

EASTERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY

Minutes of Regular Meeting 09 February 2010

1. Call to Order at 6:04 PM.
2. Pledge of Allegiance: Pledge of Allegiance was not said due to there being no flag present.
3. Roll Call: Chairman Reyes, Director Torres, and Director Sandoval were all present. Director Dennison in at 6:10 PM. Director Kilfoy was absent.
4. Approval of Agenda:
5. Introduction of Guests: Jock Embrey, Self; Loretta Burnham, Self; Orin Safier, Self; Bela Orban, Self; Bill Vreeke, Self; Scott Armstrong, Bohannan Huston; Jon Gregg, Self; Linda Sochall, Self; Lynn Koch, Self; Mike Wallace, Respec; Dennis Szarka, Self; Chris Cordova, Self; Jeane Favret, Self; Bill Favret, Self.
6. Approval of minutes
 - a. Regular meeting of 12 January, 2010. Director Dennison requested a few changes to the Regular meeting of 12 January, 2010. Corrections will be made and resubmitted.
 - b. Special meeting of 26 January, 2010. Motion to approve Special meeting of 26 January, 2010 made by Director Sandoval, second by Director Torres. Passed unanimously.
7. Financial Report: Larry Blair reviewed the mailout from Gary Young. He pointed out the checks that had been issued as well as the deposits and credits. The deposits are \$68,107.78 and \$132,387.48, which are the tax receipts for the Operations account. Larry stated that ESCAFCA paid off the loan to the Town of Bernalillo on February 1 in the amount of \$102,750.00. The Operating Fund has an ending balance of \$108,090.65. There has been no tax distributions received this month. The project fund has a balance of \$2,775,541.70. The debt service fund has a balance of \$412,620.42. Larry stated that with the distributions ESCAFCA expects in May, ESCAFCA should be in a good position to make the interest and principal payment in August and still have a little in reserve.
8. Resolution 2010-2 Bond Financing Option: Motion to approve Resolution 2010-2 Bond Financing Option made by Director Torres, second by Director Sandoval. A roll call vote was taken, as follows:
Chairman Reyes – Yes
Director Sandoval – Yes
Director Torres – Yes
Director Dennison – No
9. Chairman's Report: Chairman Reyes reported that he and Mr. Blair attended the Town of Bernalillo Council meeting and presented them a check to pay off the ESCAFCA loan. The Council requested a briefing in a few months
10. Engineering Reports :
 - a. Drainage Policy: Larry Blair stated that the boundary description and all the definitions were moved to the back of the policy as appendices. Chairman Reyes commented that he would like for each Director to review the policy on their own and discuss it in the next regular meeting on March 23. Director Dennison asked if ESCAFCA would be supplying a copy of the drainage policy to the public. He feels that it would be a good idea for the public to submit their comments. Larry Blair recommended that the Board review the policy before it goes out to the public. Chairman Reyes asked for the policy

to be put up on the ESCAFCA website for the public to review. Director Sandoval stated that he felt a special meeting should still be held. Director Torres suggested that the policy be put on the website, allow public comment and have one public hearing to hear public input. He feels a special meeting would be necessary to discuss all public input and all input from the Board. Chairman Reyes stated that the drainage policy would be put up on the website for the public to review and comments will be allowed through the website. Director Sandoval stated that he would like to see a time limit for the public to review. Larry Blair stated that he feels that ESCAFCA owes it to the other agencies to have a chance to respond such as the Town of Bernalillo, Sandoval County and the Planning and Zoning Commission. He stated that he would send a copy of the policy to these agencies for their comments. Larry Blair will talk to Joan Griffin about getting the drainage policy on the website. Larry Blair stated that he wanted the public to understand that ESCAFCA is trying to take a more prominent roll in building permits. He stated that if you do not live in a subdivision someone has to do a small drainage report that addresses the impact drainage is going to have. The question was asked if you live in a subdivision, would you have to comply with this drainage policy. Larry Blair answered that a drainage plan has probably already been approved. Director Dennison stated that these were the kind of details ESCAFCA is going to iron out. The question was asked what keeps this drainage policy from being a revenue stream and if there would be a fee associated with the plans. Larry Blair responded that the Board will have to address this issue later.

b. Task Orders: Wilson & Co.: Presented by Larry Blair

TASK ORDER 5 – Placitas Floodplain Mapping and Delineation

A meeting was held on January 28th with Sandoval County's Floodplain Managers, Brad Stebleton and Kelly Romero. The intent of the meeting was to inform them, and see their approval of the upcoming submittal of LOMRs for the arroyos in the Village of Placitas. The decision was made to submit the request packages in three separate submittals – the Arroyo del Ojo del Orno, the remainder of the arroyos adjacent to I-25, and finally, the Las Huertas Creek (as detailed in Task Order 11). Review and approval by the Floodplain Managers will be necessary prior to submittal to FEMA. Mr. Stebleton indicated that they request independent reviews by their own On-Call Engineer, however, since the request for review is by ESCAFCA (a government entity), review charges will be waived.

The request package for the Arroyo del Ojo del Orno LOMR is to be submitted to the County for review on February 5th.

TASK ORDER 6 – Roadway Drainage Structures

A meeting has been scheduled with Mr. Phil Rios, Sandoval County Public Works Director, to discuss and review the proposed improvements for Juniper and Tecolote Road drainage structures. The purpose of the meeting is to discuss possible partnering opportunities between Sandoval County and ESCAFCA on projects included in this task order and future projects. Pending the outcome of discussions with Mr. Rios, preliminary documents will be provided for review by yourself and the Board prior to completion of final documents.

TASK ORDER 7 – Athena Avenue Detention Facility and Drainage Outfall Feasibility Study

WCI would like to request review of the scope of work for this task order in light of the pending feasibility study for the Mid-Bernalillo Diversion (Task Order 10). Services may be better provided if the scope of work is adjusted to better suit current project priorities.

TASK ORDER 8 – Las Huertas Creek Drop Structure near Windmill Road

WCI would like to request review of the scope of work for this task order in light of the pending feasibility study for the Las Huertas Creek (Task Order 11). Services may be better provided if the scope of work is adjusted to better suit current project priorities.

Task Order 9 – Los Romeros Road Conveyance Facility Feasibility Study

Analysis of possible outlet structure alignments, from Interstate 25 to the Rio Grande, are still on-going. Field analysis is concurrent to identify open areas for construction.

Task Order 10 – Mid-Bernalillo Diversion Channel Facility Feasibility Study

Topographic survey is complete and a copy of the survey was reviewed with Board members. Preliminary analysis has begun to identify feasible options for providing a collection and conveyance system from the outlet of the Piedra Liza Dam and the Rio Grande.

Task Order 11 – Las Huertas Creek Prudent Line Assessment and LOMR

Field work was commenced during the week of February 1st. Once initial field assessments and geotechnical testing are complete, engineering analysis will continue.

Task Order 12 – Pipeline Safety Grant Application Assistance

The application was submitted on January 14th and confirmation was received that it had been accepted, as of January 26th. We have not received further correspondence.

11. Old Business: None

12. New Business: None

13. Executive Engineer's Report: Larry Blair stated that he met with Martin Heinrich asking him to add the Bernalillo levees as a new start for the Corp of Engineers this year.

14. Public Comment: Chairman Reyes stated that Mr. Cordova was interested in the Ciruela project and if there was any updated information. Larry Blair stated that they performed an estimate of flows and the volume of runoff that is generated by the watershed. Chairman Reyes asked if this project is something ESCAFCA could design and budget for. Larry Blair stated that he felt ESCAFCA should meet with Wilson & Company and other public officials and reassess the situation. Larry Blair stated that Sandoval County would like to help financially but did not have the funds available. He would like to see that all the ESCAFCA projects are reassessed going into the next fiscal year.

A question was asked what ESCAFCA was going to do to help constituents with the tax situation, as the questioner felt like this was a fraudulent situation. Chairman Reyes stated that there has been a series of meetings, public comment, and a task force set up to help. A workshop was set up and the Board decided to proceed with Option #5. Larry Blair read Option #5, which is to put the \$3 million 2011 bond sale on hold until summer 2011, review and decide at that time. He stated that nothing could be done this year or next year but could look at refinancing in 2011. Orin Safier commented that the Board could elect to refinance the current bonds. The question was asked what portion of the money is being assigned for engineering and actual work. Larry Blair stated that the \$3M bond proceeds can only be used for projects, which includes design, right of way acquisition, planning, and construction. Maintenance cannot be paid out of bond proceeds. It is paid out of the operations mill levy, which is one mill. ESCAFCA is required by law to spend all of the bond money on projects. The financials are on the website to review. The question was asked if hard copies of any paperwork could be brought to the meeting because some constituents do not have access to the internet. The question was asked how the engineering contract was awarded. Larry Blair stated that the selection was done by a quality based selection, following state procurement code. The Board went out and asked for proposals from engineering firms and Wilson & Company was selected for an on-call engineering services contract for up to four years but the contract has to be renewed every year. Wilson & Company is in the second year of the four year contract. The question was asked if Wilson & Company

was the only engineers. Larry Blair stated that prior to Wilson & Company, HDR Engineering presented a preliminary engineering study and in this study, HDR identified the same projects. The question was asked if there was a copy of the original preliminary report by HDR. Larry Blair stated that HDR Engineering might have copies available. The question was asked who the PR Company was. Larry Blair stated it was Griffin & Associates. The comment was made that Griffin & Associates should make an appearance at each meeting. Lynn Koch asked how ESCAFCA was going to accommodate the projects with very little funds from the County. Larry Blair stated that the County Public Works Director stated that he had no money for any new co-op projects at least until the end of the fiscal year. Larry Blair stated that ESCAFCA could do these projects on its own but they were meant to be co-op projects with the County because they are road projects with drainage under them.

15. Adjourn: Motion to adjourn made by Director Torres; second by Director Sandoval. Passed unanimously. Adjourned at 7:36 PM.

Next meeting: March 23, 2010 at 6:00 PM at the Town of Bernalillo Council Chambers.

Submitted by Kristi Winters

Debbie Kilfoy, Board Secretary