

EASTERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY

Minutes of Regular Meeting 10 August 2010

1. Call to Order at 6:00 PM.
2. Pledge of Allegiance led by Chairman Reyes
3. Roll Call: Director Sandoval, Director Kilfoy, Director Torres, Chairman Reyes all present. Director Gorrell arrived at 6:01 PM. All present.
4. Chairman's report: Chairman Reyes stated that at the next meeting the Board will be electing a new Vice Chair until January at which time all officers will be elected. He also stated that the Board needs to discuss the hiring of a new Executive Engineer to replace Larry Blair. He would like the Board to be thinking about if it wants someone part time, full time, licensed or not licensed. He stated that ESCAFCA should advertise for a month and would like to have someone for Larry to train by January.
5. Approval of Agenda: Larry Blair stated that Item 8, financial report, will have 2 reports to review, June and July. Substitute resolutions for items 9 and 10. Item 11 will be deleted because he hasn't heard back from the State Auditor. Item 15 is a late mailout for a report from Wilson & Company and task orders. Item 20a has been deleted. Bob Gorrell asked if item 16 and 17 could be moved between item 10 and 11 to keep the financial information in line. Motion to approve agenda as modified made by Director Torres; second by Bob Gorrell. Passed unanimously.
6. Introduction of Guests: Orin Safier, self; Patricia Morlen, self; Scott Armstrong, Bohannan Huston; Jesse Dickson, self; Doris Faust, self; JD Domenick, self; Ted Berthelote, self; Ron Overley, self. Others present; not signed in.
7. Approval of minutes: Special meeting of July 29, 2010: Motion to approve minutes of Special meeting of July 29, 2010 made by Director Kilfoy; 2nd made by Director Sandoval. Passed unanimously.
8. Financial Report: Larry Blair discussed the financial report.
9. Resolution 2010-8 Ad Valorem Tax Levy for Tax Year 2010 [FY 2011] Applicable to General Operating Fund: Eric Harrigan, financial advisor with RBC Capital Markets, reviewed the preliminary assessed value and debt service tax rate on residential and non-residential properties, and provided a handout (on file). Motion to approve Resolution 2010-8 Ad Valorem Tax Levy for Tax Year 2010 [FY 2011] made by Director Gorrell; second by Director Sandoval. A roll call vote was taken with the following results:
Director Gorrell – yes
Director Torres – yes
Director Sandoval – yes
Director Kilfoy – yes
Chairman Reyes – yes
10. Resolution 2010-9 Ad Valorem Tax Levy for Tax Year 2010 [FY2011] Applicable to Debt Service Fund: Eric Harrigan, financial advisor with RBC Capital Markets, reviewed the preliminary assessed value and debt service tax rate on residential and non-residential properties. Motion to approve Resolution 2010-9 Ad Valorem Tax Levy for Tax Year 2010 [FY2011] Applicable to Debt Service Fund made by Director Kilfoy; second by Director Torres. A roll call vote was taken with the following results:
Director Sandoval – yes
Director Kilfoy – yes
Director Torres – yes
Director Gorrell – yes – because the projects have to continue
Chairman Reyes – yes

11. Approval of Audit contract with Burt and Company CPAs: Item deleted; contract not available from State Auditor.

12. Approval of Contract for Property Acquisition/Negotiation Services with Pinnacle Consultant Management Group Inc . Motion to approve Contract for Property Acquisition/Negotiation Services with Pinnacle Consultant Management Group Inc . made by Director Torres; second by Director Sandoval. Passed unanimously. Discussion ensued on Items 12, 13, and 14 (above) concerning liability insurance. It was the consensus of the Board that Board Counsel Cadigan prepare a statement requiring each contractor to provide \$1 million of liability insurance. After providing evidence of said insurance, the contracts can be signed.

- A motion to reconsider Item 12 to require contractor to provide \$1M liability insurance made by Director Torres; second made by Director Gorrell. Passed unanimously
- A motion to have a \$1M insurance clause added to Items 12, 13, and 14 made by Director Gorrell; second by Director Kilfoy. Passed unanimously.
- A third motion to approve Item 12 as amended made by Director Torres; second by Director Gorrell. Passed unanimously.

13. Approval of Contract for Real Estate Appraisal Services with Timothy Holzhauer and Associates: A motion to approve Contract for Real Estate Appraisal Services with Timothy Holzhauer and Associates as amended to include contractors to provide \$1M liability insurance made by Director Gorrell; second by Director Sandoval. Passed unanimously.

14. Approval of Contract for Real Estate Appraisal Services with Zacour and Associates, Inc : A motion to approve Contract for Real Estate Appraisal Services with Zacour and Associates, Inc as amended to include contractors to provide \$1M liability insurance made by Director Gorrell; second by Director Sandoval. Passed unanimously.

15. Engineering Report: Task Orders: Larry Blair reviewed the task orders by Wilson & Company.

TASK ORDER 5 – Placitas Floodplain Mapping and Delineation

Preliminary review was conducted by FEMA and revision comments sent to Wilson & Company. FEMA has requested \$5,000.00 review fee with the revised submittal to FEMA. Larry Blair stated Wilson & Company has argued, unsuccessfully, for FEMA to waive the \$5,000 fee. Approval is also needed for \$8,600 for additional survey work on culverts, requested by FEMA. On advice from Counsel, action was deferred until next meeting, so the approval can be presented as a separate agenda item. Re-submittal to FEMA is scheduled the week of August 23rd.

Submittal of the remainder LOMR applications is scheduled for early September.

TASK ORDER 6 – Placitas Tecolote Roadway Drainage Structures

Plans were reviewed on July 29th. Revisions will be completed and preliminary bid documents created for review by ESCAFCA prior to finalizing. At that time, bidding and construction schedules will be developed for advertisement of project.

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

Results of the bore samples were provided indicating 12 feet to groundwater. Wilson & Company is awaiting a coordination meeting to discuss development options with the Town of Bernalillo.

TASK ORDER 9 – Los Romeros Road Conveyance Facility Feasibility Study

A draft report of the feasibility study was provided on June 3rd for review and comment. Request has been made for Wilson & Company to provide analysis for an additional alignment option for the outfall system. Additional survey and analysis will be required to complete the task. Once the Board has approved the additional request, Wilson & Company will provide a final report discussing possible options for construction of a collection and outfall system. Wilson & Company anticipates an additional three weeks for completion from the time of notice to proceed with the additional work. This task order amendment will be presented at the next meeting.

TASK ORDER 10 – Mid-Bernalillo Diversion Channel Facility Feasibility Study

Preliminary alignment options were provided for review. We are awaiting selection of final options to proceed with a draft feasibility report.

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

A Draft report of the Channel Stability Analysis and Prudent Line Assessment were provided on July 21st for staff review. Reports are also undergoing internal review. Once review has been completed, the project team will meet to review comments and questions and move forward with planning the public involvement.

16. Project Prioritization: Director Gorrell discussed the project prioritization list and the importance of prioritizing the current jobs. Chairman Reyes asked Dan Aguirre how much he estimated it would cost for Wilson & Company to put together the prioritization list. Dan Aguirre stated that he would like more time to review the spreadsheet to be able to give a more accurate estimate. Director Gorrell stated he would like to determine which projects can move forward.

17. Project Status: Discussion: Director Gorrell discussed the project status spreadsheet. Chairman Reyes stated that the project status spreadsheet can be combined with the existing project spreadsheet. The Board liked the idea of the project status spreadsheet.

18. Drainage Policy Work group: Discussion: Director Gorrell stated he would like to see a task group formed to discuss the drainage policy. Chairman Reyes assigned Director Gorrell to lead the task group and provide a preliminary draft of participants. Director Sandoval stated that he would like to see equal representation between Bernalillo, Placitas, and Algodones on this task group.

19. Prudent Line Policy: Discussion: Larry Blair presented a draft Prudent Line Policy to the Board and suggested the Board adopt the policy. He stated the policy would help make clear what a prudent line is; that it is a management tool only; it is a temporary solution; advises on the risks involved in constructing within a prudent line.

20. Executive Engineer's Report

a. Board photos – removed

b. Office Rental: Mr. Blair stated that proposals had been solicited by newspaper ads, and from the Town of Bernalillo and Sandoval County. No responses from the private sector. Sandoval County offered space at \$700/mo. Bernalillo offered two spaces at \$400 and \$1920/month. He requested authority to negotiate a lease for the \$480/month room with the Town of Bernalillo. Chairman Reyes recommended that Larry Blair negotiate a lease. Larry Blair will draw up a lease agreement and present for approval at the next Board meeting.

c. Briefing for Bernalillo Town Council: Larry Blair reviewed the slides (m/o) he had used to brief the Town Council and the comments/questions received.

21. Public Comment: Doris Faust asked if the prudent line policy was online. Larry Blair stated that it was not online yet because the Board needs to review the policy first. Chairman Reyes stated the final version will be put online. Doris Faust congratulated the Board on the improvements she sees them making.

22. Adjourn at 8:34 PM. Motion to adjourn made by Director Kilfoy; second by Director Torres. Next meeting 6 PM, Tuesday September 14, 2010, at Bernalillo Town Hall