

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF NOVEMBER 9, 2004
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 9:17 a.m.

ROLL CALL OF DIRECTORS.

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

PLEDGE OF ALLEGIANCE.

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

APPROVAL OF AGENDA.

A motion was made by Donald Rudy to approve the Agenda as presented. It was seconded by Mark Conkling and passed unanimously.

ANNOUNCEMENTS.

An announcement was made by Dub Yarbrough that all electronic devices needed to be turned off during the meeting.

ANNOUNCEMENT OF THE BOND ELECTION RESULTS.

Mr. Yarbrough stated that according to all of the counts so far, the bond election has passed and SSCAFCA is back in business. Bob Strumor, bond counsel, stated that, traditionally when SSCAFCA approves the election results, it attaches a certificate of canvas and notes the exact election results for and against. Without that certificate and the final count, this cannot be done yet. The bond election can be discussed, but the resolution should be tabled until a future meeting to act on it. Mr. Strumor stated that since public notice of this meeting was made, the item should be tabled and considered at a subsequent meeting. Rather than set a meeting for Monday or Tuesday next week, it might be better to wait until the election results are finalized and then have a publication of the subsequent meeting. Mr. Metzgar stated that SSCAFCA's next regular meeting is Friday, November 19, 2004. Hopefully, the exact count will be done by then and this can be taken care of at that meeting. Mr. Strumor stated that the numbers so far show that it was 17,985 for and 10,377 against. He stated that it was statistically impossible for the uncounted votes to change the result.

ADOPTION/ACTION OF RESOLUTION 2004-17 DECLARING THE RESULTS OF THE ELECTION.

A motion was made by Mark Conkling to table the adoption of Resolution 2004-17. It was seconded by Donald Rudy and passed unanimously.

Mr. Yarbrough introduced Steve House, who was successful in running for one of the seats on the Board. The swearing-in is performed on the first business day of January.

Mr. Stoliker stated that staff has called Dain Rauscher and the project managers of the affected engineering firms to meet with the Budget Committee to get everything ready for a bond issue in January or February of 2005. The item can be presented to the Board at its December or January meeting.

PRESENTATION/ACTION ON THE LISBON AND SUNSET DAM SITES.

Clint Dodge stated that the Lisbon Dam and Sunset/Sugar Dam were identified in the Black Arroyo Watershed Management Plan as high priority flood control facilities. The dams are at the top part of the watershed and their basic purpose is to protect the undersized facilities in the subdivision south of Tulip Road. They initially looked at the Lisbon Dam on the Lisbon Arroyo since it is a higher priority from a flood protection point of view because there is a bigger drainage area contributing to that dam. There are three different alternates for the Lisbon Dam which are in the report presented to the Board. The selected alternate requires the vacation of a short piece of Inca Road. They are looking at conceptual design to define the footprint so that these properties can be tagged for acquisition. There is also a 16 inch water line in Inca Road that will require rerouting around the dam site. The hashed areas on the pictures in the report are areas that have developments on them.

Mr. Dodge stated that the next dam site they looked at was Sunset Dam. In the Master Plan, they had proposed to divert water from one arroyo to the Sunset Dam to have one dam facility rather than two. At a meeting on the Lisbon footprint, Ken Curtis, of the City, has stated that he thought that the Sunset Dam site was already built on. There is a house on the corner of one possible dam site location and several other houses that are being constructed in the area since the photographs were taken. This resulted in Mr. Stoliker contracting with ASCG to identify the required dam site footprints for the proposed Sunset dam. ASCG looked at diverting water from the Sugar Dam to the Sunset Dam, which is awkward because of the house and they also looked at acquiring the house as part of the dam site. In the process, it was suggested that they put a dam on the Sugar Arroyo and divert water down 10th Street into the dam using a storm drain, which would reduce the size of the dam. The third alternate was to not divert any water and take all the water from the Sunset Dam and the Sugar Arroyo into the Sugar Dam Site. It turns out that this is the cheapest option. It has the advantage of not diverting flow from one watershed into another watershed and therefore potential liability is also reduced. He stated that the Sunset Dam is entirely located between Idalia and Inca Road and does not

take the house. The property acquisition would consist of four lots between Idalia and Inca, plus a lot to the south of Idalia to get the storm drain over to the channel. The Sugar Dam Site is located north of Idalia and just west of 10th Street. The outfall is down to the Sugar Channel, which is south of Tulip.

Mr. Stoliker stated that Ken Curtis is looking at the City acquiring two or three of the parcels in the area to realign 10th Street so that it hits right into Sugar Road. Therefore, it's possible that, by the time the dams are built, the property will be in public ownership. He stated that they have had discussions with Mr. Wallen of Wallen Builders about negotiating something with respect to the Sugar Dam Site. Gary Wallen stated that, if allowed the opportunity, they could purchase the lots along 10th Street quite reasonably and pass that savings onto SSCAFCA when it is ready to do the project. They have acquired approximately 70 one acre lots in the area and they have a need for dirt which can be taken from where the dam site will go, which will also benefit SSCAFCA. When the property is then subsequently purchased by SSCAFCA, SSCAFCA will have less work to do. There would have to be a contract which would require that SSCAFCA buy the land from Wallen Builders within the next two years if they dig the hole.

Mr. Dodge stated that the Sugar and the Sunset Dams are both entirely excavated dams, which means that there is no dam embankment. The roadway would then become the spillway. They would petition the State Engineer to reduce the emergency spillway flow requirements because it is entirely depressed so there is much less likelihood of the failure of an embankment. This simplifies the dam design and the earthwork.

Mr. Stoliker stated that staff is asking that the Board accept the Lisbon Dam Footprint Conceptual Design Report and accept the Sunset/Sugar Dam Footprint Conceptual Design Reports dated November 2004, and authorize staff to acquire the property identified in the recommendations, which will include surveys, appraisals, offers and negotiations. Land acquisition will be brought to the Board as they go through the process.

A motion was made by Mark Conkling to accept the Lisbon Dam Footprint Conceptual Design Report and the Sunset/Sugar Dam Footprint Conceptual Design Report. It was seconded by Donald Rudy and passed unanimously.

A motion was made by Mark Conkling to authorize the Executive Director to acquire the property identified in the recommendations, which includes obtaining any required surveys and appraisals and to make offers and negotiate with property owners, including negotiations with Mr. Wallen regarding the transfer of earth and property. It was seconded by Donald Rudy and passed unanimously.

ANNOUNCEMENT OF BOARD ELECTION RESULTS.

BOARD OF DIRECTORS SPECIAL MEETING

NOVEMBER 9, 2004

Mr. Yarbrough again stated that Steven House had been elected to one of the vacant seats on the Board, and that Mr. Yarbrough had been re-elected to his seat. Mr. Stoliker stated that it is statutory that the first meeting be held on the first business day of the New Year, which is on January 3, 2005. The meeting will be at 9:00 a.m. and will be for the purpose of swearing in the new elected Board members and organizing for the New Year.

OTHER BUSINESS. None.

ADJOURNMENT.

A motion was made by Mark Conkling and seconded by Donald Rudy to adjourn the meeting. It was carried unanimously. Meeting adjourned at 9:50 a.m.


WM. C. YARBROUGH
Chairman

RICHARD DEUBEL, Secretary

DATE APPROVED: 

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