

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF FEBRUARY 25, 2003
BOARD OF DIRECTORS SPECIAL MEETING**

CALL TO ORDER.

The special meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 1:10 p.m.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by Dub Yarbrough.

ROLL CALL OF DIRECTORS.

Directors in attendance were Mark Conkling, Richard Deubel, Donald Rudy and Dub Yarbrough. John Chaney was noted as absent. David Stoliker, Executive Director, Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

DISCUSSION OF FUTURE PROJECTS.

Mr. Yarbrough stated that this meeting is to be limited to discussion of the projects that the committee has come up with for the Board to review. Mr. Stoliker introduced Jeff Buell from Hirst-Cordova, the new public relations firm for SSCAFCA; Tim McDonough, of Wilson & Company; Clint Dodge, with ASCG; Kim Kemper, with Huitt-Zollars; Howard Stone, from Bohannan-Huston; Lisa Dreisner from Dain-Rauscher.

Mr. Mark Conkling stated that he, Donald Rudy, Lisa Dreisner, and David Stoliker, and others met a couple of times to consider setting priorities for a bond issue. Subject to Mr. Buell's thinking, they tried to put a vision on how they listed items. They held that the highest order was public safety; then anything that would involve cooperation and leverage from other municipalities or governmental agencies. They were also governed by high visibility, which meant that they wanted to do projects that had been known to the general public over the last year as being problem areas and/or known as being great examples of what SSCAFCA does. Following that combination, SSCAFCA should gain the highest possible involvement of its constituency and that should translate into excitement about the bond issue. Based on those factors, they came up with a list of projects that would meet that criteria. However, these are not the only projects that would meet the criteria, but they are the most likely. The projects were recommended to the Board, knowing that there would be the opportunity for demonstration projects, and the opportunity to visit with people who may not know what SSCAFCA does. Tulip Road could be a great opportunity for public safety efforts. The school project on 528 and Obragon was another big project. That wash has an impact on the school itself and they wanted to involve the Rio Rancho

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Public Schools in SSCAFCA's projects. Another good place would be where the Sportsplex is going in. Whenever the committee had a choice, they chose a project that would involve a constituency, another governmental agency, or the public schools, driven by safety and visibility. He stated their proposal fits with Dain Rauscher's proposal on how to proceed with bond issues. Mr. Conkling stated that it will be very important to have web site visibility, sketches of future completed projects, and being able to meet with the other agencies involved. They also wanted to have Parks & Recreation involved all the way through on every project. None of the projects are stand-alone and they all have tremendous impact.

Mr. Donald Rudy stated that among the things they looked at was whether or not SSCAFCA could lower its tax rate in the process of floating the bonds. The results came back that this is not feasible and provide the projects identified. He stated that they looked at a range of bonding characteristics, whether SSCAFCA would float bonds for 10, 12 or 15 years and had bond counsel evaluate that matter. They also looked at the bottom line of what dollar value of bonds and what kind of time period in which the projects could be completed.

Mr. Yarbrough stated that the list does not look to be assigned priority. Mr. Conkling stated that they are not ranked in order of priority. Every project is a cooperative, multi-use project. He would rank the schools the highest, especially the Lomitas Negras improvements on Saratoga to 528, along with the Sportsplex. Tulip Road was very high in terms of public safety.

Mr. Stoliker stated that the consultants and developers are here to go through presentations on all the projects on the list, if the Board wished. As an example, there are two potential projects on Tulip Road. That project has been assigned to Huitt-Zollars to take it to the next step. Staff wants to provide the Board with all options that are available to it.

Mr. Conkling stated that the committee wondered how much it could produce with SSCAFCA's office and building, current staff, current subcontractors and do a good job. They didn't think they could exceed \$2 million in projects annually, which was another guiding principal. The committee didn't want to use this as an opportunity to grow just for growth's sake. They wanted to use this as an opportunity to sharpen its focus as an agency.

Mr. Yarbrough stated that one of the priority projects from the second bond issue, was the Ivory/Lisbon project. SSCAFCA did fund box culverts under Southern Boulevard, but there is a lot of uncompleted work that needs to be done on the Ivory/ Lisbon and he asked why that project is not on the list.

Mr. Stoliker stated that the Ivory/ Lisbon was identified as a \$1.5 million conveyance on the previous bond issue. He stated that, after the projects were prioritized, with the

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Lomitas Negras first and then the Montoyas Arroyo, there wasn't sufficient funding left to do the Lisbon Channel, if the bond is \$6 million. Staff is thinking that it may be money better spent to go ahead and put in the Sunset Dam at a cost of \$1 million. The Tulip Road dam is \$1.9 million, which costs more than was available. The Sunset Dam is about one half of the Tulip Dam and reduces the flow from 530 cfs to 5 cfs. The second thought is that Parks & Recreation has indicated that they would like to have a recreational facility in that area that is below Northern and west of Tulip. Additionally, Mr. Stoliker stated that, in the Cabezon area, they are looking at putting in crossings. If the flow is cut down by 500 cfs, there is a possibility that an additional box culvert may not need to be added. The developer is questioning whether he should be responsible to add another culvert. The channel improvements will need to be done, but it may be possible to delay them for a while.

Mr. Yarbrough stated that the channel is very narrow in that area and is undercutting peoples' back yards. That's why the project was a priority with the second bond issue. Even by reducing the flow, the undercutting problem has not been corrected.

Mr. Stoliker stated that the area north of Idalia and Tulip is developing very rapidly right now and he is afraid that if SSCAFCA does not capture the right-of-way now, SSCAFCA may lose it. By putting in a Dam, SSCAFCA will decrease the imperative for the channel modifications for that area. If pursued, a cooperative effort with the City may also be investigated.

Mr. Deubel stated that the Haynes Park project land was donated by the City and SSCAFCA constructed the works. If this project is analogous to that project, the City should donate the land or acquire the right-of-way for the project. He stated that this is not a cooperative effort if SSCAFCA has to pay for it and abide by Rio Rancho's requirements.

Mr. Stoliker stated that the land is all in private ownership right now so the right-of-way would have to be acquired.

Mr. Stoliker briefly summarized all the potential projects discussed and reviewed by the Committee.

Mr. Stoliker stated that the dam site at Tulip shaves off approximately 1,300 cfs. There is also a crossing at Southern for the East Branch of The Black Arroyo that needs to be done, but that will be a long term project working with the City and the State Highway Department. The Tulip Dam will need 19 acres and the Sunset Dam will need 9 acres. They estimate approximately \$30,000.00 per acre. Mr. Stoliker stated that the \$1 million project should be called Sunset in the Board's packets.

Mr. Stoliker stated that the City of Rio Rancho has indicated to him that their most important project is the Library Pond. The State Highway Department is constructing it in

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rough form, but not completing all the amenities. SSCAFCA can provide some funding to move the project towards completion and the City will maintain those facilities. He stated that SSCAFCA has previously indicated that it would spend \$200,000.00 on this project. He stated that they did discuss having a pond at 19th Street. In terms of public safety, the Library Pond is not very important. The Highway Department will construct the pond, but it will be very bare. The City wants to focus on the Library Pond as an educational and focal point.

Mr. Stoliker stated that no additional needs were identified for the Encantada Channel in the projects list. The City has indicated that it has sufficient funding for the project with the federal grant. They are going to provide a match of approximately \$40,000.00 and are asking SSCAFCA for \$100,000.00, which has already been budgeted. The next possible project is the implementation of the Venada Vision on the Middle Venada, in which SSCAFCA has put approximately \$380,000.00. That should allow SSCAFCA to put in one or two structures and begin to stabilize the facility. He was also asked by Mr. Conkling and Mr. Rudy to look at acquiring the right-of-way for all three dam sites. With the money spent on acquiring the Middle Venada, the condemnation, administration and actual costs, it appears that all the right-of-way can be acquired for the Unser Boulevard Dam Site. There are two other dam sites that they are working on identifying. The total cost for building projects based on full development has not been added in. The cost of the facilities alone is approximately \$35 million for the major facilities in the Venada watershed.

Mr. Stoliker stated that improvements in the Los Montoyas is part of the bond election. Mr. Stone has indicated that the larger option of building out the Sportsplex dam site would be \$3.5 to \$5 million; but he is also looking at a smaller option which would take the price down to \$2.5 million. They may be able to get the Sportsplex Dam for the smaller price by doing some work on Lomas Negras. The other options might be to raise the Corrales Road bridge and four other potential dam sites. Mr. Yarbrough stated that the Harvey Jones has a capacity of between 8,000 and 9,000 cfs. Right now, with that bridge, it is down to about 5,000 cfs. Mr. Stone had a work order some time ago that has never been completed on doing a project cost on the bridge as opposed to the Sportsplex. He stated that if the area gets a 100 year event, it is possible that it will take the bridge out. Until SSCAFCA gets Mr. Stone's analysis on the bridge, SSCAFCA needs to move the Sportsplex dam under Los Montoyas Improvement Projects and get the money for the footprint now.

Mr. Conkling stated that the committee was eager to have the schools involved with the excitement around the Sportsplex because they knew if SSCAFCA didn't have a successful bond issue, none of the improvements would be done. That's why the Sportsplex, the jogging trails, and all the amenities in the multi-use focus was very important in the public sentiment.

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Mr. Stoliker stated that, regarding the Lomitas Negras channel improvement, they would like to do a naturalistic, sculptured approach for the arroyo treatment. SSCAFCA has approximately \$500,000.00 that is uncommitted at this time. The Lomitas Negras project will cost approximately \$2.7 million in order to complete it entirely; which includes the crossing at Saratoga. There may be some cost sharing with the City and the school on this project. Mr. Stoliker stated that the Watershed Management Plan on the Montoyas included the Lomitas Negras. The thought was to let the Lomitas Negras free discharge. Lomitas Negras is very long and narrow and will be channelized. Mr. Stone has suggested that SSCAFCA put in a small pond on land that it already owns, since it is already over capacity and, in that way, SSCAFCA might be able to give itself some breathing room. Mr. Yarbrough stated that the Lomitas Negras dumps into the Harvey Jones Channel, so it does affect the road crossing.

Mr. Conkling stated that some of the upstream solutions could have an impact on things that SSCAFCA might be able to do.

Mr. Stoliker summarized the projects identified by the committee with one change: Tulip Road, should have been identified as Sunset, for \$1 million; Library Pond, \$200,000; Montoyas Arroyo Improvements, \$1.85 million and Loma Larga Pond, \$200,000. All costs are estimates and should not be taken as exact costs.

Mr. Yarbrough stated that all work done in Rio Rancho affects the flow into Corrales and a lot of work has been done. Now there is a pond site proposed on Loma Larga that was Mr. Stoliker's idea. Mr. Yarbrough stated that Damon Ely stated that if SSCAFCA would back off on trying to get Corrales to re-engineer the road, that the Village would fix the road drainage problems. Now, the Village wants SSCAFCA to fix it by building the pond. Mr. Conkling stated that each of these projects covers all of SSCAFCA's constituents, including Corrales residents. Mr. Rudy stated that the major difference between page 1 and page 4 of the listed projects is the shifting of monies between the two projects on the Montoyas Watershed. Everything else is virtually identical and SSCAFCA is not committed to spend the bond money precisely as it has been laid out.

Mr. Stoliker continued his summary of the projects: Unnamed arroyo, Idalia and 528, \$200,000.00 (which is a cooperative effort with Sandoval County); Lomitas Negras is estimated to cost \$2.7 million but the proposal is to provide \$1.85 million in this bond and try to work with the schools and Rio Rancho to cost share; local government assistance, \$200,000.00 (\$50,000.00 per entity); ditch and water safety, \$20,000.00. Mr. Stoliker stated that the local government assistance fund was started to help with local issues.

Mr. Conkling stated that if the Board approves the top sheet, it still reserves its right to change things; it reserves its right to be affected by new ideas between now and the passage of the bond issues; it reserves its right to respond to new information that may come from different entities, but the Board will have committed itself to touching each of its

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constituencies with something meaningful that will either address public safety or some kind of public life with parks & recreation, or with a project that will affect the school system.

Mr. Jeff Buell, of Hirst Cordova, stated that the bond committee's approach makes a lot of sense from a marketing perspective. The projects should be easy to sell to the public. He stated that everything that is done upstream affects the downstream flow. He stated that SSCAFCA has morphed into more than flood control, in that it is seen as a means of providing more multi-use facilities, more open space, etc. There is a localized benefit to having a project in a community and he would not undersell the importance of building a project in Corrales. He stated that it is very important to bear in mind that one project on the list could make or break the election and he wouldn't want to play up the importance of the total expenditure for each project because that doesn't show the true value of the project, rather it shows the price tag. SSCAFCA's theme should continue to be getting bang for the buck for public dollar. Also, under the one project making or breaking the bond passage, the Library Pond jumped out as a project that should be on the list. It is the least expensive project, but it might be the most critical because of all the constituencies that are brought in.

Mr. Conkling asked what might happen if SSCAFCA allocated a portion of its funds on hand now and start some channel improvements that are significant impacts on peoples' yards, so that it is clear that there is a benefit and then marry that work in progress with the bigger vision of the Sunset Dam. Mr. Deubel stated that he agrees with SSCAFCA becoming more visible with improvements in the public sector. Mr. Stoliker stated that SSCAFCA has approximately \$500,000.00 that is unallocated and not under contracted. He is concerned about doing some work that may not give the response SSCAFCA is looking for. Mr. Rudy stated that one way around it is to send surveyors out there and show them that SSCAFCA is beginning the planning to do the work that the public wants done. Mr. Deubel stated that he would not want to spend any money to just be visible, rather he would want the work to be toward the end of completing the project.

Mr. Stoliker stated that on the second page of the handout, there is a place which states "Available", which is current funding from previous bonds. That is the money that SSCAFCA has not committed to anything else. One is the Tulip Road Design, \$65,000.00 available; Lisbon Channel, \$50,000.00; Lomitas Negras overlay zone, \$65,000.00; Miscellaneous, local government assistance fund, \$150,000.00. Bernalillo and Corrales have never asked for any money from that fund. The arroyo facilities master plan, \$35,000.00; all that adds up to \$365,000.00. The local government assistance fund is budgeted annually. The City of Rio Rancho applies for the money every year. Mr. Stoliker stated that they have \$280,000.00 under NPDES which has been identified as a set aside for water quality.

Mr. Deubel stated that SSCAFCA will be required to spend money for storm water quality control in the next few years and he doesn't see that worked into these projects. Mr. Stoliker stated that every one of SSCAFCA's projects will have water quality features

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in it. Mr. Rudy asked if staff could bring a proposal to the Board for its next meeting on getting the Lisbon Channel done.

Mr. Metzgar questioned what would happen if SSCAFCA spent the entire \$500,000.00 that is available, and the bond issue failed. SSCAFCA would then only have the \$600,000.00 that is in reserve. Mr. Deubel stated that the expenditure of money should be handled in such a way that it is not all spent before the bond election. Mr. Stoliker stated that there are still projects that are under contract and are being worked on right now. Mr. Stoliker stated that SSCAFCA does not normally do construction during monsoon season, July through September. Under normal conditions, SSCAFCA would have a project set up to go into construction in October or November and, therefore, it might be best to have the bond election in October or November. Mr. Stoliker stated that if the Board wants to do a portion of the Ivory/Lisbon Channel project, he would like to bring it to the Board at the next meeting with Wilson & Company preparing a task order to pull the most critical part of the plans so that it is under construction in October.

Mr. Deubel asked if there was a portion of the Lomitas Negras project that could be started in October with existing funds. Mr. Stoliker stated that SSCAFCA could build the Saratoga Road crossing or the drainage around the school. The design on the Lomitas Negras will be done in the next couple of weeks. Mr. Stoliker stated that the piping could be done around the school in the summer time because that is not an on-line facility.

Mr. Rudy stated that the decisions that need to be made today are 1) how much is SSCAFCA going to bond for, and 2) when is the bond process going to be started. Mr. Yarbrough stated that bond advisors have suggested bonding for \$6 million which will not raise SSCAFCA's mill levy.

Mr. Eddie Paulsgrove, project manager for the Corps of Engineers, stated that he administers and enforces the Clean Water Act in this general area. He is glad to hear what he's been hearing from SSCAFCA today. He would like to alleviate Mr. Deubel's concerns in the sense that any of these structures that are going to be placed within the jurisdictional waters would be required to be permanently stabilized. He also wants to urge the Board that if they are not sure if something needs to be permitted through the district, just call them to find out. With regard to the big developers, the Corps has the capability to require mitigation for loss of function. The mitigation that they could require could fall in line with what SSCAFCA wants with regard to acquisition of some property. As a form of mitigation, depending on the economics of it all, that could be a condition in a permit. The Corps would also try to dissuade construction during monsoon season. He urged the Board to bring the Corps in very early in the planning stages of any structure so that any compliance issues the Corps may have can be resolved very early in the project.

A motion was made by Mark Conkling to approve the \$6 million bond issue at an election time to be determined that would impact each of the items on proposal number 1. It was seconded by Donald Rudy and passed unanimously.

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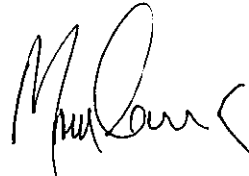
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ADJOURNMENT.

A motion was made by Donald Rudy and seconded by Richard Deubel to adjourn the meeting. It was carried unanimously. Meeting adjourned at 3:00 p.m.



RICHARD DEUBEL
Secretary



WM. C. YARBROUGH
Chairman

DATE APPROVED:

18 MAR 03