

**PROCEEDINGS OF THE COCHISE COUNTY FLOOD CONTROL DISTRICT
SPECIAL/EXECUTIVE MEETING HELD ON
Tuesday, November 27, 2018**

A special meeting of the Cochise County Flood Control District was held on Tuesday, November 27, 2018 at 10:00 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Peggy Judd, Chairman; Patrick G. Call, Vice-Chairman

Absent: Ann English, Supervisor

Staff Present: Edward T. Gilligan, County Administrator
Sharon Gilman, Associate County Administrator
Britt W. Hanson, Chief Civil Deputy County Attorney
Kim Lemons, Deputy Clerk of the Board
Sara Ransom, Civil Deputy County Attorney
Amanda Baillie, Public Information Officer

Attendees: Jackie Watkins, County Engineer
Karen Riggs, Highway and Floodplain
Monica Moreno, Budget Manager
Shar Porier, Sierra Vista Herald

Chairman Judd called the meeting to order at 10:28 a.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

ACTION

Board of Supervisors

This executive session is authorized under A.R.S. § 38-431.03,(3) and (4).

1. Approve agreement to transfer approximately \$89,100 in Walton Foundation grant funds from Cochise County Flood Control District to The Nature Conservancy to preserve availability of funds specifically for use in designated projects within the Cochise Conservation and Recharge Network; transferred on or about November 30, 2018.

Ms. Ransom said the executive session is not necessary unless the Board has specific questions regarding the contract negotiations or other attorney work product considerations. This contract is a transfer agreement between the County and The Nature Conservancy to transfer \$89,100 of grant funds remaining from a Walton Foundation grant that originated in

2011 that have not been spent in order for them to close the account. Options were to spend the funds remaining by November 30, 2018, or, find a suitable entity so the funds could be used for their original purpose of construction, implementation and design of our seven current conservation recharge sites throughout Cochise County. There were no current County projects for immediate fund use. The funds need to be transferred to a government entity or 501 (c) (3). The Nature Conservancy (TNC) is a CCRN partner with the County and 501 (c) (3). This transfer is a benefit to the County for use on large scale water conservation projects and the County Attorney's Office recommended approval.

The Board asked if other transfer alternatives were considered; what projects the rest of the grant funds were used on; and future projects for the remaining funds.

In response to the Board questions, Ms. Ransom noted that other another option besides the agreement with TNC had been considered and rejected in light of structure of that alternative organization. As to questions regarding use of the project funds, Ms. Ransom noted that the agreement specifically identifies the recharge projects that the funds shall be applied to, but also allows for use on other recharge projects within the CCRN provided there is agreement among members of the CCRN network, which includes the County and TNC. Ms. Ransom further noted that the agreement requires reporting by TNC and allows the County rights of inspection to ensure the funds are used as contemplated.

Mr. Gilligan stated he fully supports the contract and County Attorney's office recommendation.

Vice-Chairman Call made a motion to approve the grants funds transfer agreement for the Cochise County Flood Control District and direct the Chairperson of the Cochise County Flood Control District Board to execute three originals of the grants fund transfer agreement dated November 27, 2018. Chairman Judd seconded the motion.

Chairman Judd called for the vote and it was approved 2-0-1 (English absent).

Chairman Judd adjourned the meeting at 10:39 a.m.

APPROVED:

Peggy Judd, Chairman

ATTEST:

Kim Lemons, Deputy Clerk of the Board