



NOTICE OF PUBLIC MEETING AND EXECUTIVE SESSION  
PINAL COUNTY FLOOD CONTROL DISTRICT  
BOARD OF DIRECTORS  
AGENDA  
Wednesday, July 1, 2020

9:30 AM - CALL TO ORDER

PINAL COUNTY ADMINISTRATIVE COMPLEX  
BOARD OF SUPERVISORS HEARING ROOM  
135 N. PINAL STREET  
FLORENCE, AZ 85132

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**BUSINESS BEFORE THE BOARD**

(Consideration/Approval/Disapproval of the following:)

**(1) CONSENT ITEMS:**

All items indicated by an asterisk (\*) will be handled by a single vote as part of the consent agenda, unless a Board Member, County Manager, or member of the public objects at the time the agenda item is called.

- \* A. Discussion/approval/disapproval of Minutes from May 27, 2020, Board of Directors Flood Control District meeting. (Natasha Kennedy)
- \* B. Discussion/approval/disapproval of Resolution No. 070120-FL19-011 a Resolution accepting a Drainage Easement from the Ray Unified School District No. 3 in support of the Dudleyville Community Center Drainage Project, Pinal County Project Number 60684238. Supervisor District #1. (FL19-011) (Christopher Wanamaker/Scott Bender)
- \* C. Discussion/approval/disapproval of Resolution No. 070120-FL19-012 a Resolution authorizing design and construction of a flood mitigation and multi-use detention basin facility located at the southeast corner of State Route 88 and Idaho Road in Apache Junction, Pinal County, including expenditure of funds estimated to be \$300,000 for the design of this project. Supervisor District #5. (FL19-012) (Christopher Wanamaker/Scott Bender)
- \* D. Discussion/approval/disapproval of Resolution No. 070120-FL19-014 a Resolution authorizing design and construction of a flood mitigation and collector channel facility located at Henness Road and Loma Vista Road in Arizona City Pinal County, including expenditure of funds estimated to be \$200,000 for the design and \$1,400,000 for the construction of this project. Supervisor District #4. (FL19-014) (Christopher Wanamaker/Scott Bender)
- \* E. Discussion/approval/disapproval of Resolution No. 070120-FL19-015 a Resolution authorizing design and construction of a flood mitigation, channel, and basin facility located at Roberts Road and Thompson Road in San Tan Valley, Pinal County, including expenditure of funds estimated to be \$250,000 for the design and \$1,000,000 for construction of this project. Supervisor District #2. (FL19-015) (Christopher Wanamaker/Scott Bender)

**(2) Public Hearing** and discussion/approval/disapproval for the adoption of the FY 2020 - 2021 tax levy for

the Pinal County Flood Control District in the amount of \$3,959,010 in accordance with A.R.S. 48-254 and certification of the tax levy at the tax rate of \$0.1693 in accordance with A.R.S. 48-3620. The tax levy allows for the district to pay the expenses of administering, maintaining and operating the district's flood control system, to carry out its regulatory functions and to carry out any of the objects and purposes of Article 1 (County Flood Control Districts) of common benefit to the district. (Scott Bender/Louis Andersen)

- (3) Discussion/approval/disapproval of the preferred alternative for the Lower Santa Cruz Feasibility Study and Authorization to sign a letter in response to a letter received from US Army Corps of Engineers (“Corps”) on June 17th, 2020, informing the Corps of the District’s preferred alternative. The letter from the US Army Corps of Engineers outlines five potential options for progressing the Lower Santa Cruz River Feasibility study forward. Supervisor District #4. (FL19-013) (Christopher Wanamaker/Scott Bender)

## ADJOURNMENT

**(SUPPORTING DOCUMENTS ARE AVAILABLE AT THE CLERK OF THE BOARD OF SUPERVISORS' OFFICE AND AT <https://pinal.novusagenda.com/AgendaPublic/>)**

NOTE: One or more members of the Board may participate in this meeting by telephonic conference call.

The Board may go into Executive Session for the purpose of obtaining legal advice from the County's Attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3).

In accordance with the requirement of Title II of the Americans with Disabilities Act (ADA), the Pinal County Board of Supervisors and Pinal County Board of Directors do not discriminate against qualified individuals with disabilities admission to public meetings. If you need accommodation for a meeting, please contact the Clerk of the Board Office at (520) 866-6068, at least (3) three business days prior to the meeting (not including weekends or holidays) so that your request may be accommodated.



AGENDA ITEM

July 1, 2020 ADMINISTRATION BUILDING A  
FLORENCE, ARIZONA

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**REQUESTED BY:**

**Funds #:**

**Dept. #:**

**Dept. Name:** Clerk of the Board

**Director:** Natasha Kennedy

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**BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:**

Discussion/approval/disapproval of Minutes from May 27, 2020, Board of Directors Flood Control District meeting.  
(Natasha Kennedy)

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**BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:**

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**BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:**

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**MOTION:**

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History		
Time	Who	Approval
6/18/2020 10:43 AM	Clerk of the Board	Yes

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**ATTACHMENTS:**

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☐ [Minutes FCD](#)



# **PINAL COUNTY**

WIDE OPEN OPPORTUNITY

**PINAL COUNTY FLOOD CONTROL DISTRICT  
BOARD OF DIRECTORS  
MINUTES  
Wednesday, May 27, 2020  
9:41 AM**

**BOARD OF DIRECTORS**

**Chairman Anthony Smith**  
Director, District 4

**Vice-Chairman Pete Rios**  
Director, District 1

**Mike Goodman**  
Director, District 2

**Stephen Q. Miller**  
Director, District 3

**Todd House**  
Director, District 5

PINAL COUNTY ADMINISTRATIVE COMPLEX  
BOARD OF SUPERVISORS HEARING ROOM  
135 N. PINAL STREET  
FLORENCE, AZ 85132

**All Presentations are attached to the Agenda at:**

<https://pinal.novusagenda.com/AgendaPublic/MeetingView.aspx?MeetingID=1333&MinutesMeetingID=-1&doctype=Agenda>

**and a Video Recording of this meeting can be viewed at:**

<https://pinalcountyaz.swagit.com/play/05272020-608>

The Pinal County Flood Control District Board of Directors convened at 9:41 a.m. this date. The meeting was called to order by Chairman Smith.

**Members Present:** Chairman Anthony Smith; Vice-Chairman Pete Rios; Director Mike Goodman; Director Stephen Q. Miller; Director Todd House

**Staff Present:** County Manager, Louis Andersen; Chief Civil Deputy County Attorney, Chris Keller; Clerk of the Board, Natasha Kennedy and Deputy Clerk of the Board, Kelsey Pickard

**(1) CONSENT ITEMS:**

All items indicated by an asterisk (\*) will be handled by a single vote as part of the consent agenda, unless a Board Member, County Manager, or member of the public objects at the time the agenda item is called.

Chairman Smith asked if there were any requests from a Board Member, staff or the audience to remove a consent agenda item for discussion. There were none.

**Item Action: Approved Consent Agenda Items A through E**

**Motion Made By: Supervisor House**

**Seconded By: Supervisor Goodman**

**To approve Consent Agenda Items A through E.**

**Motion Passed**

**Ayes: Goodman, House, Miller, Rios, Smith (5)**

- \* A. Discussion/approval/disapproval of Minutes from May 6, 2020, Board of Directors Flood Control District meeting. (Natasha Kennedy)
- \* B. Discussion/approval/disapproval of Resolution No. 052720-FL19-007 Drainage Easement as located in Dudleyville at the Welton Wash/Grantor Frank R. Bufanda (FL19-007) (Robert Pate/Scott Bender)
- \* C. Discussion/approval/disapproval of Resolution No. 052720-FL19-008 PCFCD authorizing the County Engineer to submit a grant application to the Natural Resources Conservation Service (NRCS) under the Watershed and Flood Prevention Operations (WFPO) program for the Lower Santa Rosa Wash Watershed Plan. (FL19-008) (Christopher Wanamaker/Scott Bender)

- \* D. Discussion/approval/disapproval of the authorization of the Chairman of the Pinal County Flood Control District Board of Directors to sign the community acknowledgment section of the Letter of Map Revision (LOMR) application for the Queen Creek and Mine Wash Study located within the Town of Superior. The LOMR submittal requests that a portion of the EFFECTIVE Zone AE and Zone A boundaries be revised based on a more detailed floodplain analysis to include new topographic mapping, updated hydrology, and updated hydraulics. The area affected by the proposed map changes is located within Sections 3 and 4 of Township 2 South, Range 12 East and Section 35 of Township 1 South, Range 12 East Gila and Salt River Base and Meridian, Pinal County, Arizona. The FEMA Effective FIRM Panels for the site are Pinal County Map Numbers 04021C0286E and 04021C0290E with an effective date of December 4th, 2007. (FL19-009) (Christopher Wanamaker/Scott Bender)
- \* E. Discussion/approval/disapproval of authorization of the Pinal County Flood Control District to make a payment to the Lower Santa Cruz River Alliance for continued membership and support, for an amount not to exceed \$5,000. (FL19-010) (Christopher Wanamaker/Scott Bender)

**9:41 a.m.** – Chairman Smith adjourned the May 27, 2020, Pinal County Flood Control District Board of Directors Meeting and convened the Pinal County Public Health Services District Board of Directors Meeting.

**PINAL COUNTY  
FLOOD CONTROL DISTRICT  
BOARD OF DIRECTORS**

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Anthony Smith, Chairman of the Board

**ATTEST:**

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Natasha Kennedy, Clerk of the Board

Minutes Prepared By: Kelsey Pickard, Deputy Clerk of the Board

Approval of Minutes: July 1, 2020



AGENDA ITEM

July 1, 2020 ADMINISTRATION BUILDING A  
FLORENCE, ARIZONA

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**REQUESTED BY:**

**Funds #:** 68

**Dept. #:** 311

**Dept. Name:** Public Works

**Director:** Scott Bender

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**BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:**

Discussion/approval/disapproval of Resolution No. 070120-FL19-011 a Resolution accepting a Drainage Easement from the Ray Unified School District No. 3 in support of the Dudleyville Community Center Drainage Project, Pinal County Project Number 60684238. Supervisor District #1. (FL19-011) (Christopher Wanamaker/Scott Bender)

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**BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:**

There aren't any expect fiscal considerations or impacts associated with this agenda item. There will be no impact to the general fund.

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**BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:**

There aren't any expected performance impacts associated with this agenda item.

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**MOTION:**

Approve as presented

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History	Who	Approval
Time		
6/18/2020 9:55 AM	Public Works	Yes
6/18/2020 10:35 AM	County Attorney	Yes
6/18/2020 11:12 AM	County Manager	Yes
6/19/2020 4:29 PM	Clerk of the Board	Yes

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**ATTACHMENTS:**

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When recorded, return to:  
Clerk of the Board  
Pinal County Board of Supervisors  
P. O. Box 827  
Florence, AZ 85132

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE PINAL COUNTY FLOOD CONTROL  
DISTRICT BOARD OF DIRECTORS ACCEPTING A DRAINAGE  
EASEMENT FROM RAY UNIFIED SCHOOL DISTRICT NO. 3.**

**WHEREAS**, on June 11, 2020, a Drainage Easement was executed by Ray Unified School District No. 3, a State of Arizona School District, as (“Grantor”) granting a non-exclusive drainage easement to the Pinal County Flood Control District, as (“Grantee”) for the benefit of the public in support of the Dudleyville Community Center Drainage Project, Pinal County Project Number 60684238, copies of which are attached hereto as Exhibit A; with attachments., and

**WHEREAS**, it is in the best interest of Pinal County that the Drainage Easement be accepted by the Pinal County Flood Control District on behalf of the public for non-exclusive drainage purposes.

**THEREFORE, BE IT RESOLVED**, by the Pinal County Flood Control District Board of Directors that the Drainage Easement hereby is accepted.

**BE IT FURTHER RESOLVED**, that this Resolution shall become effective upon recording of said Resolution with the Office of the County Recorder, Pinal County, Arizona.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the PINAL COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS.

\_\_\_\_\_  
Chairman of the Board

ATTEST:

\_\_\_\_\_  
Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM

\_\_\_\_\_  
Deputy County Attorney



When recorded return to:  
Clerk of the Board  
PO Box 827  
Florence, AZ 85132

### **DRAINAGE EASEMENT**

EXEMPT: A.R.S. § 11-1134(A)(2)

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **Ray Unified School District No. 3**; as (“**Grantor**”) do hereby grant and convey to **Pinal County Flood Control District**, as (“**Grantee**”) for the benefit of the public, a non-exclusive drainage easement upon, over, across and through that certain parcel of land situated in Pinal County, Arizona, and described and depicted in the attached **Exhibit A**. No use by the Grantors of the area subject to the Drainage Easement shall prohibit or interfere with the drainage use by the public. The Grantees shall be solely responsible for the construction, operation, maintenance, removal and replacement of all pipes, mains and water drainage and storage systems and facilities necessary in connection with the Drainage Easement.

All provisions herein shall be binding upon the heirs, successors and assigns of the Grantors.

[SIGNATURE ON FOLLING PAGE]

DATED this 11 day of June, 2020.

GRANTORS:

By: Tino Flores

Name: Tino Flores

Title: Governing Board President.

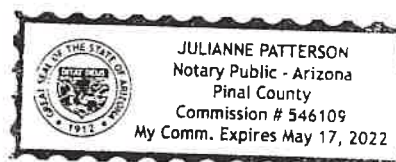
ACKNOWLEDGEMENTS

STATE OF Arizona )  
 ) ss.  
COUNTY OF Pinal )

The foregoing instrument was duly acknowledged before me this 11 day of June, 2020, by Julianne Patterson as the Business Manager of Ray Unified School District #3.

May 17, 2022  
My Commission Expires:

Julianne Patterson  
Notary Public



**EXHIBIT A**

DRAINAGE EASEMENT AREA

[SEE ATTACHED]

June 12, 2019  
Psomas #7PIN110501

**EXHIBIT A  
LEGAL DESCRIPTION  
DRAINAGE EASEMENT (DE-2)**

A portion of that parcel recorded in Docket 828, Page 399 in the office of the Pinal County Recorder, Pinal County, Arizona, located in the northeast one-quarter of the southwest one-quarter of Section 16, Township 6 South, Range 16 East, Gila and Salt River Meridian, Pinal County, Arizona described as follows:

**COMMENCING** at the center west one-sixteenth corner of said Section 16, monumented by a 1" lead-capped pipe, marked "1052 1/16 8-60", from which the center one-quarter corner of said Section 16, monumented by a 1 3/4" lead-capped pipe, marked "1052 8-60", bears N 89°32'58" E (basis of bearing for legal description) a distance of 1318.88 feet;

**THENCE** upon the east-west one-quarter line of said Section 16, N 89°32'58" E a distance of 280.57 feet to the westerly right-of-way of Dudleyville Road;

**THENCE** upon said right-of-way, S 05°38'56" E a distance of 688.53 feet to the **POINT OF BEGINNING**;

**THENCE** S 55°56'57" W a distance of 186.48 feet;

**THENCE** S 73°58'10" W a distance of 150.98 feet;

**THENCE** S 10°15'02" E a distance of 50.00 feet;

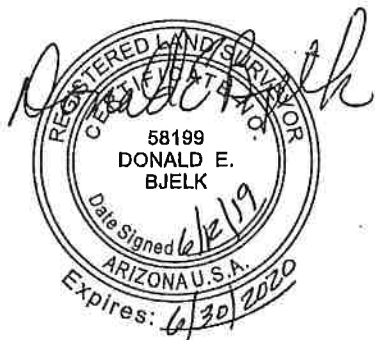
**THENCE** S 83°21'06" E a distance of 175.93 feet;

**THENCE** N 55°56'57" E a distance of 155.33 feet to said westerly right-of-way;

**THENCE** upon said right-of-way, N 05°38'56" W a distance of 129.33 feet to the **POINT OF BEGINNING**.

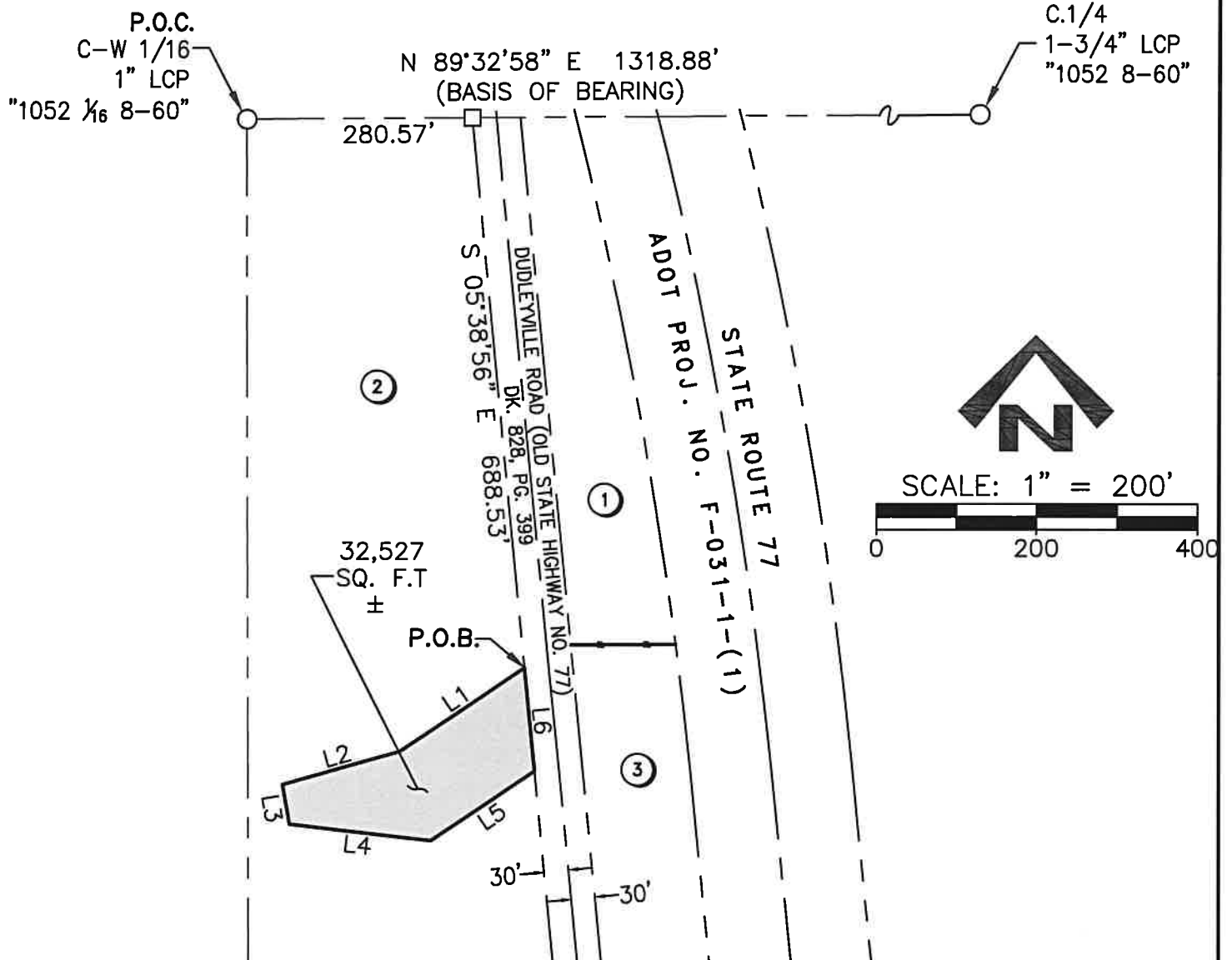
Said parcel containing an area of 32,527 square feet, or 0.747 acres, more or less.

See Depiction of Exhibit A attached hereto and made a part hereof.  
Prepared for and on behalf of Psomas



Donald E. Bjelk, AZ. R.L.S. 58199

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 55°56'57" W	186.48'	L4	S 83°21'06" E	175.93'
L2	S 73°58'10" W	150.98'	L5	N 55°56'57" E	155.33'
L3	S 10°15'02" E	50.00'	L6	N 05°38'56" W	129.33'



- ① = 300-26-0960; DUDLEYVILLE VOL. FIRE, DK. 1468, PG. 750
- ② = 300-26-0960; RAY ELEMENTARY SCHOOL DIST. NO. 3 DK. 828, PG. 399
- ③ = 300-26-0710; TOMERLIN, KATHY J. DK. 1072, PG. 682

**DEPICTION OF EXHIBIT "A"**  
**DRAINAGE EASEMENT (DE-2)**

A PORTION OF THAT PARCEL RECORDED IN DK. 828, PG. 399  
LOCATED IN THE NE 1/4 OF SW 1/4 SECTION 16,  
TOWNSHIP 6 SOUTH, RANGE 16 EAST  
GILA & SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA

**PSOMAS**

333 E. Wetmore Road, Suite 450  
Tucson, AZ 85705  
(520) 292-2300 (520) 292-1290 fax  
www.psomas.com



AGENDA ITEM

July 1, 2020 ADMINISTRATION BUILDING A  
FLORENCE, ARIZONA

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**REQUESTED BY:**

**Funds #:** 68

**Dept. #:** 31

**Dept. Name:** Public Works

**Director:** Scott Bender

---

**BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:**

Discussion/approval/disapproval of Resolution No. 070120-FL19-012 a Resolution authorizing design and construction of a flood mitigation and multi-use detention basin facility located at the southeast corner of State Route 88 and Idaho Road in Apache Junction, Pinal County, including expenditure of funds estimated to be \$300,000 for the design of this project. Supervisor District #5. (FL19-012) (Christopher Wanamaker/Scott Bender)

---

**BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:**

Funds have been budgeted in the current and future fiscal year to do project design using Flood Control District funds. There will be no impact to the general fund.

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**BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:**

This project will reduce the risk of flooding and sedimentation problems within a portion of the City of Apache Junction

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**MOTION:**

Approve as presented

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History		
Time	Who	Approval
6/18/2020 12:40 PM	Public Works	Yes
6/18/2020 1:36 PM	County Attorney	Yes
6/18/2020 3:39 PM	County Manager	Yes
6/19/2020 4:33 PM	Clerk of the Board	Yes

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**ATTACHMENTS:**

Click to download

☐ [Resolution](#)

**When recorded return to:**

Scott Bender, P.E.  
Pinal County Flood Control District  
P.O. Box 727  
Florence, AZ 85132

**Resolution No. \_\_\_\_\_**

**RESOLUTION FOR THE DESIGN OF A FLOOD  
MITIGATION AND MULTI-USE DETENTION  
BASIN FACILITY LOCATED AT THE SOUTHEAST  
CORNER OF STATE ROUTE 88 AND IDAHO ROAD  
IN APACHE JUNCTION**

**WHEREAS**, the Pinal County Flood Control District (District) was established in accordance with provisions of Arizona Revised Statutes Title 48, Chapter 21, which authorizes the Board of Directors of the Pinal County Flood Control District (Board) to design, construct, operate and maintain flood control works and storm drainage facilities within or without the District for the benefit of the District; and,

**WHEREAS**, the District has identified in a study that there is the need for a drainage improvement project that protects property and public infrastructure at the southeast corner of State Route 88 and Idaho Road in Apache Junction, as shown on the attached Proposed Improvements Map, Exhibit A, hereinafter the PROJECT; and,

**WHEREAS**, the District will need to contract for the design of the PROJECT and to acquire real and personal property, provide for utility relocation and do all things necessary for the implementation of the PROJECT; and

**WHEREAS**, the District, intends to enter into an Intergovernmental Agreement with the City of Apache Junction in the future, to establish a multi-use park facility within the PROJECT area on Assessor's Parcel Number 101-19-026C, a Pinal County owned parcel; and

**WHEREAS**, the District retained WEST Consultants and Black & Veatch, to perform an analysis to identify flood mitigation strategies in the PROJECT area following reports of flooding; and

**WHEREAS**, the District, consistent with the recommendations in the report titled "Dirtwater Springs and Apache Junction Basins" dated May, 2020 by WEST Consultants and Black & Veatch, will design and construct a detention basin facility and appurtenant drainage structures in the area to better convey storm water, reduce sediment load, and to mitigate flooding of property;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Pinal County Flood Control District appoints Scott Bender, the County Engineer, as the Project Manager for this PROJECT; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to include funds estimated to be \$300,000 for the design of the PROJECT in the District's current and future budget subject to the ratification and approval of this Board; and,



**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to negotiate and prepare intergovernmental agreements and/or agreements with municipalities, agencies and others, as appropriate, for cost sharing, rights-of-way acquisition, utility relocation and design of the PROJECT; and,

**BE IT FURTHER RESOLVED** that this PROJECT will be planned and designed to meet the recurrence interval of the one-hundred year flood, determined by the data and methodology used by the PROJECT engineers, and this level of protection is specifically approved by this Board; and,

**BE IT FURTHER RESOLVED** that this PROJECT, consistent with the recommendations in the report titled “Dirtwater Springs and Apache Junction Basins” dated May, 2020 by WEST Consultants and Black & Veatch, will be constructed by the Pinal County Public Works Department and/or the City of Apache Junction when future funding becomes available; and,

**BE IT FURTHER RESOLVED** that the detention basin facility and appurtenant drainage structures in the PROJECT area will be maintained by the Pinal County Flood Control District or the City of Apache Junction subject to the terms of a future Intergovernmental Agreement subject to the ratification and approval by the Board after the PROJECT is completed; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to negotiate with landowners and/or appropriate agencies to obtain the necessary Rights-of-Entry, Property and/or Easements and all other necessary land rights; and to retain counsel to initiate and prosecute actions and proceedings in the manner required by law to condemn any and all Rights-of-Entry, Property, and/or Easements required for the implementation of the PROJECT, that cannot be obtained by donation or purchase at the following location:

Township 01 North and Range 08 East, Sections 20 & 21

subject to the ratification and approval of this Board; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to advertise, select, negotiate and award contracts for design, engineering for implementation of the PROJECT, subject to the ratification and approval of this Board.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Anthony Smith  
Chairman, Board of Directors

ATTEST:

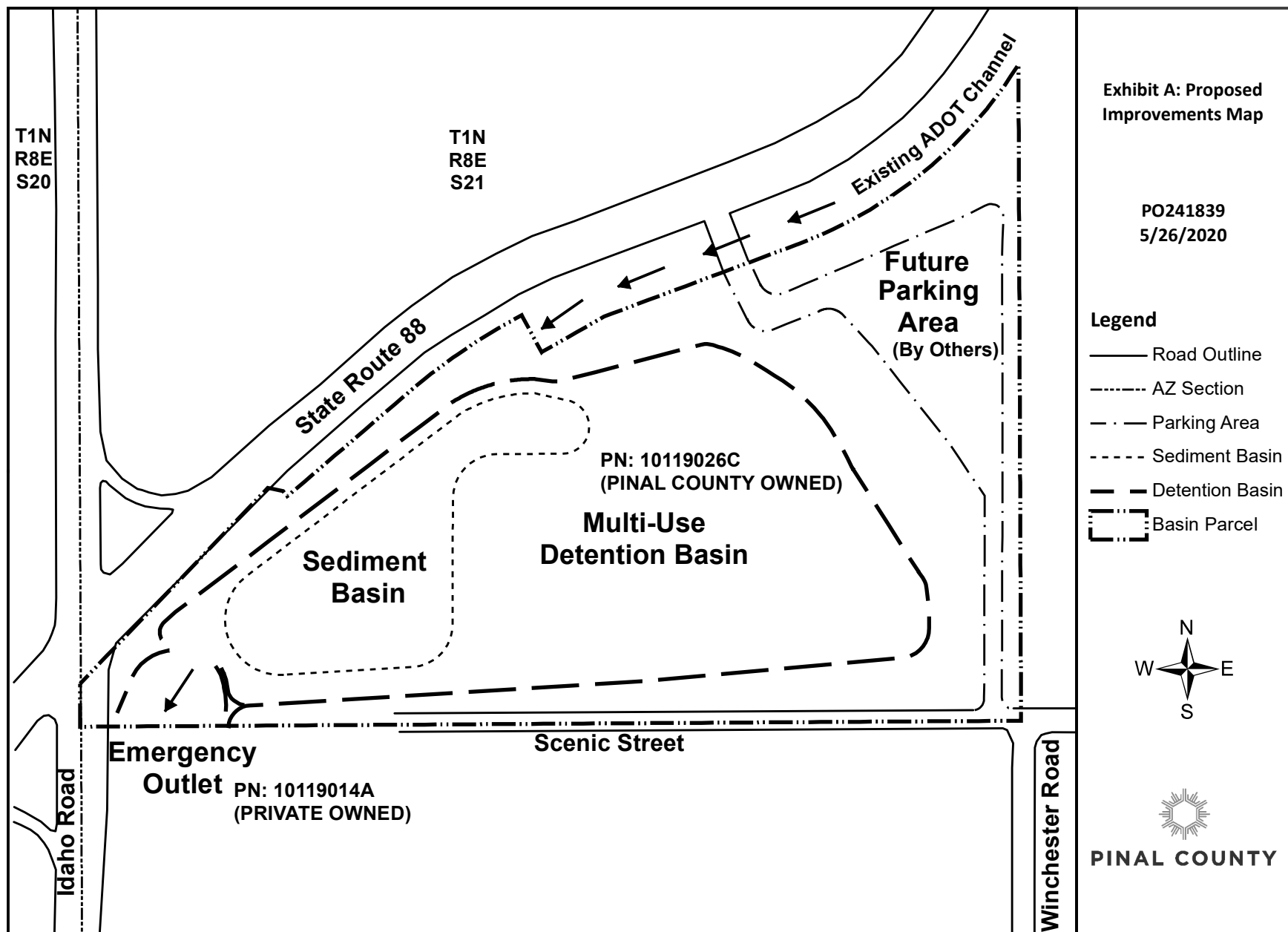
APPROVED AS TO FORM:

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Natasha Kennedy  
Clerk of the Board

---

Kevin Costello  
Pinal County Flood Control District





AGENDA ITEM

July 1, 2020 ADMINISTRATION BUILDING A  
FLORENCE, ARIZONA

---

**REQUESTED BY:**

**Funds #:** 68

**Dept. #:** 311

**Dept. Name:** Public Works

**Director:** Scott Bender

---

**BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:**

Discussion/approval/disapproval of Resolution No. 070120-FL19-014 a Resolution authorizing design and construction of a flood mitigation and collector channel facility located at Henness Road and Loma Vista Road in Arizona City Pinal County, including expenditure of funds estimated to be \$200,000 for the design and \$1,400,000 for the construction of this project. Supervisor District #4. (FL19-014) (Christopher Wanamaker/Scott Bender)

---

**BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:**

Funds have been budgeted in the current and future fiscal year to do project design using Flood Control District funds. There will be no impact to the general fund.

---

**BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:**

This project will reduce the risk of flooding to properties within a portion of northwestern Arizona City.

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**MOTION:**

Approve as presented

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History		
Time	Who	Approval
6/19/2020 10:49 AM	Public Works	Yes
6/19/2020 1:25 PM	County Attorney	Yes
6/19/2020 1:43 PM	County Manager	Yes
6/19/2020 4:41 PM	Clerk of the Board	Yes

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**ATTACHMENTS:**

Click to download

☐ [Resolution](#)

**When recorded return to:**

Scott Bender, P.E.  
Pinal County Flood Control District  
P.O. Box 727  
Florence, AZ 85132

**Resolution No. \_\_\_\_\_**

**RESOLUTION FOR THE DESIGN AND  
CONSTRUCTION OF PHASE I OF A FLOOD  
MITIGATION AND COLLECTOR CHANNEL  
FACILITY LOCATED AT HENNESS ROAD AND  
LOMA VISTA ROAD IN ARIZONA CITY**

**WHEREAS**, the Pinal County Flood Control District (District) was established in accordance with provisions of Arizona Revised Statutes Title 48, Chapter 21, which authorizes the Board of Directors of the Pinal County Flood Control District (Board) to design, construct, operate and maintain flood control works and storm drainage facilities within or without the District for the benefit of the District; and,

**WHEREAS**, the District has identified in a study that there is the need for a drainage improvement project that protects property and public infrastructure at Henness Road and Loma Vista Road in Arizona City, as shown on the attached Proposed Improvements Map, Exhibit A, hereinafter the PROJECT; and,

**WHEREAS**, the District will need to contract for the design of the PROJECT and to acquire real and personal property, provide for utility relocation and do all things necessary for the implementation of the PROJECT; and

**WHEREAS**, the District seeks to expand the functionality and benefits of the previously constructed Battaglia Basin (Flood Control District Project Number 60684191) by the implementation of the PROJECT; and

**WHEREAS**, the District retained Stanley Consultants Inc, to perform an analysis to identify flood mitigation strategies in the PROJECT area following reports of flooding; and

**WHEREAS**, the District, consistent with the recommendations in the report titled “Battaglia Henness Flood Mitigation Alternative Concepts” dated June, 2019 by Stanley Consultants, Inc, will design and construct a collector channel with culverts in several locations to the area to better convey storm water to the existing drainage facilities in the area and to mitigate flooding of property;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Pinal County Flood Control District appoints Scott Bender, the County Engineer, as the Project Manager for this PROJECT; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to include funds estimated to be \$200,000 for the design of the PROJECT in the District’s current and future budget subject to the ratification and approval of this Board; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to include funds estimated to be \$1,400,000 for the construction of the PROJECT in the District's current and future budget subject to the ratification and approval of this Board; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to negotiate and prepare intergovernmental agreements and/or agreements with municipalities, agencies and others, as appropriate, for cost sharing, rights-of-way acquisition, utility relocation and design of the PROJECT; and,

**BE IT FURTHER RESOLVED** that this PROJECT will be planned and designed to meet the recurrence interval of the ten year flood, determined by the data and methodology used by the PROJECT engineers, and this level of protection is specifically approved by this Board; and,

**BE IT FURTHER RESOLVED** that this PROJECT, consistent with the recommendations in the report titled "Battaglia Henness Flood Mitigation Alternative Concepts" dated June, 2019 by Stanley Consultants, Inc, will be constructed by the Pinal County Flood Control District when future funding becomes available; and,

**BE IT FURTHER RESOLVED** that the collector channel facility and appurtenant drainage structures in the PROJECT area will be maintained by the Pinal County Flood Control District and the culverts will be maintained by the Pinal County Public Works Department after the PROJECT is completed; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to negotiate with landowners and/or appropriate agencies to obtain the necessary Rights-of-Entry, Property and/or Easements and all other necessary land rights; and to retain counsel to initiate and prosecute actions and proceedings in the manner required by law to condemn any and all Rights-of-Entry, Property, and/or Easements required for the implementation of the PROJECT, that cannot be obtained by donation or purchase at the following location:

Township 08 South and Range 06 East, Section 2  
subject to the ratification and approval of this Board; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to advertise, select, negotiate and award contracts for design, engineering for implementation of the PROJECT, subject to the ratification and approval of this Board.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

Anthony Smith  
Chairman, Board of Directors

ATTEST:

APPROVED AS TO FORM:

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Natasha Kennedy  
Clerk of the Board

---

Kevin Costello  
Pinal County Flood Control District





AGENDA ITEM

July 1, 2020 ADMINISTRATION BUILDING A  
FLORENCE, ARIZONA

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**REQUESTED BY:**

**Funds #:** 68

**Dept. #:** 311

**Dept. Name:** Public Works

**Director:** Scott Bender

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**BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:**

Discussion/approval/disapproval of Resolution No. 070120-FL19-015 a Resolution authorizing design and construction of a flood mitigation, channel, and basin facility located at Roberts Road and Thompson Road in San Tan Valley, Pinal County, including expenditure of funds estimated to be \$250,000 for the design and \$1,000,000 for construction of this project. Supervisor District #2. (FL19-015) (Christopher Wanamaker/Scott Bender)

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**BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:**

Funds have been budgeted in the current and future fiscal year to do project design using Flood Control District funds. There will be no impact to the general fund.

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**BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:**

This project will reduce the risk of flooding to properties within a portion of western San Tan Valley.

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**MOTION:**

Approve as presented

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History		
Time	Who	Approval
6/19/2020 10:49 AM	Public Works	Yes
6/19/2020 1:25 PM	County Attorney	Yes
6/19/2020 1:44 PM	County Manager	Yes
6/19/2020 4:54 PM	Clerk of the Board	Yes

---

**ATTACHMENTS:**

Click to download

☐ [Resolution](#)

**When recorded return to:**  
Scott Bender, P.E.  
Pinal County Flood Control District  
P.O. Box 727  
Florence, AZ 85132

**Resolution No. \_\_\_\_\_**

**RESOLUTION FOR THE DESIGN AND  
CONSTRUCTION OF A FLOOD MITIGATION  
CHANNEL AND BASIN FACILITY LOCATED AT  
ROBERTS ROAD AND THOMPSON ROAD IN SAN  
TAN VALLEY**

**WHEREAS**, the Pinal County Flood Control District (District) was established in accordance with provisions of Arizona Revised Statutes Title 48, Chapter 21, which authorizes the Board of Directors of the Pinal County Flood Control District (Board) to design, construct, operate and maintain flood control works and storm drainage facilities within or without the District for the benefit of the District; and,

**WHEREAS**, the District has identified in a study that there is the need for a drainage improvement project that protects property and public infrastructure at Roberts Road and Thompson Road in San Tan Valley, as shown on the attached Proposed Improvements Map, Exhibit A, hereinafter the PROJECT; and,

**WHEREAS**, the District will need to contract for the design of the PROJECT and to acquire real and personal property, provide for utility relocation and do all things necessary for the implementation of the PROJECT; and

**WHEREAS**, the District retained T.Y. Lin International, to perform an analysis to identify flood mitigation strategies in the PROJECT area following reports of flooding; and

**WHEREAS**, the District, consistent with the recommendations in the report titled “Thompson Road Feasibility Study” dated March, 2020 by T.Y. Lin International, will design and construct a channel with basins and culverts in several locations to the area to better convey storm water to the existing drainage facilities in the area and to mitigate flooding of property;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Pinal County Flood Control District appoints Scott Bender, the County Engineer, as the Project Manager for this PROJECT; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to include funds estimated to be \$250,000 for the design of the PROJECT in the District’s current and future budget subject to the ratification and approval of this Board; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to include funds estimated to be \$1,000,000 for the construction of the PROJECT in the District’s future budget subject to the ratification and approval of this Board; and,



**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to negotiate and prepare intergovernmental agreements and/or agreements with municipalities, agencies and others, as appropriate, for cost sharing, rights-of-way acquisition, utility relocation, design, and construction of the PROJECT; and,

**BE IT FURTHER RESOLVED** that this PROJECT will be planned and designed to meet the recurrence interval of the twenty-five year flood, determined by the data and methodology used by the PROJECT engineers, and this level of protection is specifically approved by this Board; and,

**BE IT FURTHER RESOLVED** that this PROJECT, consistent with the recommendations in the report titled “Thompson Road Feasibility Study” dated March, 2020 by T.Y. Lin International, will be constructed by the Pinal County Flood Control District when future funding becomes available; and,

**BE IT FURTHER RESOLVED** that the channel and basin facility in the PROJECT area will be maintained by the Pinal County Flood Control District and the culvert will be maintained by the Pinal County Public Works Department after the PROJECT is completed; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to negotiate with landowners and/or appropriate agencies to obtain the necessary Rights-of-Entry, Property and/or Easements and all other necessary land rights; and to retain counsel to initiate and prosecute actions and proceedings in the manner required by law to condemn any and all Rights-of-Entry, Property, and/or Easements required for the implementation of the PROJECT, that cannot be obtained by donation or purchase at the following location:

Township 03 South and Range 07 East, Sections 10, 11, 14, & 15

subject to the ratification and approval of this Board; and,

**BE IT FURTHER RESOLVED** that the Project Manager is authorized and directed to advertise, select, negotiate and award contracts for design and engineering for implementation of the PROJECT, subject to the ratification and approval of this Board.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

Anthony Smith  
Chairman, Board of Directors

ATTEST:

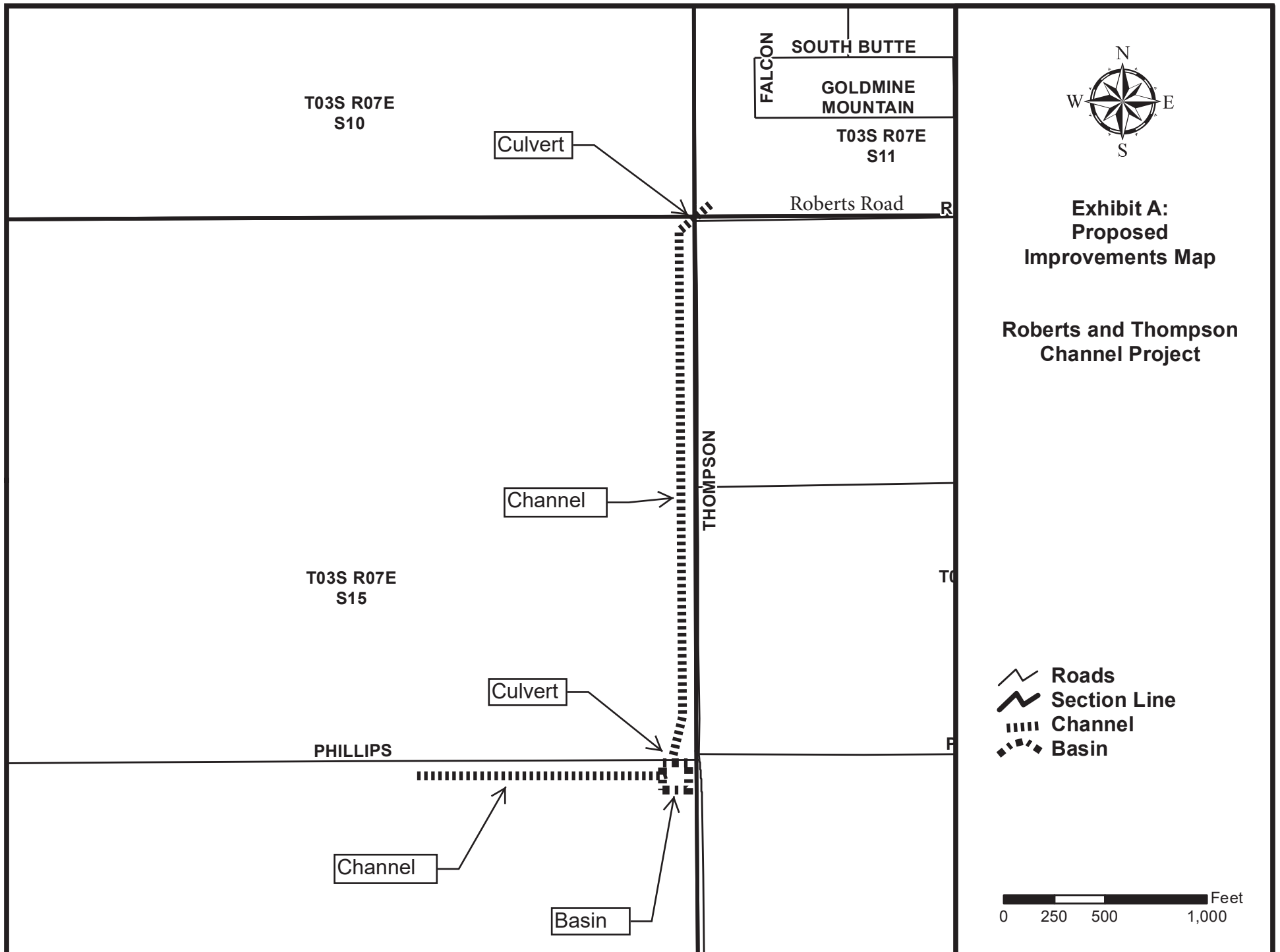
APPROVED AS TO FORM:

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Natasha Kennedy  
Clerk of the Board

---

Kevin Costello  
Pinal County Flood Control District





AGENDA ITEM

July 1, 2020 ADMINISTRATION BUILDING A  
FLORENCE, ARIZONA

---

**REQUESTED BY:**

**Funds #:**

**Dept. #:**

**Dept. Name:**

**Director:**

---

**BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:**

**Public Hearing** and discussion/approval/disapproval for the adoption of the FY 2020 - 2021 tax levy for the Pinal County Flood Control District in the amount of \$3,959,010 in accordance with A.R.S. 48-254 and certification of the tax levy at the tax rate of \$0.1693 in accordance with A.R.S. 48-3620. The tax levy allows for the district to pay the expenses of administering, maintaining and operating the district's flood control system, to carry out its regulatory functions and to carry out any of the objects and purposes of Article 1 (County Flood Control Districts) of common benefit to the district. (Scott Bender/Louis Andersen)

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**BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:**

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**BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:**

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**MOTION:**

Approve as presented by roll call vote

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History	Who	Approval
Time		
6/18/2020 3:03 PM	County Manager	Yes
6/22/2020 8:32 AM	Clerk of the Board	Yes

---

**ATTACHMENTS:**

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☐ [Truth in Taxation Notice](#)

## **Truth in Taxation Hearing Notice of Tax Increase**

**Wednesday, July 1, 2020 at 9:30 a.m.**

In compliance with Section 48-254, Arizona Revised Statutes, Pinal County Flood Control District is notifying its property taxpayers of Pinal County Flood Control District's intention to raise its secondary property taxes over last year's level. Pinal County is proposing an increase in secondary property taxes of \$148,980 or 4.06%.

For example, the proposed tax increase will cause Pinal County Flood Control District's secondary property taxes on a \$100,000 to be \$16.93. Without the proposed tax increase, the total taxes that would be owed on a \$100,000 home would have been \$16.27.

This proposed increase is exclusive of increased secondary property taxes received from new construction. The increase is also exclusive of any changes that may occur from property tax levies for voter approved bonded indebtedness.

All interested citizens are invited to attend the public hearing on the tax increase that is scheduled to be held at 9:30 a.m. on July 1, 2020, in the Pinal County Board of Supervisors' Hearing Room located at Pinal County Administrative Complex, 135 North Pinal St, Florence, Arizona.



AGENDA ITEM

July 1, 2020 ADMINISTRATION BUILDING A  
FLORENCE, ARIZONA

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**REQUESTED BY:**

**Funds #:** 68

**Dept. #:** 311

**Dept. Name:** Public Works

**Director:** Scott Bender

---

**BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:**

Discussion/approval/disapproval of the preferred alternative for the Lower Santa Cruz Feasibility Study and Authorization to sign a letter in response to a letter received from US Army Corps of Engineers (“Corps”) on June 17th, 2020, informing the Corps of the District’s preferred alternative. The letter from the US Army Corps of Engineers outlines five potential options for progressing the Lower Santa Cruz River Feasibility study forward. Supervisor District #4. (FL19-013) (Christopher Wanamaker/Scott Bender)

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**BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:**

The National Economic Development (NED) plan has an estimated total cost of \$29,131,000 with a local match of \$12,244,750. Costs to the Flood Control District may be less than this depending on the option that is selected to progress the study forward. There will be no impact to the general fund.

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**BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:**

This project will serve to address flooding along the Lower Santa Cruz River in and near the City of Maricopa.

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**MOTION:**

Approve as presented

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History		
Time	Who	Approval
6/19/2020 9:49 AM	Public Works	Yes
6/19/2020 1:25 PM	County Attorney	Yes
6/19/2020 1:43 PM	County Manager	Yes
6/22/2020 8:29 AM	Clerk of the Board	Yes

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**ATTACHMENTS:**

[Click to download](#)





**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 17, 2020

Mr. Louis Andersen  
County Manager  
Pinal County, Arizona  
135 N. Pinal Street  
Florence, Arizona 85132

Dear Mr. Andersen:

The U.S. Army Corps of Engineers (USACE) and Pinal County began the Lower Santa Cruz Study in August 2015. USACE is required to complete studies in three years for a total of \$3 million unless an exemption is received. As you know, we requested and received an exemption in 2018 that allowed us to extend the project for an additional 25 months and increase the total cost to \$5.2 million. We completed the Tentatively Selected Plan Milestone in April 2019 and chose the National Economic Development (NED) Plan.

We did not release the draft report for review pending coordination of the project with the Gila River Indian Community to address their concerns about potential impacts. We will reach the limit on the schedule exemption in September 2020. We anticipate it will take until August 2021 to complete the study, but it is contingent upon progress with the tribe and the outcome of internal and external reviews. If we are to continue the study, we must begin the process to receive a new exemption from the Assistant Secretary of the Army for Civil Works (ASA CW) to allow time to complete this action.

We participated with Pinal County staff in a briefing with the City of Maricopa on April 28, 2020. We understand they would like you to request that we incorporate their plan as an alternative in our feasibility study. The study would require a more extended schedule exemption than mentioned above and more money than we are currently approved to spend.

As the non-federal sponsor, we need your support to begin the process of requesting an exemption. We have identified several possible options for you.

Option 1 – Continue the study with the NED plan as selected in April 2019. We estimate that we could complete the study in August 2021 if we reach an agreement with the GRIC by July 2020 regarding impacts on the Reservation and mitigation of those impacts. We would not need more funds than have already been approved. We would need to request and receive an exemption to extend the schedule.

Option 2 – Add the Maricopa Plan to the study and analyze it to the same level as the NED. If the plan has a positive benefit to cost ratio and the County determines they prefer this plan, the District would have to request and receive a waiver to select it as a Locally Preferred Plan (LPP). USACE would still have to complete the coordination of the NED and establish the total cost of this plan in addition to completing the LPP. The government's share of the costs of construction would be limited to what it would provide for the NED. USACE would need an additional 18 – 20 months to complete this plan (June 2022), and the additional study cost is estimated to be \$650,000 - \$800,000. If the study cost and schedule exemptions were approved, USACE would have to request and receive its share of the funds, and Pinal County would have to provide 50%. In addition to the LPP and study schedule and cost waivers, it would also require a policy exemption for floodplain development.

Option 3 - Terminate the Study. Pinal County can choose to terminate the study immediately or at any time with 30 days written notice according to the terms of the Feasibility Cost Sharing Agreement. The study will end in September 2020 if the ASA CW does not grant an exemption. If the study is terminated, USACE will complete final accounting and return any unused funds to Pinal County.

Option 4 - Convert portions of the study to the Continuing Authorities Program Section 205. The levee systems designed to protect Eloy would qualify for this program. The program can be done in combination with any of the other options or if the City of Maricopa implements its plan independently.

Option 5 – Terminate the current study and pursue the project under Section 203 of the Water Resources Development Act of 1986, as amended. This authority allows non-federal entities to complete a feasibility study using their funds and submit them to the Secretary of the Army for review and submission to Congress for construction authority. Either Pinal County or the City of Maricopa could be the sponsor for this.

County staff has noted the area around the AK Chin Harrah's Casino may not be protected if the City's Plan were implemented. Based on the USACE NED Plan, it appears that a standalone plan to protect this area would be within the cost limits of Section 205 and would have a positive benefit to cost ratio. However, the City's Plan would have to be finalized prior to making a final determination. The City's Plan would likely have some impact on the design of these levees and floodwalls. The plan would need to be considered under a separate Section 205 initiated after more information is available.



The Los Angeles District is available to discuss these options in greater detail. At this time, we have no guarantee that the ASA CW would approve any exemptions for the schedule, budget, or LPP or that our Headquarters would approve a policy exemption to address floodplain development or that more funds would be available. Because the study has already received an exemption for schedule and budget, it is less likely that further exemptions would be approved. We would like to receive a decision from you by July 1 so that we can begin the exemption process or notify our Headquarters that we do not intend to extend the study. If you choose Option 1 or 2, USACE will develop tactical courses of action to complete the study with varying schedules and costs, including a detailed cost estimate for Option 2.

I want to thank you for your support throughout this project. We look forward to finding the best way forward for this project and to working with you on others. The point of contact is Priyanka Wadhawan, (213) 452-3802 or [Priyanka.Wadhawan@usace.army.mil](mailto:Priyanka.Wadhawan@usace.army.mil).

Sincerely,

David M. Van Dorpe, P. E., PMP  
Deputy District Engineer  
for Project Management