

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

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

Wednesday, July 26, 2023 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):
 - The District continues working with State Land, Pinal County Sheriff's office, and other stakeholders to address the OHV use violations on District property and concerns within the surrounding areas.
 - SCIDD's desire to terminate the Northside Canal at the intersection with Lower Magma Channel.
 - i. MFCD's engineer has reviewed SCIDD's 100% plans; SCIDD is working to address MFCD's design requirements & review comments.
 - The Middle Magma Regional Flood Control Project
 - i. Draft Plan/EA has been reviewed by NRCS NHQ and other federal govt. agencies.
 - ii. Draft Plan/EA now goes out for public review and comment.
 - iii. Public mtg. to review Plan/EA will be held on 8/10/23.

Note: Everything below this point is based upon the assumption that the Draft Plan EA is approved and becomes the Final Plan EA.

- iv. Funding (the following information is contingent upon approval of the Final Plan EA by NRCS):
 - a) NRCS will fund the remaining project design costs 100%;
 - b) NRCS intends to fund construction cost 100% (assuming both final design & formal grant application is approved)
 - c) 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)
 - a. Pinal County land department is leading efforts to begin title work and appraisal process to clarify and perfect drainage easement rights within Wild Horse Estates.
 - v. Phase 1: Environmental Assessments & Planning (ongoing thru end of 2023)
 - vi. Phase 2: Final Design & Construction Plans (90% design will begin upon final approval of Plan/EA; 100% design is anticipated during fall of 2023; Construction estimated to begin mid 2024)
 - The status of the MFCD 2023 election.
3. Discussion / approval / disapproval of:
 - The minutes and ratification of the actions taken at the 5/4/23 board meeting.
 - The minutes of the 5/4/23 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. Discussion / approval / disapproval of ratification of MFCD Contract # 2023-06-01 (executed by the General Mgr. on 6/16/2023) which renews the Agreement between MFCD and Rummel Construction, Inc. to provide job order contracting services, including but not limited to emergency response services on a 24-hr on call basis as needed to fulfill the Emergency Action Plan for the Dam.
7. Discussion / approval / disapproval of RESOLUTION 2023-7.1 [a combined resolution for fiscal year 2023-24 (granting the same authorization as in the prior year) for the County Treasurer to invest excess funds of the MFCD, establishing warrant signature authority, establishing authority to provide warrant info to the Treasurer, & establishing authority to transfer funds].
8. Discussion / approval / disapproval of the MFCD fiscal year 2023-24 (property tax year 2023) Annual Budget. If approved, the General Manager shall be authorized to take all actions needed to prepare and submit this information in a form acceptable to Pinal County.
9. Discussion / approval / disapproval of the MFCD fiscal year 2023-24 (property tax year 2023) Tax Rate [Note to public: the proposed tax rate is unchanged from the prior year]. Once the board has approved a Tax Rate, the General Manager shall be authorized to take all actions needed to prepare and submit the information in a form acceptable to Pinal County.
10. Discussion / approval / disapproval of the proposed Fiscal Year 2023-24 Quarterly Board Meeting schedule (Tuesday, September 12, 2023; Tuesday, December 5, 2023; Tuesday, March 5, 2024; & Tuesday, June 4, 2024). Note: All meetings will convene telephonically at 4:00 p.m. at the F.U.S.D. Anthem K-8 School – Room B-100, located at 2700 N. Anthem Way, Florence, AZ, 85232.
11. Board Member / General Manager reports.
12. Other business that may come before the Board.
13. 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