

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

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

Wednesday, April 17, 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 staff has submitted a formal action to close the area to OHVs and is awaiting commissioner approval.
 - SCIDD's goal to terminate the Northside Canal at its intersection with Lower Magma Channel.
 - i. SCIDD has encountered some obstacles with agency approvals and federal funding.
 - 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, BLM, & BOR.
 - ii. The project is now awaiting NRCS National Office approval & authorization of design funding.
- Note: Everything below this point is based upon the assumption that Final Design and any needed funding grants are approved and authorized.*
- iii. Preferred Funding (other options to fund the project budget may also be considered/pursued):
 - a) NRCS will fund the remaining project design costs 100%;
 - b) NRCS intends to fund construction cost 100% (assuming program funding is allocated by Congress).
 - 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 2A: Design & Construction Plans (Assuming design funding is authorized by 6/1/24) NRCS approval of 100% design: goal date 12/31/24.
 - v. Phase 2B: Construction—estimated to begin 2/15/25 (assumes funding is available & approved); estimated completion 12/31/25.
3. Discussion / approval / disapproval of:
 - The minutes and ratification of the actions taken at the 1/16/24 board meeting.
 - The minutes of the 1/16/24 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. Board Member / General Manager reports.
7. Other business that may come before the Board.
8. 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