

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

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

Tuesday, January 16, 2024 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 AZ State Land Dept (as well as AZG&F, Pinal County Sheriff's office, AZ State Parks, local ranchers, and other stakeholders) to address the OHV use violations on District property and concerns within the surrounding areas. ASLD anticipates taking formal action to close the area to OHVs during the Spring of 2024.
 - SCIDD's desire to terminate the Northside Canal at the intersection with Lower Magma Channel.
 - i. MFCD's engineer has reviewed and approved SCIDD's 100% plans;
 - ii. MFCD & SCIDD working to finalize project agreements.
 - The Middle Magma Regional Flood Control Project
 - i. The Watershed Plan (Plan), Environmental Assessment (EA), & Finding of No Significant Impact (FONSI) have all been approved and signed by NRCS AZ.
 - ii. Plan/EA now goes to NRCS National Office for approval & authorization of design funding.

Note: Everything below this point is based upon the assumption that the Final Plan/EA and any related funding grants that are required are approved and authorized.

 - iii. Funding:
 - 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.
 - iv. Phase 1: Planning—Final Plan/EA approval—likely ongoing thru 3/31/24.
 - v. Phase 2A: Design & Construction Plans—NRCS approval of 90% design: goal date 6/1/24.
 - vi. Phase 2B: Construction—estimated to begin 12/1/24; estimated completion 10/15/25.- 3. Ratification of the December 6, 2023 action of the Pinal County Board of Supervisors to appoint Terrel Brad Hinton "Brad" to the Board of the Magma Flood Control District for a term of four years. Brad has provided a signed and notarized oath of office statement.
- 4. Discussion / approval / disapproval of:
 - The minutes and ratification of the actions taken at the 11/9/23 board meeting.
 - The minutes of the 11/9/23 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.

5. **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.
6. **REGULAR SESSION** - Possible direction to General Manager, Legal Counsel or Staff to proceed as directed in Executive Session.
7. Discussion / approval / disapproval of authorization for the District to participate in and sign the Arizona Mutual Aid Compact Agreement which allows MFCD the ability to request resources (i.e. equipment and labor) from other governmental entities in emergency situations.
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 interested 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