

# MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT

## NOTICE OF AND AGENDA FOR THE EXECUTIVE BOARD MEETING TO BE HELD TUESDAY, OCTOBER 7, 2014 AT THE OFFICES OF THE MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT MEETING TO BEGIN AT 1:00 P.M.

1. **CALL TO ORDER.**
2. **ROLL CALL.**
3. **DISCUSSION ITEMS:**
  - A. Approval of the September 2, 2014 Executive Meeting Minutes.
  - B. **Maureen George Consultation.** Consultation with Maureen George, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding District matters.
  - C. **Term Limits For Agricultural Entitlement Contracts.** Consultation with District Counsel, pursuant to A.R.S. §38-431.03(A)(3) & (4), to obtain legal advice regarding including term limits for agricultural entitlement contracts.
  - D. **District Manager - Scope of Duties and Compensation.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the of scope of duties and compensation for Mark Clark, District Manager.
  - E. **District Administrative Assistant Position.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding making the District Administrative Assistant Position a full time position. Chairman Sherrill has recommended that this matter be placed on the agenda.
  - F. **MVIDD Projects.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding MVIDD projects.
  - G. **Water Inventory.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the District water inventory.
  - H. **El Rio Litigation.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice and case update regarding the lawsuit filed by MVIDD in 2013 against El Rio Holdings, El Rio Recreational, LLC and HCJM, Inc.
  - I. **MVIDD Dedication and Naming of District Building.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the MVIDD dedication and naming of District Building.

- J. **MVIDD Subcontracts.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the subcontracts with Mohave County Water Authority, Mohave Water Conservation District and Bella Vista Community Association ("BVCA") and delivery contract between MVIDD and BVCA.
- K. **Renewal of District Water Plus Insurance Program Through Alteris.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding renewal of the Water Plus Insurance Program coverage for the District Property, Commercial Crime, Commercial General Liability, Public Officials & Management Liability, Business Auto, and Commercial Excess Liability insurance.
- L. **Willow Valley Estates 21, Tract 4228 (Formerly Willow Valley Estates 20, Tract 4134-C), T18N, R22W, SEC. 21.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the developer's request to grant an extension of the preliminary water allocation in the amount of 10.1 acre feet from October 10, 2014 to and including April 10, 2014.
- M. **Mohave Landing, Tract 4213, Phases 2 and 3; T18N, R22W, SEC. 23.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the developer's request for an extension of the preliminary water allocation in the amount of 21.42 acre feet in Phase 2 and 17.64 acre feet in Phase 3, as well as a deferment of the payment of the final 1/3 non-refundable fees in the amount of \$27,900.00, from October 10, 2014 to and including April 10, 2014.
- N. **Compliance of the "Consortium Farms" with Resolution 2008-09, Policy to Require Lined Irrigation Ditches.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the status of completion of the project initiated by the Water Users within the "Consortium Farms" to bring their properties into compliance with Resolution 2008-09, Policy to Require Lined Irrigation Ditches, as listed below:
 

APN Investments	Contract No. 2010-01
Desert Land, LLC	Contract No. 2012-03
Beth Dinkin	Contract No. 2014-
Gem Land Company	Contract No. 1993-01
SMK, LP	Contract No. 2009-05
Anthony and Cherie Vackar	Contract No. 2013-02
- O. **QPC, Inc. Consultation.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding QPC, Inc., consulting with an entity other than the District.

- P. **John Kai, Jr., T18N, R22W, SEC. 27.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the Application For Water Entitlement submitted by John Kai, Jr. requesting a water allocation of 459.2 acre feet for 65.6 irrigable acres.
- Q. **Sarah S. Chesney, Attorney in Fact for Robert H. Chesney, III, Managing Member for Mohave Valley Farms, LLC, T9N, R23E, SEC. 33 and 34 (Pelican Bend).** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding issuance of an Agreement for Water Entitlement (Agricultural) for 385 acre feet for 55 irrigable acres.
- R. **Arizona Power Authority.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the engagement the law firm of Curtis, Goodwin, Sullivan, Udall and Schwab to represent the District in the matter of Hoover Re Marketing by the Arizona Power Authority.
- S. **Sherrill Ventures, R17N, R21W, Sec. 31.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice regarding the ratification of the PPR Agreement between Sherrill Ventures, Green Acres Mohave and WPI-919 Farm AZ.
- 4. **REGULAR AGENDA.** Consultation with District Counsel, pursuant to A.R.S. § 38-431.03(A)(3) & (4), to obtain legal advice on any matter listed on the Regular Agenda for September 2, 2014.
- 5. **ADJOURNMENT.**