

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF DECEMBER 17, 2004
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 9:15 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, David Stoliker, Executive Director, SSCAFCA staff members 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 Mark Conkling to approve the Final Agenda. 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.

RECOGNITION/ACKNOWLEDGMENT OF THE TREASURER'S REPORT FOR NOVEMBER 30, 2004.

Mr. Conkling indicated that the Treasurer's Report for November 30, 2004 was in the Board members' packets for review, acknowledgment and recognition and that he would be happy to answer any questions on it. There were no questions.

1. **Adoption/Action of Resolution 2004-17 Declaring the Results of the Bond Election.**

Bob Strumor, bond attorney for SSCAFCA, presented Resolution 2004-17 declaring the results of the Bond Election with the attachment of the official results from the County.

A motion was made by Donald Rudy to adopt Resolution 2004-17 as presented. It was seconded by Mark Conkling. Roll call vote: Mark Conkling, yes; Donald Rudy, yes; Dub Yarbrough, yes. The motion carried 3-0.

2. Notice of Bond Sale Resolution 2004-18.

Mr. Strumor presented and explained Resolution 2004-18, Notice of bond sale.

A motion was made by Mark Conkling to adopt Resolution 2004-18 as presented. It was seconded by Donald Rudy. Roll call vote: Mark Conkling, yes; Donald Rudy, yes; Dub Yarbrough, yes. The motion carried 3-0.

3. General Obligation Bonds, Series 2005 Schedule.

Kevin Powers, of RBC Dain Rauscher, SSCAFCA's financial advisor and Perry Baird presented a financing timetable for the sale of \$3,000,000.00 of SSCAFCA's General Obligation Bonds, Series 2005, which included the date of sale of January 25, 2005 and a special board meeting at that time. There was a general discussion of the schedule.

EXECUTIVE DIRECTOR'S REPORT.

Action/Approval of Arroyo Vistas Development Letter Agreement.

Dub Yarbrough announced that he was moving #9 on the Agenda before the Attorney's Report to accommodate the people who were here on that item.

Mr. Stoliker introduce Mr. Robert Lupton, Manager of Vista Arroyo, LLC, John McKenzie of Mark Goodwin and Associates, the developers' engineers and John Kelly of AMAFCA. Each of these parties discussed the development project and the agreements between the developer, the City of Albuquerque and AMAFCA, and what the developer was willing to do to comply with drainage requirements of SSCAFCA as a result of the development.

Mr. Stoliker stated that the general agreement between SSCAFCA and Vista Arroyo is set forth in the letter agreement in the draft letter agreement presented. He stated that there may be some clarification and technical changes but they could be worked out through the Executive Committee.

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

ATTORNEY'S REPORT.

1. Approval Letter from Tax and Revenue Regarding Tierra de Corrales.

Mr. Metzgar advised the Board that the Tax and Revenue Department had approved the Tierra de Corrales appraisal and that the process for Board of Finance approval could go forward.

EXECUTIVE DIRECTOR'S REPORT.

1. Action/Approval of a Joint Powers Agreement for Purchase of Private Property for a Drainage Pond, Unit 17, Rio Rancho Estates.

Mr. Stoliker presented a JPA between the City of Rio Rancho and SSCAFCA wherein an exchange would be made of certain lots between SSCAFCA and a private property owner so that SSCAFCA would have two consolidated lots for a pond site in Unit 17. The pond site would be in accordance with the Unit 17 Drainage Management Plan. Mr. Stoliker stated that the City had an appraisal done on the properties and would provide the additional cash payment of \$9,000.00 to the property owner because of the difference in the size of the lots. The City and SSCAFCA would work together in construction and O & M of the pond. Mr. Stoliker stated that Mr. Metzgar had prepared the JPA in accordance with the agreement of the parties and Mr. Stoliker recommended approval.

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

2. Action/Acceptance of Water Quality Standards.

Mr. Stoliker presented the Water Quality Standards data that was initially developed by Clint Dodge of ASCG under contract with SSCAFCA. These standards are necessary as part of SSCAFCA's NPDES permit requirements. They were reviewed by a Technical Review Committee which consisted of Clint Dodge and representatives of SSCAFCA, the City of Albuquerque, AMAFCA, Rio Rancho, and private engineers and developers.

General discussion followed with Mr. Stoliker answering questions from Board members. Following discussion, a motion was made by Mark Conkling to accept the Water Quality Standards as presented. It was seconded by Donald Rudy and passed unanimously.

3. Action/Discussion of Drainage Alternatives Policy Analysis Addressing Single Lot Development.

Mr. Stoliker presented a discussion document addressing single lot development that impacts downstream watershed infrastructure requirements which leads to additional costs to the public. He stated that he had previously had meetings with other local governmental public entities to discuss various issues as presented in the Board members' packets. Mr. Stoliker requested that a contract be issued to ASCG to perform the alternatives evaluation. The estimated cost for the study would be approximately \$20,000. Mr. Yarbrough moved approval for Mr. Stoliker to pursue contracting with ASCG

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to perform the work up to \$20,000. The motion was seconded by Mark Conkling and passed unanimously.

4. Review/Discussion/Approval of Insurance RFP 2004-04.

Mr. Stoliker presented the RFP documents for selection of an Insurance Agent of record. He stated that the only company which responded was SSCAFCA's present agent, Manuel Lujan Agency.

After discussion, a motion was made by Mark Conkling that the Manuel Lujan Agency be approved as SSCAFCA's insurance agent of record and that the Executive Committee has the authority to prepare the contract and the Chairman sign it after legal review. It was seconded by Dub Yarbrough and passed unanimously.

- 5. Review SSCAFCA Letterhead and Envelopes.
- 6. Update on Unser Dam Site.
- 7. Update on The Orchards.
- 8. Action/Approval of Chamisa Hills Country Club Membership.

Mr. Stoliker then discussed with the Board the new letterhead and envelopes and updated the Board on the Unser Dam Site and The Orchards. There was a discussion of membership at Chamisa Hills Country Club, but it was decided that it probably couldn't be done as a public agency and it was also not necessary.

CONSENT AGENDA.

Action/Acceptance of Minutes of November 9, 2004 Special Meeting and November 19, 2004 Regular Meeting:

A motion was made by Mark Conkling to approve the minutes of the November 9, 2004 Special Meeting and the November 19, 2004 Regular Meeting as presented. It was seconded by Dub Yarbrough and passed unanimously.

BUDGET COMMITTEE REPORT.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTORS COMMENTS.

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None.

PUBLIC FORUM.

None.

FOR BOARD INFORMATION:

Mr. Stoliker stated that the following was for Board information only and/or contained in the Board ' s packets:

1. November 19, 2004 Budget Committee Meeting Minutes.
2. E-mail from Ron Bohannon Regarding Off-site SAS Alignment for The Orchards.
3. November 20, 2004 Article from the Journal Regarding the Vision of Rio Rancho.
4. November 24, 2004 Letter from FEMA Regarding Enchanted Hills LOMR.
5. Draft Resolutions:
 - 2005-01 Notice of Meetings;
 - 2005-02 Designation of Official Newspaper;
 - 2005-03 Check Signing Authorization;
 - 2005-04 Designation of Holidays.
6. Letters from the Village of Corrales Dated December 1, 2004.
7. Infrastructure Plans for Milagro Ridge Were Signed by the Executive Director on November 24, 2004.
8. December 8, 2004 Correspondence with PNM Regarding Underground Utility Crossing at Mariposa.
9. Completed Fencing 1242 Linear feet on the West Side of the Dulcelina Curtis Channel from Rio Vista to Rio Oso.

OTHER BUSINESS.

None.

ADJOURNMENT.

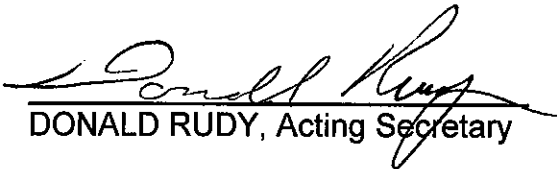
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A motion was made by Mark Conkling and seconded by Dub Yarbrough to adjourn the meeting. It carried unanimously. Meeting adjourned at 11:25 a.m.



DUB YARBROUGH
Chairman



DONALD RUDY, Acting Secretary

DATE APPROVED:

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