

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)  
MINUTES OF APRIL 15, 2003  
BOARD OF DIRECTORS REGULAR MEETING**

**CALL TO ORDER.**

The regular meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 1:03 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 John Chaney, Mark Conkling, Richard Deubel, Donald Rudy, and Dub Yarbrough. David Stoliker, Executive Director, and other staff were present. Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

**APPROVAL OF AGENDA.**

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

**ANNOUNCEMENTS.**

Announcements were made by Dub Yarbrough that all electronic devices needed to be turned off during the meeting and that the microphones are voice activated.

An announcement was also made that there would be a special work/study meeting of the Board of Directors on Tuesday, April 22, 2003 at 1:00 p.m. in the Board Room to discuss SSCAFCA's vision for the future.

**CONSENT AGENDA.**

1. Minutes of March 18, 2003 Regular Meeting.

The minutes were not ready for this meeting. These minutes will be presented at the next regular Board meeting.

2. Treasurer's Report for March 31, 2003.

Mr. Conkling asked if there were any questions regarding the Treasurer's Report. There were none.

**PUBLIC FORUM.**

None.

**CHAIRMAN'S REPORT.**

None.

**BOARD OF DIRECTOR'S COMMENTS.**

None.

**BUDGET COMMITTEE REPORT.**

1. Action/Acceptance of the FY-04 Preliminary Budget.

Mr. Mark Conkling stated that the budget presented contains an estimate of the general property tax revenue. The total assessed value has gone up about 5% over the last year. There is no cost of living adjustment for personnel provided in the budget. The health and dental insurance benefits were budgeted at 80% for the employer and 20% payroll deduction for employees. He stated that at least one board member has suggested that the entire Board revisit this topic. Operation and Maintenance is funded at \$256,000.00; general fund reserve is continued and increased by \$10,000.00; the debt service fund is estimated based on mill levy; and the building fund has been eliminated.

Mr. Conkling stated that the 100 column of the budget is the general fund; the 130 column is the debt service fund; the 140 column is the construction fund. Salaries and wages are listed on page 3 with no cost of living increase. Instead of a cost of living increase, the committee recommended that SCAFCA go to an 80/20 split on health and dental insurance. There is a controversial subject that was not made part of the budget. There has been some belief that once SCAFCA got into its building, that it would start acquiring some equipment and maintenance staff. This is based on a belief that it would be less expensive to have some help on a regular basis rather than having to subcontract the work. In a recent review, the Committee came to the conclusion that staff can handle presently about \$2 million worth of work annually without expanding staff or assets. He would like to try to hit that construction goal on a regular basis for a while and not head down the trail of building a maintenance shop and having to obtain expensive equipment.

Mr. Donald Rudy stated that there was also a concern that SCAFCA had just moved into a new building and there are a lot of things that need to be shaken out in the building and it might be better for SCAFCA to continue its current maintenance contract. The Committee felt that it would be more reasonable to let the current situation stand and re-visit this issue in next year's budget. Mr. Yarbrough stated that he agrees. Mr. Deubel

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

asked if it would be a cost-saving measure if the board tackled the responsibilities in house. Mr. Conkling stated that in his opinion it is not a cost-savings. Mr. Rudy stated that he would defer on this issue because he does not have enough experience. Mr. Deubel stated that staff should look at this issue on a yearly basis and bring it to the Board if it appears to be a cost savings at that time, but until that occurs; subcontracting makes a lot of sense.

Mr. Stoliker stated that page 9 shows the construction fund balance. The Black's Arroyo Watershed Management Plan is at \$31,000.00 and is under contract. Whatever is not spent this year will go into fiscal year '04. The number one item that the Board has approved is the Ivory/Lisbon Channel at \$350,000.00. Everything else is what the Board has seen before.

Mr. Conkling stated that the new bond issue is on page 10. Mr. Stoliker stated that it includes the same numbers just looked at, plus the \$3 million in bond money that is anticipated if the bond is approved. Mr. Conkling stated that the budget also shows how SSCAFCA has broadened its reach into different areas of the community. Mr. Stoliker stated that he did not feel that it was appropriate for SSCAFCA, in this recession, to give a cost of living increase to its personnel. Mr. Rudy stated that the cost of living increase is a very small percentage and, averaged about \$800.00 per employee, per year. Mr. Stoliker stated that the Committee decided to go ahead and bring SSCAFCA current with what other governmental entities were offering their staff with regard to health care. Mr. Conkling stated that the amount to change the health care to 80/20 was less than \$2,000.00 for the year for the entire organization. Of the five staff members, three have health insurance through SSCAFCA.

Mr. Conkling stated that the Board has until May 31, 2003 to approve the budget. He stated that he is prepared to recommend approval but that he wants to make sure that everybody has a chance to comment with regard to the 80/20 health insurance. Mr. Chaney stated that, even though the Committee is not considering a cost of living increase, it is adding other insurance benefits that will lock in a higher perk than was ever offered to staff before. Mr. Rudy stated that it brings SSCAFCA more to a level with other organizations and it is a relatively small number. Mr. Chaney stated that he is not concerned with right now, but in the future when SSCAFCA has a staff of perhaps 20, this insurance increase would have a major impact on the budget. He stated that he would like to stay at 70/30, which is more appropriate for the long term. Mr. Metzgar stated that his understanding is that SSCAFCA is presently at 60/40.

A motion was made by John Chaney to institutionalize the 70/30 split for health care for SSCAFCA staff in lieu of giving a cost of living raise this year. It was seconded by Dub Yarbrough and passed unanimously.

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

A motion was made by Mark Conkling to approve the 2004 Budget as presented, subject to the motion just passed. It was seconded by Donald Rudy and passed unanimously.

**ATTORNEY ' S REPORT.**

Mr. Metzgar stated that SSCAFCA attempted to sell some of its excess property twice. In neither case were any of the lots sold that were put up for sale. The Board had decided that it would wait a couple of years before attempting to sell again. In the meantime, people knew that the properties had been declared excess and a bid to purchase a lot has recently been received by SSCAFCA. The statute on the sale of excess property doesn ' t address how you actually sell the property. It merely says that it has to be approved by DFA and the Board of Finance, etc. Over the years, DFA and the Board of Finance have wanted sealed bids to sell properties. When SSCAFCA received this current bid, he called the State and was told that SSCAFCA may get a decision soon if a bill that just went through the Legislature is signed into law by the Governor. The bill is House Bill 424. It amended the statute on sale of property by municipal authorities and states that you can now have negotiated sales. There are still several questions that come to mind if this happens. Such as, if you are going to list it with a realtor for a negotiated sale, do you have to put out an RFP for a realtor?

Mr. Metzgar stated that the negotiated sales would be a great thing for an organization like SSCAFCA that has some excess property that it wants to get rid of. There is no public notice requirement in the statute. However, DFA will definitely have some regulations on it. If the bill is not signed by the Governor, then DFA or the Board of Finance will have to take a position as to whether SSCAFCA can accept an offer of this nature.

Mr. Metzgar stated that he was going to call the attorney for DFA about the Bill and also what SSCAFCA ' s chances are if the Bill is not signed to get approval by the Board of Finance for an offer of this nature.

**EXECUTIVE DIRECTOR ' S REPORT.**

1. Action/Acceptance of the Venada Arroyo Schematic Facility Design.

Mr. Stoliker stated that in December 2002, the Board approved the Venada Arroyo Watershed Management Plan. On January 2, 2003, the Board approved this project to go forward. It was a visioning project that was to take approximately 90 days. The project is going to go from Paseo del Volcan all the way down to 528. They chose the Venada Arroyo because it has the highest development rate in the area and yet was still in a relatively undeveloped area. This project looked at five alternatives on how to develop the

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

arroyo, from concrete to all naturalistic. He stated that they are looking for approval to take this to the City of Rio Rancho, the schools, and other groups for presentation, review and comment.

Mr. Dodge, of ASCG, stated that their task was to develop a drainage and multiple use corridor of schematic design. The presentation has three components; background and goals, drainage design, and the multiple use design. The Watershed Management Plan proposed a natural arroyo corridor from the river to the top of the watershed. They are trying to maintain some of the feel of the Venada as it sits right now. They looked at five alternates, a lateral erosion envelope, a modified LEE, a locked in place alignment, a low flow channel alternate, and a concrete channel. They also looked at multiple use facilities to go with that. The objectives are to obtain a naturalistic arroyo corridor.

Mr. Dodge stated that idea is to invest in multiple use drainage facilities for public use. It will also give SSCAFCA the opportunity to educate the public about why the facilities are there, what they do, why they look like they do, etc. They call this the hydro "logic" cycle. He stated that Enchanted Hills South is rapidly developing. The design looks at flood control, naturalistic facilities, storm water quality, trails and other recreation, minimal structures to maintain the natural feel and cost effective implementation over time. It is also accessible for utilities in the corridor, open vistas, education and school interaction, wildlife habitat, and environmental preservation. This will increase property values not only for the homeowners, but the entire community.

Mr. Chaney stated that ASCG might want to be more specific with regard to partnerships with different entities. Mr. Stoliker stated that staff is hoping that AMREP will donate a modified amount of land for SSCAFCA to put its structures and this would be the partnership in this particular area of Enchanted Hills South.

Mr. Dodge stated that a couple of examples of naturalistic include a paved path with a park area next to it. Other examples include a graded slope/boulder structure or faux rock structures. He stated that in Enchanted Hills South, you find three reaches with flows being driven by the 528 crossing structure. Water quality is included in all the elements. They have an example of a detention basin with a playing field, etc. with a debris removal system as part of the water quality clean-up, for \$2.8 million. The water quality feature in this example is an extended detention pond. Mr. Dodge stated that the Phase II permit requirement says that SSCAFCA will need to treat for removal of debris and oils, etc. "to the maximum extent practicable." He stated that in this debris removal, SSCAFCA will skim off the floatables.

Mr. Dodge stated that the concrete channel alternate was put into the mix primarily as a bench mark. They are not proposing that it be done. If it was done, it would be about 20 acres for a straight shot concrete channel in this reach at a cost of about \$7.6 million. AMREP provided that information to SSCAFCA as part of the partnership. They have also

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

defined a low flow channel with naturalistic overflows. They could not identify a naturalistic, non-irrigated plant material that would take the velocities in a low flow channel system and they expect erosion around the low flow channel, so this option was thrown out. Mr. Stoliker stated that Cabezon has asked to do that very thing. Even though it won't be used in this project, it may be useful in the Cabezon area if the right conditions exist. Mr. Yarbrough asked who would pay for the irrigation if it is needed to protect the grasses. Mr. Stoliker stated that would be part of the negotiations that would be worked out with the City and others. He stated that the City is looking at using this area to have a spot to re-use effluent. He stated that he believes that SSCAFCA should not have to pay for the irrigation if it became necessary.

Mr. Dodge stated that there are alternates that are more naturalistic, and include the lateral erosion envelope. The LEE width is roughly 500 feet, plus or minus, as you go up and down the length of the arroyo. They are proposing this amount of land be dedicated for the arroyo to meander in. This would mean doing basically nothing in most of the LEE area. They did define three structures that impact the LEE; two crossing structures that the developers proposed, which would affect the width of the arroyo in places and have energy dissipaters associated with them; and a PNM grade control structure. Those structures would cost about \$1.4 million and require about 104 acres. The improvements within that corridor would cost about \$3.1 million. He stated that the idea with the grade control structures is that they build them initially underground, and as the arroyo starts eroding, it would erode down to a more stable slope.

Mr. Dodge stated that the next alternate is a modified LEE, with the idea being that the purple area on the slide could be recovered for development if they do some arroyo improvements. Enchanted Hills South, along with the technical team, has identified four areas that were potential areas for that kind of improvement. Some of the areas are more economically feasible than others. The key thing here is that the cost will be about \$2 million additional money, but you would save 14 acres of highly desirable developable land.

Mr. Dodge stated that the third naturalistic alternate is a lock in place alternate. The idea here is to put structures wherever they are needed so that the arroyo never has to be touched again. They would be structures similar to what he showed a moment ago. This alternate would require 80 acres, so 24 acres of land would be saved for development. The cost is approximately \$4 million in additional money. As you put structures in to tighten the naturalistic arroyo, the more it costs.

Mr. Dodge stated that the LEE alternate will cost \$4.5 million; the modified LEE will cost \$6.5 million; the confined arroyo locked in place will cost \$10.5 million; the concrete channel comparison point is \$7.6 million. They also go from 104 acres all the way down to 20 acres of property. These costs include multi-use facilities, except for the concrete channel, which doesn't have any except for a single bike path. They are recommending either alternate 1 or alternate 1A. The LEE theory will need to be maintained over time.

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

They are not certain at this point exactly where the LEE boundary will go in the future because more clean water will be introduced into the arroyos. There is no way to accurately forecast how fast the area will develop, but as more clean water is introduced, you will get more incision into the existing arroyo, which should last over the next 15 to 20 years. The advantage with the proposed LEE rather than going with a narrow right of way is that you have the multi-use facilities.

Mr. Dodge stated that the cost for alternate 1 is \$1.1 million in private crossing improvements, \$3.4 million for public use and cost-sharing, including the multiple use trails and corridors, for a total of \$4.5 million. Alternate 1A adds \$2 million to that total cost, which will be paid for entirely by private enterprise, to recover some development. The concept is that the LEE would be reserved for drainage. Mr. Deubel stated that his understanding is that under proposal number 1, it will cost \$4.5 million and if the developer wants to recover lands, it will cost another \$2 million worth of improvement. Mr. Dodge stated that \$1.1 million of the \$4.5 million is the crossings that the developer would put in. He stated that would bring it down to \$3.4 million maximum. Mr. Stoliker stated that part of that cost is recreational and, generally, SSCAFCA does not do recreational facilities due to our statutory restriction. SSCAFCA has designed and constructed some recreational facilities in the past as part of an exchange or partnership. In this particular case, staff believes that AMREP will install the \$1.1 million private crossing improvements at Yeager and Nativitas when they build those two roadways. AMREP will also give SSCAFCA a certain amount of property, whether it's a LEE or a modified LEE. Then, the only thing SSCAFCA is proposing to do, at some time in the future, is put in a drop structure to protect the gas line, which will be negotiated with the gas company. The recreational features have been designed into this facility, but he doesn't know how they will be built just yet. Mr. Metzgar stated that SSCAFCA cannot pay for the recreational features as a major part of the project. SSCAFCA has done some contribution in the past which has been okay, when combined with flood control, but SSCAFCA cannot build the entire recreational features.

Mr. Conkling asked if there is any possibility that some of the ideas with regard to pockets of independent drainage areas in small neighborhoods upstream from this project would affect the width of the LEE. Mr. Dodge stated that he doesn't think that would be very likely. He stated that this is based on having the three dams at the very top and they are counting on that much retainage already.

Liz Reardon, with Morrow, Reardon, Wilkinson Landscape Architects, stated that they are a subconsultant to ASCG for the project. One of the advantages of doing a more naturalistic arroyo system with a wider area is that they do have an opportunity for multiple use components. They have a double trail system in this facility. On the south side of the arroyo is a paved trail, which would be used for recreational use and access for the SSCAFCA maintenance vehicles. This is a handicapped accessible facility. On the north

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

side of the arroyo, they are proposing a soft trail. This would be a crusher fines trail with much more passive use. The trail system would tie into community trail systems.

Ms. Reardon stated that there is an opportunity for an active recreational facility which could be developed as a typical park with a soccer field; they could have play equipment areas; opportunities for educational facilities about the arroyo system, etc. This could be a destination point for the community. They anticipate having shade structures and off-street parking. In addition to the active recreation, the entire corridor provides an excellent opportunity for passive recreation. It is a naturalistic arroyo and people would be able to enjoy the wildlife and natural vegetation. They are proposing to provide vista points along the trails. Because of the nature of the area, there are several places where there are outcroppings that provide vistas of the mountains and the native vegetation. They would enhance the native vegetation in these areas and provide some shade and possibly put in some picnic facilities or benches.

Mr. Reardon stated that also along the trail system are several trail heads. This is where the trails would connect with the existing streets or proposed streets in the community. One of these is where the trail would connect to Paseo del Volcan. They have an off-street parking area there and are discussing possibly developing an educational trail system that would provide an opportunity for people to meander off the main trail and have an opportunity to educate the people about the eco-system. They would also have a trail head at Nativitas with off-street parking that is very close to one of the vista points. This trail head will have opportunities for educational facilities in relation to the drainage structure that is associated with the park. Another trail head would be at the Yeager crossing with off-street parking. They are proposing to enhance the native vegetation at all of the trail heads and vista points. The last trail head would be at 528. This gives them an opportunity to introduce the public to the system.

Ms. Reardon stated that one thing they touched on is education and each trail head does have the opportunity for education, like what has been done at Roskos Field. Another educational opportunity is interaction with the schools and this project could be a destination point for schools in the community to come and learn not only about the natural environment, but also about water treatment systems, etc. Because of the natural approach to this, there is a tremendous opportunity for environmental preservation. Wildlife habitat is one of the things they pulled out of this project because it has come up so much. By leaving it natural, you do create areas where the wildlife will enjoy going. The wildlife varies from coyotes, rabbits, squirrels, snakes, birds, and sometimes skunks.

Ms. Reardon stated that another thing that these improvements potentially do is increase the monetary and aesthetic values of the adjacent properties. They are proposing to do all the improvements in a way that connect to the community. All of the trails would tie into the larger community trail system.



**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

Ms. Reardon stated that the shade structure on top of the reservoir that she showed in a slide as a demonstration was paid for by the City of Albuquerque. The reservoir was a public works department project that was put into a city park. The entire recreational facility was paid for by public works, which has a separate budget from Parks and Recreation. Her experience has been that property along these trail systems becomes more valuable than property away from the trail systems. The Journal Center is an excellent example of what happens to property values and how much of an asset a system such as this can become.

Ms. Reardon stated that a project like this has a legitimate argument for being able to attract businesses to the community and enhancing the economic development. With aggressive improvements and good maintenance of them, this could be an amenity that is of endless value to the community.

Mr. Dodge stated that this is intended to be the concept of how a multiple use facility can enhance the community, as well as provide the impetus for the willingness to invest, etc. In the design, they have addressed flood control, passive and active recreation, and education. They are asking for authorization to present this project to the public, to include City Council, neighborhood groups, etc. This project will become part of the education component of the hydro "logic" cycle. They hope to come back with the final draft for acceptance at the June or July Board meeting. They are waiting for the new mapping which they should get any day now to get the 3D model done.

Mr. Deubel asked what type of criteria they use to determine what lands within the LEE are recoverable. Mr. Dodge stated that one criterion is that the developer of the property who will be dedicating the LEE indicated that he wanted to recover certain property. The second criteria was from the technical team which said that if the LEE line was moved in, would it make the corridor so narrow that they would lose the open vista, naturalistic feel to it. You don't want to narrow the arroyo too much because you'd lose the naturalistic feel. Mr. Deubel stated that it seems as if it's up to the landowner to decide whether he wants to expend the money to make it recoverable. Mr. Dodge stated that, in this case, that's correct because the developer was part of the design process and it is part of the developer's dedication in its plat approval process.

Mr. Castillo, of AMREP, stated that this shows a great deal of cooperation between the public and private entities. He stated that AMREP is in full agreement with alternate 1, which is a very spacious corridor for that drainage. He stated that they are reserving the option to study alternate 1a, which looks at the areas in pink. AMREP would like the right, upon future study and future improvements, to be able to utilize those lands. AMREP would be willing to cooperate with regard to impact fees and is willing to put out approximately \$1 million for the drop structures at the roadway crossings. Mr. Conkling stated that going to the public with these kinds of graphics and this presentation is very professional and he is very pleased with the effort put into this project.

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

A motion was made by John Chaney to take this matter to the public as requested. It was seconded by Donald Rudy and passed unanimously.

2. Action/Acceptance of a Task Order for \$9,500.00 for Venada Arroyo Dam Site Investigation.

Mr. Stoliker stated that the Venada Arroyo now is designed for full capacity. They are asking that Mr. Dodge investigate the footprints for the three dam sites with the new mapping that Mr. Stone is working on. The money has been set aside for this matter. The three dam sites are at Unser, Tributary B and Tributary X. He stated that they are trying to see if the land that AMREP has available is big enough to hold the volume that is needed to store the water that will come off that portion of the watershed. The area is developing so rapidly, that if SSCAFCA doesn't pick up the lands now, once Enchanted Hills South goes in, the property values will most likely shoot up or the lands may be built upon. SSCAFCA needs the definition of those dam sites in order to determine whether or not the property that AMREP wishes to sell to SSCAFCA is adequate. If the land is deemed adequate for SSCAFCA's needs, it will need to be appraised. It is possible that condemnation might be necessary if AMREP does not own the entire property that is needed for the dam sites.

A motion was made by Mark Conkling to approve the task order for \$9,500.00 for the Venada Arroyo Dam Site investigation, as presented. It was seconded by John Chaney and passed unanimously.

3. Action/Acceptance of AMREP Southwest, Inc. Venada Arroyo Watershed Donation.

David Stoliker stated that AMREP Southwest wishes to make a donation with regard to the Venada Watershed. Mr. Yarbrough stated that the donation appears to be contingent on SSCAFCA buying the dam sites. Mike Castillo stated that the donation of the arroyo bottoms does not hinge on the purchase of the dam sites by SSCAFCA; however, it's only reasonable that SSCAFCA consider the entire system. Mr. Castillo stated that the Venada system is composed of the tributaries which are platted and, as part of the drainage system; SSCAFCA's engineers have recommended ponding at certain locations. AMREP has a number of lots in the dam locations which it is willing to sell to SSCAFCA at appraised value. AMREP is prepared to donate the arroyo bottoms today. These properties consist of lands that were platted many years ago prior to the definition of the LEE.

Mr. Metzgar stated that the arroyo is a designated part of the plats. The land that is within the bounds of the arroyo is set forth in acreage. The arroyo is a designated portion of the plat. Mr. Castillo stated that AMREP is also donating the tributaries of the Venada. There is a parcel of property where the arroyo was never defined in the plats. AMREP has

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

agreed to designate an easement, subject to a final plat, once the new mapping is complete. Once they have the new mapping, a better description of the easement can be given. Mr. Yarbrough stated that in order to contain the arroyo, SSCAFCA might have to purchase some adjacent properties. Mr. Castillo stated that AMREP doesn't own all of the land shown in pink. AMREP is willing to sell, at appraised value, the land that AMREP owns within the pink areas. Mr. Stoliker stated that the Board agreed at the last meeting to pursue this acquisition to try to control the watershed. He stated that SSCAFCA should expand the arroyo to include the entire LEE. The arroyos could be developed as multi-use facilities at some time in the future.

Mr. Rudy stated that the areas AMREP is willing to donate to SSCAFCA will be necessary for its control of flooding in the arroyos, but are not sufficient and more properties will need to be acquired. Mr. Conkling stated that the Board has already approved a task order for \$9,500.00 to overlay the mapping on the potential dam sites, but the sites have not been purchased yet. AMREP is willing to donate the platted arroyo bottoms out of good faith and the fact that good judgment would dictate that SSCAFCA will buy the dam sites. Mr. Castillo stated that there are tax benefits to AMREP if this happens now. Mr. Deubel stated that, if it was to the benefit of a future project, SSCAFCA could still ask AMREP to participate in helping to build the dams. Mr. Castillo stated that due to the amount of land that AMREP owns, that would be a reasonable request.

Mr. Stoliker stated that when Enchanted Hills South comes in, they are going to give SSCAFCA a certain amount of land in the modified LEE (1a) arrangement. Enchanted Hills South is going to put in all the internal drainage in their development, plus put in two drop structures at the two road crossings, for approximately \$1.1 million. Today, AMREP is giving SSCAFCA the arroyo bottoms with no commitment for SSCAFCA to do anything else. When SSCAFCA designed the arroyo from Paseo del Volcan to 528, the capacity was maximized. Mr. Stoliker stated that the developer is only responsible for drainage that it affects. However, a majority of this project is single lot development. Mr. Metzgar stated that SSCAFCA has the burden of flood control. When you're talking about single lots, there is nobody to cooperate with SSCAFCA in building structures, except as they affect those structures. If, in the future, there is some development causing some effect in that area, then SSCAFCA could ask them to contribute to the structures.

Mr. Stoliker stated that there is a possibility that Mariposa could help with the dam site at Unser. There has also been development on state land office property at the Loma Barbone, and staff has had conversations with the state land office about helping SSCAFCA build that dam. They have told SSCAFCA that they don't want to have anything to do with SSCAFCA's dam and that they're going to take care of all of their drainage on site. Mr. Metzgar stated that anytime SSCAFCA is dealing with the State, you have to start with the idea that SSCAFCA can't force the State to do certain things. If you can show them a benefit in cooperating with SSCAFCA's dam site that is all you can do.

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

Mr. Castillo stated that AMREP owns 18% to 22% of the lots in general. AMREP does own a higher percentage of lots in an area called Santa Fe Vistas. Approximately 1/3 of that drainage goes to the Jemez drainage area; 2/3 comes to Sandoval County. Mr. Metzgar stated that the way that the arroyo property would be donated to SSCAFCA is by Quitclaim Deed. AMREP has held them for about 40 years and there has been no claim against them so he is satisfied that a Quitclaim Deed will be fine. If property is bought from AMREP or other owners, SSCAFCA will get that property by Warranty Deed.

A motion was made by Donald Rudy to accept the AMREP Southwest, Inc. Venada Arroyo Watershed Donation as presented. It was seconded by Mark Conkling and passed unanimously.

Dub Yarbrough left the meeting at 3:45 p.m. John Chaney took over as Chairman.

4. Action/Acceptance of Appraisals for Properties Within the Montoyas Arroyo and Offers to Purchase These Properties.

Mr. Stoliker stated that the Montoyas Sportsplex Dam site private properties have been appraised and title investigations have been performed. Travis Engelage, SSCAFCA's appraiser, has provided a report, a portion of which is contained in the Board's packet. For the Board's information, Mr. Engelage found a recorded plat from 1971 which had been previously missed. The property has been appraised at \$5,800.00 per acre for 11.1 acres. If it's as shown on the newfound plat, it will 22.6 acres. AMREP has said that it's willing to accept Mr. Engelage's appraised unit value no matter the size, so long as it is booked by April 30, 2003. Mr. Engelage has indicated that whatever the land size is, the property should be \$5,800.00 per acre. Staff is asking for the ability to go up to the maximum amount of 22.6 acres to allow the deal to close before the end of April.

A motion was made by Mark Conkling to accept the appraisals as presented and to purchase the properties. It was seconded by Donald Rudy and passed unanimously.

5. Action/Acceptance of a JPA Between the City of Rio Rancho and SSCAFCA for Enchanted Hills Boulevard Channel.

Mr. Ken Curtis, of the City of Rio Rancho, stated that this matter goes back to 1999. In the summer of 1999, substantial rain storms came through the area and several areas were declared federal disaster areas. The flooding was heaviest around Enchanted Hills and went down into Bernalillo and some unincorporated areas of Sandoval County to the west. Any time there is a federal disaster, they set aside a certain amount of funding for hazard mitigation grants. In those cases, they see if any entity that has been damaged comes back and shows where an investment in infrastructure can prevent the same thing from happening again. The City sought a formal agreement from the State and has signed the agreement. If the City can get SSCAFCA approval on the JPA, they will be able to do

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

the project for \$562,800.00, of which \$422,100.00 is federal funding and \$140,700 will be the local match. Mr. Chaney stated that SSCAFCA approved the \$100,000.00 in 2000 and this item has been a line item in SSCAFCA's budget since that time. This JPA implements the intent of the Board at that time.

A motion was made by Mark Conkling to approve the JPA for Enchanted Hills Boulevard Channel as presented. It was seconded by Richard Deubel and passed unanimously.

6. Web-Site Update: The Ongoing Preparation and Construction of the SSCAFCA Website Will Require Each Board Member to Prepare a Brief Autobiography.

Mr. Deubel asked why the website address has not yet been finalized. Mr. Stoliker stated that they have two website addresses reserved right now: SSCAFCA.com and SSCAFCA.net. He stated that they would like to have SSCAFCA.gov. because that would allow access to FEMA information free of charge and other government web sites free. The problem is nobody that they're dealing with knows how to get the ".gov" addresses. They are still working on it. Laura Davis stated that staff needs to get brief autobiographies from the Board members by no later than April 22, 2003.

7. Action/Acceptance of Two Task Orders from Stantec for NPDES Storm water Management:  
a. \$20,340.00 to Develop a Training Program;  
b. \$18,950.00 to Develop a BMP Public Outreach Program.

Mr. Stoliker stated these are two task orders on the NPDES storm water management and there will be two more coming in. The task orders today are for a training program and a public outreach program. Staff chose Stantec because they are currently doing this same thing in other locations for other entities so SSCAFCA gets a reduced rate. Mr. Stoliker stated that SSCAFCA must start making progress toward fulfilling its permit requirements. These are two very simple things that can get SSCAFCA started and keep it out of trouble. Mr. Stoliker stated that they will come and develop the program specific to SSCAFCA's location and needs.

Mr. Deubel stated that he thought that SSCAFCA was going to do an MOU with other entities to help in the cost of this. Mr. Stoliker stated that SSCAFCA has traditionally done the advanced technical planning and the other entities follow up with the day to day operations, such as inspection. Mr. Stoliker stated that EPA is now coming out and visiting construction sites today and they're levying fines. The next step will be to determine which agency is supposed to oversee these people and they will look to SSCAFCA because it has a permit. If SSCAFCA doesn't get someone else to police it, SSCAFCA may be held liable for it. He stated that the Board had previously set aside \$280,000.00 and he is only asking for \$40,000.00 to get out of a potential liability issue.

Mr. Stoliker stated that the list of six items that is the requirement for the storm water plan includes public education and outreach; public participation and involvement; elicit discharge, detection and elimination; construction site storm water runoff control and post construction storm water management; and pollution prevention and good housekeeping. The two task orders cover the construction/post construction and public education/outreach. The elicit discharge detection is taking the mapping and putting all of the structures on that mapping, which staff will need help with also.

A motion was made by Richard Deubel to approve the two task orders from Stantec for NPDES storm water management as presented. It was seconded by Donald Rudy. Roll call vote: Mark Conkling, yes; Richard Deubel, yes; Donald Rudy, yes; John Chaney, abstained. The motion passed.

8. Action/Acceptance of the Visioning Meeting Agenda.

Mr. Stoliker stated that Mr. Easterling can't make it next Tuesday and he was going to be integral to this issue. There was general consensus on the agenda, however the agenda will be approved at the meeting itself.

9. Action/Acceptance of Fencing Contract.

Mr. Stoliker stated that the fencing contract is with Sunny Fence for \$2.90 per foot. This has been bid out and staff received only one bid, this bid. There are three projects that SSCAFCA wants to fence, Northern Meadows Sedimentation Pond, the fencing on the Middle Venada, and some fencing around the Harvey Jones Channel. Five strand barbless is SSCAFCA's standard. Each job will be a separate task order administered and approved by staff to do that specific job. The contract is just to hire them as a contractor at the specified unit price, up to \$30,000.00 annually.

A motion was made by Richard Deubel to approve the Fencing Contract as presented. It was seconded by Mark Conkling and passed unanimously.

10. Action/Acceptance of a Financial Advisor for SSCAFCA.

Mr. Stoliker stated that staff put out proposals for financial advisors. The Budget Committee looked at the criteria and the proposals of the four firms that submitted: Casey Financial Consulting, George K. Baum & Company, Hutchinson, Shockey, Erley & Co., and RBC Dain Rauscher, Inc. A copy of this information is contained in the Board's packer. The Committee selected RBC Dain Rauscher, SSCAFCA's current financial advisor and recommends this firm.

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

A motion was made by Mark Conkling to approve the selection of Dain Rauscher as SSCAFCA's financial advisor, as presented. It was seconded by Donald Rudy and passed unanimously.

11. Discussion/Action to Choose a Date and Type of Election for the Next Bond Election.

Mr. Stoliker stated that this matter was put on the final agenda after staff had the draft agenda go out. The Board can either take action on this now or wait until the next meeting to discuss. The Board agreed to discuss at the next regular meeting.

**FOR BOARD INFORMATION:**

1. March 18, 2003 Task Order from Bohannon-Huston for Identification of Right-of-Way Requirements for Proposed Dam #1 on the Lomitas Negras Arroyo at the Entrance to the Dulcelina Curtis Channel.

Mr. Stoliker stated that this is contained in the Board's packets.

2. April 3, 2003 Task Order from ASCG for Unit 16/Cabazon Development Drainage Review and April 3, 2003 Task Order from ASCG for NM 528 Design-Build Drainage Review #3.

Mr. Stoliker stated that this is contained in the Board's packets.

3. March 27, 2003 Letter to Tony Abbo Regarding NM 528/Library Pond.

Mr. Stoliker stated that this is contained in the Board's packets. He stated that he believes that this issue has been resolved.

4. March 28, 2003 Letter from URS Corporation Regarding Sandoval County Hazard Mitigation Plan.

Mr. Stoliker stated that this is contained in the Board's packets. He stated that URS Corporation is doing a hazard mitigation plan for the county and they wanted to make SSCAFCA aware of that. They want to come back to SSCAFCA's next regular meeting and show a draft copy of it. To meet their timeline, it will be very important to get the draft approved at the next meeting and the final at the meeting after that.

5. March 24, 2003 Letter to Kim Kemper of Huitt-Zollars Regarding Zia Watershed DMP.

Mr. Stoliker stated that this is contained in the Board's packets.

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

6. The March 28, 2003 Letter sent out to 75 Property Owners Notifying them of the Upcoming Ivory Channel Improvements.

Mr. Stoliker stated that this is contained in the Board ' s packets.

7. April 3, 2003 Letter of Thank You sent to Senators and Representatives of This District for Their Assistance in Making Legislative Changes to the Flood Control Act.

Mr. Stoliker stated that this is contained in the Board ' s packets.

8. The Goff Property Closed on April 2, 2003.

Mr. Stoliker stated that this is contained in the Board ' s packets. This property is believed to be the last privately owned piece SSCAFCA needed on the Middle Venada and has now closed.

9. Ivory Channel Improvements, Invitations for Bids.

Mr. Stoliker stated that this is contained in the Board ' s packets. He stated that staff is having a problem with the 404 permit on this project which could affect whether or not SSCAFCA goes forward with it. Based on that getting worked out, a special meeting of the Board of Directors is needed to award contracts on April 29, 2003. The Executive Committee usually opens the bids and awards them. Mr. Metzgar stated that the Executive Committee could do that rather than the Board. He stated that the Board has already indicated that it wants this job done and it does not require a Board meeting. The Executive Committee will consist of Mr. Stoliker, Mr. Rudy (in Mr. Chaney ' s absence) and Mr. Yarbrough.

10. History of SSCAFCA.

Mr. Stoliker stated that this is contained in the Board ' s packets. He stated that some changes were made by Rich Leonard, who was the director of AMAFCA, and those changes were made.

11. March 28, 2003 David Fabrozzi Purchase Agreement.

Mr. Stoliker stated that this is contained in the Board ' s packets. No action was taken by the Board.

12. Bond Counsel Rejection of all Requests for Proposals.



**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2003**

Mr. Stoliker stated that this is contained in the Board ' s packets. He stated that all requests for proposals were rejected. Staff is in the process of advertising again. Mr. Metzgar stated that the reason he suggested that it be rejected is that SSCAFCA only got one response, and it was a question of not contacting others.

13.   Visioning Project Invitation.

Mr. Stoliker stated that this is contained in the Board ' s packets.

14.   April 2, 2003 Letter Sent to Ronald Bohannon Regarding Drainage for the Rio Rancho Wal-Mart Supercenter.

Mr. Stoliker stated that this is contained in the Board ' s packets. This project is small enough that it doesn ' t meet SSCAFCA ' s criteria and the City should do the review on it.

**OTHER BUSINESS.**

None.

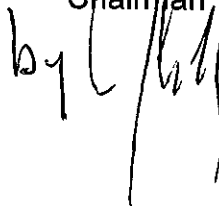
**ADJOURNMENT.**

A motion was made by Mark Conkling and seconded by Donald Rudy to adjourn the meeting. It was carried unanimously. Meeting adjourned at 4:20 p.m.



RICHARD DEUBEL  
Secretary

DUB YARBROUGH  
Chairman



DATE APPROVED:

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