

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF APRIL 27, 2007
BOARD OF DIRECTORS SPECIAL MEETING**

CALL TO ORDER.

The special meeting of the SSCAFCA Board of Directors was called to order by John Chaney, Chairman, at 9:00 a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were John Chaney, Mark Conkling, Steve House, Donald Rudy and Dub Yarbrough. David Stoliker, Executive Director, 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 John Chaney.

APPROVAL OF AGENDA.

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

ANNOUNCEMENTS.

An announcement was made by John Chaney that all electronic devices needed to be turned off during the meeting and that the microphones are voice activated.

EXECUTIVE DIRECTOR'S REPORT.

1. **Canvass Bids for Rio Oso Sediment Basin 2007 and Award Contract.**

Mr. Stoliker stated that bids were received on Wednesday, April 24, 2007, on Rio Oso. He stated that staff is asking for approval of the canvassing of the bids and to allow the Chairman to sign a contract with the low bidder. Mr. Clint Dodge, of ASCG, stated that there was a bid delay on this project and it is important from a bidding perspective. There was a bust in one of the quantities and they found it and delayed the bid to correct it. The original budget amount was \$200,000.00 based on the original estimate; the revised estimate was \$285,000.00. Six bids were received; the low bid was Star Paving in the amount of \$198,000.00 without tax, \$212,000.00 with tax. The bids satisfy all of the certifications and there were no errors in the bids. The recommendation is to accept the bid from Star Paving and award the contract at \$212,000.00.

A motion was made by Steve House to award Star Paving the contract as presented. It was seconded by Mark Conkling and passed unanimously.

2. **Action/Acceptance of Task-Orders with ASCG, Inc.**

- a. **Alamos Road Drainage Improvements - \$4,500.00;**
- b. **Sediment Removal 2006 Extension - \$48,040.00;**
- c. **Sediment Removal Phase Two Limited RPR - \$17,630.00;**
- d. **Sediment Removal Phase Three Limited RPR - \$29,155.00;**

- e. Rio Oso Sediment Basin Limited RPR - \$14,430.00;
- f. Lower La Barrancas Drop Structures - \$52,860.00;
- g. Dam No. 1 Limited RPR - \$22,440.00.

Mr. Stoliker stated that these task orders are to catch up with all the sediment removal projects from the storms of last year. The first one, for \$4,500.00 is for the Village of Corrales to get some work done on Alamos Road. This will allow ASCG to design those drop structures and get them change ordered into another project. The second one is for the work that has already been done, and for the modifications into the three phases. It was a rush to try to get this work done and it had to be done immediately. The next three are for construction observation to have a person on-site to make sure the work is being done correctly and that the tests are taken when they need to be done. There must be somebody to interface between the contractor and the engineer. Staff is asking for approval on the Lower La Barrancas task order contingent upon SSCAFCA taking the dirt to the Barrancas.

Mr. Dodge stated that the test results are back from all the different tests that were done for contamination. Almost everything was non-detected in the soil. The rest of the tests showed levels less than what the NMED shows as soil screening levels. The soil screening level does not address fecal coliforms, which was a big issue at the last meeting. The highest test for the Harvey Jones was 800 cfu's per gram. The standard for sludge if it's sold is 1,000 cfu's per gram. In the La Barrancas, the high test was 5,700 cfu's at one site. If some of this fill is put with Waste Management, it's possible it will be taken at no charge.

A motion was made by Donald Rudy to accept the task orders as presented. It was seconded by Steve House and passed unanimously.

3. Action/Acceptance of Intergovernmental Agreement Regarding the Operation and Function of the Ditch and Water Safety Task Force.

Mr. Stoliker stated that this is an intergovernmental agreement among a bunch of entities to fund ditch and water safety. SSCAFCA has always provided some funding. The entities include AMAFCA, Bernalillo County, SSCAFCA and Sandoval County. The amount contributed is either \$5,000.00 or \$10,000.00. The total budget for this is around \$50,000.00. This is to educate children about the problems with playing in ditches and arroyos. They are asking for SSCAFCA to increase its funding to \$10,000.00. The money pays a public relations firm for the educational outreach.

A motion was made by Mark Conkling to accept the agreement as presented. It was seconded by Donald Rudy. The motion passed 4-1.

4. Action/Acceptance of Grant of Easement & Maintenance Agreement for Corrales North Unit 2.

Mr. Stoliker stated that this easement is with the City of Rio Rancho for the Barrancas Arroyo so that in the future if SSCAFCA wants to place material there it will have control over it.

A motion was made by Steve House to accept the grant of easement as presented. It was seconded by Mark Conkling and passed unanimously.

5. Action/Acceptance of Task-Order with Bohannon Huston for Montoyas Sportsplex Dam additional services request in the amount of \$51,300.00.

BOARD OF DIRECTORS SPECIAL MEETING

APRIL 27, 2007

Mr. Howard Stone, of Bohannon Huston, stated that there are two items with regard to this request. The first, which has already been done, was to do a secondary cultural survey on the ground prior to the contractor starting. The second is because the OSE wants them to do a combined plat for all of the properties. Right now, they are in different pieces overlaying on the Montoyas site.

A motion was made by Steve House to accept the task order as presented. It was seconded by Donald Rudy and passed unanimously.

6. Action/Acceptance of High Range II Drainage Plan.

Mr. Stoliker stated that High Range II is adjacent to High Range I. It has all of the drainage that was included in High Range I. The pond was placed with High Range I. This flows through street flows into the pond. Staff is asking for approval of the plan to allow the development to go forward. Mr. Stoliker stated that Phase I was one of the first ones that came in and SCAFCA was fighting to get the LEE line established at the time and staff didn't even think about getting an easement. Phase II does not have any similar issues as Phase I.

A motion was made by Donald Rudy to accept the High Range II Drainage Plan as presented. It was seconded by Steve House and passed unanimously.

7. Action/Acceptance of Preliminary Budget.

Mr. Perry Baird stated that the budget goes to the State on June 1, 2007. This will require several resolutions in July. The proposed budget has no change in the tax rates. The big assumption in this budget is the estimated increase in the tax base. He used 8%, which is the same growth rate that the financial advisor is using for bonding purposes. SCAFCA has experienced a 17% growth rate in actual revenues over the last year. The Budget Committee and the Personnel Committee have reviewed the budget. The budget includes two new positions, two full time staff, plus one intern. It includes insurance benefits at the same ratio as the City of Albuquerque - 83% to 17%. It also includes salary adjustments for most positions.

Mr. Baird stated that the compounding rate of 17% is pretty significant with regard to bonding capacity. A 17% growth rate may mean that SCAFCA can go for bonds again prior to 2012.

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

PUBLIC FORUM.

Mr. Chaney stated that SCAFCA has an easement on the arroyo at the Presbyterian Hospital site which totals many acres. That is significantly different than if SCAFCA did not. The developers want SCAFCA to remove the easement and move the arroyo, which would accommodate both the hospital and the commercial development. This gives SCAFCA considerable leverage to influence how the arroyo movement is accomplished and in what form SCAFCA would like to see it. This might be the ideal opportunity to see a naturalistic arroyo park in the middle of commercial downtown development.

BOARD OF DIRECTORS SPECIAL MEETING

APRIL 27, 2007

Mr. Rudy stated that he does not want SSCAFCA to give up any kind of control over a facility or project without knowing what might transpire. Mr. Conkling stated that it appears that the developers believe that with the help of the City and removing the berm and changing the arroyo that the dam will be complete and all of its structures will be complete. He would rather trade the easement for some help with one of SSCAFCA's dams.

Mr. Dodge stated that there is an entire spectrum from doing nothing to hard lining it or putting in box culverts. He has not looked at the dollar amounts, but to stabilize an arroyo like this with such a steep slope is expensive. Mr. Yarbrough stated that the arroyo could be moved over and the LEE line would not necessarily have to be as wide as it is, especially if it is stabilized. He would like to see a natural conveyance and the trees and shrubs can be put in the LEE line opposite the roadway. Mr. Rudy stated that the issue here is not the hospital, but rather the shopping center. He does not believe that SSCAFCA should give up its entire approach from the past.

Mr. Conkling stated that it would be in SSCAFCA's best interest to separate the hospital from the commercial property. It is clear that the hospital is pushing against SSCAFCA, with the commercial property coming in with it. If SSCAFCA works with getting the hospital built, then the developer will need to work with SSCAFCA on getting the commercial property built. Mr. Yarbrough stated that based on the footprint, the hospital can go in without moving the arroyo.

Mr. Metzgar stated that he believes it would be a good idea to separate the hospital and the commercial property, but he also believes that it will be extremely difficult. He stated that the developers have most likely convinced the City that it must all go in as one.

Mr. Yarbrough stated that there is about four acres owned by Mr. Springer in the middle of the projected 19th Street Dam. He thinks that SSCAFCA should tell the developer that, along with construction of the dam, that the developer pays SSCAFCA the appraised value once the price is negotiated with Mr. Springer. If SSCAFCA has to pay any more than that, it will pay it; but the developer should reimburse SSCAFCA for the appraised value of the four acres. Mr. Dodge stated that without the Springer property, the dam is about 40 acre feet, which is about half as big as it would need to be once everything is built out.

Mr. Metzgar stated that George Perez, the Village attorney, has not had a reply to his letter with regard to the Santiago issue. He can't call the developer directly because he has an attorney, but there would be no problem with the Executive Committee contacting him. He stated that it is not the attorney stonewalling; rather it is the developer who is not responding to his attorney. Mr. Chaney stated that he would like this issue on the agenda at the next meeting. Mr. Metzgar stated that the developer has said that his engineer had no authority to commit to the building of the pond; however, the minutes show that the developer was in the audience when the engineer committed the developer to building the pond and he didn't speak up at the time.

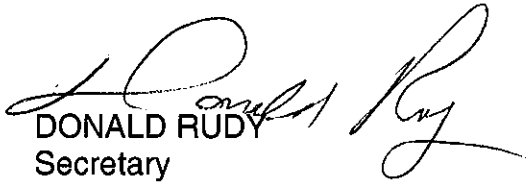
Mr. House stated that he would like to have a Personnel Committee meeting to talk about staffing issues.

ADJOURNMENT.

BOARD OF DIRECTORS SPECIAL MEETING

APRIL 27, 2007

A motion was made by Donald Rudy and seconded by Mark Conkling to adjourn the meeting. It was carried unanimously. Meeting adjourned at 10:10 a.m.


DONALD RUDY
Secretary


JOHN CHANEY
Chairman

DATE APPROVED:

C:\Documents and Settings\Authorized User\My Documents\Board Meeting Minutes\Minutes.4.27.07.doc