



# Flood Control District of Maricopa County

## Flood Control Advisory Board

Meeting Minutes for April 23, 2014

**Board Members Present:** Melvin Martin; DeWayne Justice; Ray Dovalina; Scott Ward, Secretary; Bob Larchick, Ex Officio

**Board Members Absent:** Hemant Patel, Chairman; Dallas Tanner, Vice Chairman

**Staff Members Present:** Tim Phillips; Wayne Peck, General Counsel; Burke Lokey, Christopher Fazio; Patrick Schafer; Deb Wilson, Frank Brown, Joe Wagner, Kevin Leahy, Analia Summers, Anna Medina; and Ed Raleigh.

**Guests Present:** Jeff Minch, Wood/Patel; Dave Jensen, Olsson Associates; Teri George, Rainbow; Dennis Richards, Premier; Geoff Brownell, Baker; Rob Lyons, JE Fuller; Bob Haneline, Dibble; Mike Heaton, PEC; Charles Joy, Stanley; Peggy Wilkinson

### 1) CALL TO ORDER

Scott Ward called the meeting of the Flood Control Advisory Board (FCAB) to order at 2:00 p.m. on Wednesday, April 23, 2014.

### 2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

### 3) EMPLOYEE OF THE QUARTER

Presented by Joe Wagner

Joe Wagner introduced employee of the quarter Kevin Leahy. He was recognized for his work completing the volume calculations for dirt auctions of dam rehabilitations completed during the year.

### 4) APPROVE THE MINUTES OF FEBRUARY 26, 2014

**ACTION:** It was moved by Mr. Justice and seconded by Mr. Martin to approve the minutes as submitted. The motion carried unanimously.

### 5) SAN TAN AREA DRAINAGE MASTER STUDY

Presented by Burke Lokey, P.E., CFM, Project Manager

**PURPOSE:** Information and discussion item only. No formal action is required.

Mr. Lokey provided an update on the recently completed project. He identified the project location, with Sonoqui Wash being the north and east boundary and the EMF being the west boundary. The watershed is approximately 35 square miles with approximately half of it located in Maricopa County. Jurisdictions included in addition to unincorporated Maricopa County are Gilbert, Queen Creek (located in both Maricopa County and Pinal County), Pinal County and a portion of the Gila River Indian Community. The project was initiated in response to a history of repeated flooding in the area. The project duration was 18 months, beginning in June of 2012 and ending in December of 2013. A series of storms occurred during the study, which was a significant aid in data collection efforts.

The objectives of the study were to compile data on existing flooding issues. In addition, there was a need to develop a regional hydrology model. Finally, a flood hazard assessment needed to be prepared, in order to provide data on the level of significance of the flooding issues.

Mr. Lokey reviewed project outcomes, including the development of a hydrology model, which is already being used by the jurisdictions for development planning. In addition, there was a successful public outreach effort. The last step of the process was to assess the potential for developing mitigation projects. He provided an example of the model output as well as photos of typical flooding occurrences in the area.

He identified potential projects identified with the study. Higley San Tan drainage and the Cloud and Power Road Channel would connect existing facilities in an effort to mitigate the possibility of water breaking out of the channel. Cloud and Power Rd Channels were submitted by Queen Creek for CIP prioritization. The jurisdiction was asked to defer the submission until the study was completed. Sufficient data now exists to proceed with this project. The last project was identified as the Farmer Dike upgrade, which has the potential to benefit the most residents in the entire area and provide benefit for jurisdictions in terms of reducing operations and maintenance costs.

Mr. Lokey discussed next steps, including obtaining support from project partners. The key partner will be the Gila River Indian Community, as 80 percent of the proposed channel will be on their land. The process will continue with developing the design concept study, which would include the framework for developing any necessary IGAs. The project will then be submitted through the CIP prioritization process.

Board Member Ward asked for the definition of a Flow 2-D model. Mr. Lokey described it as a technology being used more and more. It replaces the HEC-RAS 1 process. He described it as particularly valid for these areas, where it is difficult to confirm where the flow paths are.

Board Member Martin asked whether the project would be feasible without the participation of the Gila River Indian Community. Mr. Lokey replied that the project would protect both development in the Gila River Indian Community and community members in the area. It is expected that the District will propose that the Gila River Indian Community will lease the land to the District and that this would be the extent of their participation. Without their participation, it would be difficult to come up with a cost-effective solution.

Board Member Martin asked whether the area was all in Maricopa County. Mr. Lokey replied that everything south of Hunt Highway is in Pinal County.

Board Member Ward asked for the total cost of the study, planning and construction. Mr. Lokey stated that the design concept study would cost approximately \$100,000 to \$150,000. Typical design costs have been running under \$ 1 million for this size of project. Construction costs will depend on how much can be done to reduce long-term maintenance costs. He estimated the cost to be less than \$ 5 million for a five-mile channel.

Board Member Ward opined that the project is very important, noting that the Hunt Highway from Power Road to Ellsworth is heavily travelled. As Pinal County becomes more developed, traffic will continue to increase. He asked whether Pinal County would participate in the design and cost of the project. Mr. Lokey replied that Pinal County has been approached and is currently considering participation. Letters of support have been received from Gilbert and Queen Creek as well as an initially positive response from Pinal County. Board Member Martin commented that Pinal County has a flood control tax to work with to fund projects such as these.

**6) CAPITAL IMPROVEMEMNT PROGRAM PRIORITIZATION PROCEDURE MODIFICATION**

Presented by Patrick Schafer, P.E., CIP Supervisor

**STAFF RECOMMENDS THE FOLLOWING ACTION:** Staff recommends that the Flood Control Advisory Board approve the additions and adjustments to the Capital Improvement Program Prioritization Procedure scoring criteria.

Mr. Schaefer stated that District staff has modified the CIP prioritization procedure to incorporate additions to the evaluation criteria and adjust the point allocation. He explained that funding for projects are prioritized first on the basis of readiness and hazard mitigation need and secondly by municipal cost share. Projects are evaluated based on nine criteria. District staff met during the spring to review the prioritization booklet, scoring criteria and point allocation, during which time modifications were made.

He reviewed the modifications. The first item was listed under project details. Staff added a project funding commitment component to the criteria. Guidelines were provided in the prioritization booklet to partners on how to go about addressing the item. Staff also increased the total possible points from this category from five to ten points. To account for the increase, the total possible points for area protected was reduced from 30 to 25. He explained the reasons as follows: Assists staff in establishing project priority. Improves fiscal efficiency by allowing staff to determine where resources will be applied. It reduces projecting timing uncertainty by requiring project partners to commit to a timeline for implementing the project.

The second modification included addressing the range of point allocation for level of partner participation, which has been adjusted to reflect a higher possible score for agencies which are proposing a cost share greater than 50 percent.

Mr. Schaefer added that 34 municipalities and agencies were notified of the modifications. No objections were received. The additions and adjustments will go into effect with the 2016 prioritization procedure, which begins May 9th.

Board Member Ward asked where else financial support can be garnered in a CIP project, aside from client cities such as Phoenix and Scottsdale. Mr. Schaefer identified federal cost share partners, such as NRCS, secondary property taxes and IGA cost share from partners for existing projects. Board Member Ward asked whether funding is received from MCDOT and ADOT. Mr. Schaefer confirmed that funding has been received from these entities.

Board Member Ward asked about staff's view of the old criteria for the scoring system. Mr. Phillips replied that the modifications allow the requesting entity which has a funding commitment in their five-year CIP to gain a few more points in the evaluation criteria than a community that does not. He added that flood benefit related criteria are not changing. Board Member Ward provided an example of a project submitted by the City of Phoenix and Mr. Phillips explained that if the City of Phoenix had money in their five year CIP to fund the project, they would receive extra points in the scoring system. In addition, a project will receive extra points if the entity is willing to pay more than 50 percent of the cost.

Board Member Dovalina commented that there is also a challenge relating to the District's bonding capacity. He explained that there are two sources of revenue, one of which is the State's share of gas revenues. This source of revenue is decreasing. In addition, these funds cannot be used in certain types of drainage systems. The other funding source is general obligation bonds. These funds have decreased with the sluggish housing market.

Board Member Ward asked about staff's feelings on flood control impact fees, which would provide reimbursement costs via a levy or a tax on the subject property, which would reimburse the costs of the client city and the District. Mr. Phillips noted that within the relevant statutes, the District has the ability to levy such a fee, however they have never enacted such a process in their 50 year history. He suggested a follow up on the discussion. Board Member Ward commented that in his business, he has observed the current restrictions on the budgets of municipalities and the District. Because flood control is so important to the safety of communities, such a mechanism to recover costs might be very useful.

Mr. Schaefer reviewed the proposed changes: Authorize staff to incorporate the recommended changes into the prioritization procedure: 1) Allow the funding commitment component and language and scoring to be included as agency priority criteria; 2) Adjust the scoring for the level of partner's participation; 3) Adjust the point total differences to equal 100 points.

Board Member Ward asked whether there were additional questions.

Board Member Larchick referred to the handouts provided to Board Members, which indicated that notices were sent out to cities and towns in early April. Noting that there have not been any comments, he asked whether the municipalities had had sufficient time to respond.

Mr. Schaefer replied that sufficient time was given to respond. Additionally, he provided his email address, so that he could be contacted directly and quickly. He added that that notice was sent out two and a half weeks ago.

Board Member Larchick questioned whether a reply deadline was given. Mr. Schaefer confirmed that a deadline of Monday, April, 21st was provided.

Board Member Melvin referred to the 34 municipalities being served and asked how many of them made complaints about the old system. Mr. Schaefer replied that no negative feedback has been received. Board Member Melvin then asked why the changes were being proposed if there were no complaints. Mr. Schaefer stated that staff felt that a funding commitment component should be added to the prioritization.

Board Member Melvin countered the response by pointing out that staff was proposing three changes, not just one. Mr. Phillips reviewed the revised scoring, explaining that there was an existing criteria that stated if an entity had 50 percent funding, they were given a score of one to five. If they had greater than 50 percent funding, they were given a score of ten. It was not an incremental scale. Because points were added for the commitment for funding in the criteria, these points had to be taken from somewhere else in terms of to a total of 100 points in the scoring system. The revised prioritization will help initiate movement on projects that have been on hold, despite the fact that the municipality has adequate funding to proceed.

Board Member Ward called for a vote.

**ACTION:** It was moved by Mr. Justice and seconded by Mr. Larchick to approve the item as submitted. The motion carried unanimously.

**7) FLOODPLAIN REGULATIONS FOR MARICOPA COUNTY TEXT AMENDMENT FCE 2014-001, FLOODPLAIN MANAGEMENT DELEGATIONS**

Presented by Kelli Sertich, Floodplain Management & Services Division Manager

**STAFF RECOMMENDS THE FOLLOWING ACTION:** (1) Initiate a change to the Floodplain Regulations for Maricopa County. In the event of no public opposition, additionally, (2) recommend advancing Text Amendment FCD 2014-001 under the expedited enhanced regulatory outreach process and (3) recommend to the Board of Directors approval of Text Amendment FCD 2014-001.

Board Member Ward asked Ms. Sertich to begin by introducing herself, to confirm whether she was the floodplain manager for Maricopa County and how this affects FEMA. Ms. Sertich stated she is the Floodplain Management and Services Division Manager and that Mr. Phillips is the Floodplain Administrator for Maricopa County, as recognized by FEMA.

Text amendments to the floodplain regulations have been generated from response to a task force on regulatory review that Planning and Development went through last fall. The amendments are administrative in nature and do not add regulatory burden or changes to the requirements. The text amendments have proceeded through the enhanced regulatory outreach process through the expedited program. The stakeholder meeting was held on April 2nd. The stakeholder meeting was noticed on the outreach website. In addition, the information was sent out to the 24 communities in Maricopa County as well as relevant federal agencies and other organizations, such as the Homebuilders Association and others. Six individuals attended the stakeholder meeting. Ms. Sertich then reviewed the minor text changes. She added that additional information can be found at the regulatory outreach website.

Board Member Justice asked about what precipitated the need for outside input. Mr. Phillips stated all the regulatory departments are being asked to have ad hoc committees of citizens groups, those who use the services, to review things that can be improved. One of the recommendations that was approved by the Board including having Maricopa County being the one stop shop as the sole place to obtain a permit. The effect of this for the District was to transfer the permitting process for the unincorporated county to Planning and Development staff.

Mr. Phillips further clarified that Advisory Board is being asked to endorse the expedited process with the understanding that there has been no opposition from the stakeholders meeting or at the present meeting, therefore justifying their endorsement of the expedited process.

**ACTION:** It was moved by Board Member Martin and seconded by Board Member Dovalina to initiate a change to the Floodplain Regulations for Maricopa County, to recommend advancing Text Amendment FCD 2014-001 under the expedited enhanced regulatory outreach process and to recommend to the Board of Directors approval of Text Amendment FCD 2014-001. The motion carried unanimously.

**8) COMMENTS FROM THE CHIEF ENGINEER AND GENERAL MANAGER**

Presented by Timothy S. Phillips, P.E., Chief Engineer and General Manager

**PURPOSE:** Information and discussion item only. No formal action is required.

Mr. Phillips commented that there has not been a flood of permit requests coming in. He estimated that the build-up to this would be a slow progress. The tentative budget has been prepared and subject to the Board's final approval, it is expected to be very similar to what has been seen this year with a \$72 million overall budget including a \$40 million Capital Improvement Program. This is subject to change as the Board gets closer to adopting the tentative budget and setting the tax rate. He added that there is a challenge with having sufficient funds to match project partner funds. However, he noted that from federal cost share partners, there has been a significant increase in support for rehabilitation of the county's structures.

No formal action is required.

**9) SUMMARY OF RECENT ACTIONS**

Presented by Timothy S. Phillips, P.E., Chief Engineer and General Manager

**PURPOSE:** Information and discussion item only. No formal action is required.

**10) OTHER BUSINESS AND COMMENTS**

Presented by: Timothy S. Phillips, P.E., Chief Engineer and General Manager

PURPOSE: Information and discussion item only. No formal action is required.

*The meeting adjourned at 2:55 p.m.*