

MAGMA FLOOD CONTROL DISTRICT
MINUTES OF THE
WEDESDAY, JULY 13, 2022, MEETING

Due to the continuing impacts of the COVID-19 Pandemic, which have prompted declarations of a public health emergency at both the State and federal levels, the Meeting was conducted using measures to protect public health, including technological means using Zoom video, as permitted under Arizona law. The Meeting was properly posted within the boundaries of the District and a phone number of 1-346-248-7799 (Meeting Identification 913 7004 0429) was provided for individuals residing within and without the District to appear telephonically at the Meeting.

The Regular Meeting was called to order by Board President Tyler LeSueur at 4:03 p.m. The Meeting was to be held at the Florence Unified School District Anthem K-8, Room B-100, 2700 N. Anthem Way, Florence, Arizona. Appearing telephonically and by Zoom video were District Board President Tyler LeSueur, Director James Kenny, Director Stacy Brimhall, and District Counsel Stephen R. Cooper. Appearing in person was General Manager Kent Pace and Board Assistant Secretary Larry Pfeifer. There were no public members appearing in person or telephonically and introductions were not necessary.

General Manager Kent Pace next gave a brief update on the status of matters currently involving the District:

San Carlos Irrigation Project: The District is having ongoing discussions involving San Carlos Irrigation Project's request to terminate the Northside Canal into the Lower Magma Channel. San Carlos is preparing a final design proposal, negotiating private rights for the use of

an exiting water storage reservoir, and completing environmental studies for the Bureau of Indian Affairs.

The Middle Magma Regional Flood Control Project. General Manager Kent Pace reported the following:

Assuming the Project meets all established program requirements and proceeds without delays,

- i. NRCS has verbally agreed to fund 100% of the remaining project design costs.
- ii. NRCS intends to fund construction cost 100% (once formal grant is approved & design is final)
- iii. Local Sponsors (Pinal County & MFCD in a 50/50 split) are responsible for all land rights and permitting costs (MFCD will update the IGA with Pinal County to address these topics)
- iv. Pinal County land department is leading efforts to begin title work and appraisal process
- v. Phase 1: Environmental Assessments & Planning (ongoing thru end of 2022)
 1. Preliminary Plan/EA submitted to NRCS NWMC on 2/18/22
 2. Comments received from NWMC in late June 2022.
- vi. Phase 2: Final Design & Construction Plans (Construction estimated to begin late Summer of 2023)

The next item of business was consideration of the approval of the Minutes of the Regular Board Meeting Minutes of March 1, 2022, and to ratify the actions of the March 1, 2022, Meeting. A motion was made by Director James Kenny to approve the Regular Meeting Minutes and to ratify the actions taken at the Meeting. Director Stacy Brimhall seconded this motion. Thereafter, the Minutes for the Regular Session were approved, and the actions taken were ratified. A motion was then made by Director James Kenny to approve the Executive Session Minutes of the March 1, 2022, Meeting. It was seconded by Director Stacy Brimhall and was thereafter approved.

President Tyler LeSueur moved to go into Executive Session which was seconded by Director James Kenny. The motion was approved.

The next item of business was an Executive Session which was conducted from 4:12 p.m. to 4:52 p.m. and thereafter the public meeting was reconvened at 4:57 p.m.

At this time due to technological issues, Director James Kenny left the meeting, but a quorum of Directors was still present to conduct business.

The next item of business was consideration and discussion of Resolution 2022-7.01, a Resolution of the District providing the General Manager with authorization and administrative authority to take all actions necessary (including signing of legal documents) with any federal, state, municipal, and local government agencies and/or political subdivisions as part of the District's efforts to complete the Middle Magma Regional Flood Control Project. A motion was made by President Tyler LeSueur and seconded by Director Stacy Brimhall to approve Resolution 2022-7.01 and thereafter it was approved.

The next item of business was consideration and discussion of Resolution 2022-7.02 a combined Resolution for fiscal year 2022-2023 for the Pinal County Treasurer to invest excess funds of the District, establishing warrant signature authority, establishing authority to provide

warrant information to the County Treasurer, establishing authority to transfer warrant funds, and approval of a bank signature card. A motion was made by President Tyler LeSueur and seconded by Director Stacy Brimhall to approve Resolution 2022-7.02 and thereafter it was approved.

The next item of business was discussion of the budget for fiscal year 2022-2023. General Manger Pace noted the proposed budget would be \$10,968,720 dollars. MFCD's expenses and distributions would be limited to the actual revenues it received (or the District's actual cash position) as detailed within the proposed budget form. The proposed budget has the following items:

- The proposed budget will be \$10,968,720 dollars for fiscal year 2022-2023 which includes possible NCRS Grants and reimbursements of \$6,870,000.
- The proposed tax rate will be 1.0784% for fiscal year 2022-2023 (which, if passed, means the tax rate would remain unchanged from the prior four (4) years).

The proposed budget for fiscal year 2022-2023 allows the District to pursue the final design and construction phases of the Middle Magma Regional Flood Control Project. A motion was made by President Tyler LeSueur and seconded by Director Stacy Brimhall to approve the budget for fiscal year 2022-2023. Thereafter, this matter was approved with President Tyler LeSueur and Director Stacy Brimhall voting affirmative.

The next item of business was discussion of the 2022-2023 tax rate. President LeSueur noted the proposed tax rate of 1.0784% is the same tax rate as the four (4) prior tax years. A motion was made by President Tyler LeSueur and seconded by Director Stacy Brimhall to establish a tax rate of 1.0784% which would generate property tax revenues in the District of approximately \$1,008,112 dollars for fiscal year 2022-2023. Thereafter, this matter was unanimously approved.

The next item of business was approval of the future meetings schedule for the District. It was proposed the District hold the following scheduled meetings for FY 2021-2022:

Tuesday, September 20, 2022
Tuesday, December 6, 2022
Tuesday, March 7, 2023
Tuesday, June 6, 2023

It was further noted these meetings would begin at 4:00 p.m. at the Florence Unified School District Anthem K-8 Room B-100 where the District now holds its meetings. A motion was made by President Tyler LeSueur and seconded by Director Stacy Brimhall to approve the meeting dates and thereafter it was approved.

The next items of business were Board reports. There were no reports to come before the Board.

The next item of business was General Manger reports. There were no other reports.

The next item of business was other business which came before the Board. There were no items of other business.

The next item of business was adjournment of the meeting at 5:05 p.m.

RESPECTFULLY SUBMITTED this _____ day of July 2022.

**STEPHEN R. COOPER, Attorney for
MAGMA FLOOD CONTROL DISTRICT**