

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

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

Wednesday, September 10, 2025 at 4:00 p.m.

F.U.S.D. Anthem Elementary 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. Discussion / approval / disapproval of 1) ratification of the Pinal County Board of Supervisors RESOLUTION NO. 090325-ED-03 cancelling the uncontested election of a board member of the Magma Flood Control District which was scheduled to be held on Oct. 1st, 2025, and then appointing Mr. Stacy Brimhall to a four-year term as a board member; 2) authorization for the General Manager to take all action needed to finalize certification of the election/appointment. Note: The oath of office is to be administered immediately after this item of business or completed by the board member providing a signed and notarized statement.
3. Discussion / approval / disapproval of nominations and election of MFCD Board Member officers—discussion is protocol after each regular election (Current Positions: President Ty LeSueur, Board Members at Large: Brad Hinton and Mr. Stacy Brimhall, Kent Pace as Board Secretary and General Manager, and Larry Pfeifer as Assistant Secretary to the Board).
4. General Manager to provide a brief update to the board on District Business (including but not limited to):
 - a) 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. 90% design plans submitted to NRCS on 8/26/25. Goal date for NRCS approval of 100% design plans is 1/1/2026.
 - iii. Documentation and acquisition of needed Land Rights: goal date--TBD. Note: All land rights must be acquired prior to applying to the NRCS WFPO Program for construction funding of the Project.
 - a) On 10/30/2024 MFCD and Pinal County finalized and executed the 2nd IGA for this project. The project costs including land right acquisitions will be split 50/50 between MFCD and Pinal County.
 - b) Pinal County land department & MFCD are working together to request that the courts clarify and perfect drainage easement rights within Wild Horse Estates.
 - c) Surveying and legal descriptions are currently underway which are necessary for all land right contributions or acquisitions, including the major portions from BLM, BOR/CAP, ASLD, & the Copper Basin Railway—which are a priority focus for the project.
 - iv. *Note: Everything below this point is based upon the assumption that all land rights have been secured, Final Design and any needed funding grants are approved and authorized. (Federal Funding of Construction is the preferred approach although other options will also be pursued):*
 - a) Grant applications will be submitted to NRCS administered programs with the hope that federal funding will cover 100% of the construction costs.

- b) Construction Start Date: TBD upon securing a funding source.
5. Discussion / approval / disapproval of:
 - The minutes and ratification of the actions taken at the 7/22/25 board meeting.
 - The minutes of the 7/22/25 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.
 6. **EXECUTIVE SESSION** – Pursuant to A.R.S. § 38-431.03(A)(3), (4), and (7) discussion and legal advice relating to:
 - a) any matters that may relate to items listed on the agenda.
 7. **REGULAR SESSION** - Possible direction to General Manager, Legal Counsel or Staff to proceed as directed in Executive Session.
 8. Discussion / approval / disapproval of ratification of Amendment Number 1 (dated 7/11/2025) to the Agreement between NRCS and MFCD (Award Identifying # NR249457XXXXC002) granting an additional \$43,046 of federal funding to the design phase of the Middle Magma Regional Flood Control Project.
 9. Discussion / approval / disapproval granting authority to the General Manager to take all reasonable actions to obtain the land rights for the Middle Magma Regional Flood Control Project [this authority includes 1) obtaining appraisals, 2) entering into & fulfilling agreements with land owners to obtain property rights based upon appraised value, negotiations, and other justifiable transaction costs; 3) the use of eminent domain and/or other legal clarification actions; 4) acquiring property from the ASLD at public auction].

Note: Pinal County & MFCD have entered an IGA to split these costs on a 50/50 basis.
 10. Discussion / approval / disapproval granting authority to the General Manager to take all reasonable actions to negotiate and enter into an agreement with the Town of Florence to grant the land rights and permissions needed for the Town to improve Hunt Highway.
 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 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