

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF FEBRUARY 15, 2008
BOARD OF DIRECTORS REGULAR MEETING**

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Acting Chairman, at 9:00a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were 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 Dub Yarbrough.

APPROVAL OF AGENDA.

A motion was made by Steve House to remove Item 6 from the Agenda. It was seconded by Donald Rudy and passed unanimously. Item 6 was removed.

ANNOUNCEMENTS.

Announcements were made by Dub Yarbrough that all electronic devices needed to be turned off during the meeting.

ELECTION OF OFFICERS.

1. Presentation/Action on Guadalajara Drainage Project and Potential Engineering Need to Purchase Additional Right-of-Way for Ponding.

Mr. Stoliker stated that SSCAFCA hired Clint Dodge to do the work for SSCAFCA, and he in turn subcontracted with Wilson & Company to assist with the Guadalajara drainage project. W & C was selected by Mr. Dodge because they information in that area that saved money and time on the project.

Mr. Clint Dodge, of ASCG, presented a map to the Board showing the project. The green on the map is the ultimate system and would take phases to get the money to complete the whole project. The blue on the map is Phase I, which costs \$1.5 million and will take care of the major problem at Chihuahua and protect everybody downstream. They chose this part of the project because of meetings with the Neighborhood Association and because this is the greatest problem area. There is a 24" pipe that drains Kim Road and discharges onto Chihuahua and this is one of the major problems. The pipe crosses and dumps right onto the road. They recommended getting a system to pick up that existing pipe because that appeared to be causing significant problems in the neighborhood. These reports are all based on the roads being paved in the future. Mr. Stoliker stated that at some future point, SSCAFCA has to go from 528 all the way down the Barrancas to

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the river. What is designed for Phase I is in line with what is already there. The downstream ponds are on City property. The intent with this project is to start at Monterey and build a pond on the west side of Monterey and not build between Monterey and 528. In order to complete the project, SSCAFCA would need an additional three lots adjacent to Sonora.

Eddie Paulsgrove, a member of the Chamisa Estates Homeowners' Association and Unit 17 resident, stated that he has some issues with this project. One of the quotes is that it will cost \$1.5 million to do a portion of the project only. His understanding is that the pond is bigger than what was initially planned in the 30% design. You can tell by looking at the photo that the number of homes that will be protected in Phase I will be about 12 homes. There is another alternative. The City has identified in its infrastructure capital improvement plan the Alberta Watershed. This watershed, according to the City's plan submitted October 27, 2007, would complete priority one of the Unit 17 master plan. The cost was estimated by the City to be \$665,163. He spoke with the City Engineer and this price is an under-estimate and it is probably closer to \$1 million. The number of homes protected in the Alberta Watershed, for a little more than half of SSCAFCA's estimate, would be somewhere in the neighborhood of eight times as many homes. His home is located in the Alberta Watershed, but his house does not flood. He asked what kind of benefit SSCAFCA's project would served as opposed to the City's project.

Mr. Paulsgrove stated that if he was looking at the property where they are proposing to extend the pond, it would be extremely costly to develop. In his government job, one of the things that they are always cautioned against is involving themselves in a conflict of interest. You also don't want to give the appearance of a conflict of interest. In the Guadalajara Project, one lot that would be acquired belongs to Mr. Chapman. In the Capital Improvement Plan, there is no requirement for land purchases. Phase I does not make any sense, when compared to the Alberta Watershed project. He encouraged SSCAFCA to consider the City's Alberta Watershed project before its own based on cost.

Mr. House asked if SSCAFCA staff had evaluated the Alberta Watershed benefit concept relative to Guadalajara. Mr. Stoliker stated that they had performed a brief investigation by contacting the City about which project should be the next priority and the City indicated that they were going to handle Alberta and SSCAFCA should focus its efforts on the Guadalajara area. Everybody was going to do certain parts of it, and this was one that the City gave to SSCAFCA. They talked to the SAD engineers and this was a project everybody wanted SSCAFCA to do. The Neighborhood Association got money from the legislature for this project. This is where they wanted to have the money spent.

Mr. Aguirre stated that at the last meeting, the Board wanted him to look at the systems that are in the SAD but recommend some systems that would be good projects for SSCAFCA to work on. They looked at regional projects – the intent being that they would help the SAD, and not eliminate the SAD. This is one of the major regional systems that needed improvements.

Scott Sensanbaugher, Acting City Engineer, stated that the City is completely supportive of doing this Guadalajara project now with this money. The Alberta project is also important to the City. However, right now, they are finishing up acquisition of the last property for the project. If the SAD proceeds, the Alberta Phase II project will proceed.

Mr. Don Chapman, president of Chamisa Estates Neighborhood Association, stated that the Guadalajara Project was chosen by the Association for a lot of reasons. When the streets flooded, the City spent \$2 million to fix the problems. They chose this area because there were people in the area who were effectively stranded when the flooding occurred and emergency services could not get to them.

A motion was made by Steve House to allow David Stoliker and staff to do what they need to do to start work on the Guadalajara Project. It was seconded by Donald Rudy.

Mr. Aguirre stated that the property that they are proposing to use for the entire system are three lots adjacent to Sonora and two lots adjacent to Acapulco just below Guadalajara. All of these lots are adjacent to the arroyo or in it. One lot up on Carson and two lots close to the top, are needed to cut off the flow in order to reduce the storm drain size. They propose starting acquisition on all of these and get the three lots for Phase I now, and hopefully not allow the building of any houses on the other properties. Mr. Yarbrough stated that the City can possibly put a moratorium on the identified lots. Mr. Sensenbaugher, of the City, stated that they will flag the lots in their system so that no building permits will be allowed.

The motion passed unanimously.

2. Action/Acceptance of Task-Order with Huitt-Zollars for \$30,000 to Evaluate and Engineer Solutions to Correct Drainage Problems on Lands Owned by SSCAFCA in Corrales.

Mr. Stoliker stated that a few years before he got here, SSCAFCA's maintenance crew put in some temporary ponds and changed the contour of this area, which has caused drainage problems ever since. First, this is excess property and SSCAFCA doesn't need it now, but SSCAFCA needs to fix the drainage problem in the area. The intent is to fix the problems on the property and then sell it.

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

3. Action/Acceptance of Task-Order with Huitt-Zollars in the Amount of \$47,849.34 for a Drainage Facility Plan in Unit 13 in the Montoyas Arroyo.

Mr. Stoliker stated that there are a series of developers coming into this area and the plans are such that no one entity can solve the overall problem. SSCAFCA needs to solve it. Staff would like all of these individual drainage plans and others from other developers to be put together and brought to SSCAFCA and the City. A Development Implementation Plan which identifies which piece each individual developer has to build can then be prepared.

Mr. Jarrett Likar, of Huitt-Zollars, stated that there is a lot of activity in this area with developers, as well as the expansion of Northern Boulevard through the City of Rio Rancho. This area is basically a sub-basin of the Montoyas Watershed Management Plan and they would expand on this to the next step of making a facilities plan for this watershed. There are already about 750 lots that could go in this area, as well as existing platted half acre lots. They would like to identify what each developer would need to put in.

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

4. Action/Acceptance of Federal Fiscal Year 2009 Appropriations Request for \$1.5 Million for Drainage in Unit 17.

Mr. Stoliker stated that Representative Udall has agreed to put in for a \$1.5 million appropriations request for flooding in Unit 17. There is a deadline for getting this on the list so he checked with Director Yarbrough and with Vice Chairman Conkling and both agreed to let the request be submitted, recognizing that an appropriation could have up to a 35% match if it gets through. It would come back to SSCAFCA as an agreement, which SSCAFCA would have to budget for it and agree to at that time. The match would have to be made either later this fall or next year. Mr. Metzgar stated that there is no necessity for a motion on this since the Chairman approved it and it has gone forward. This is for information only.

5. Discussion of Sportsplex Dam Dedication Ceremony and Press Release.

Mr. Stoliker stated that SSCAFCA is going to try to have the dam dedication on March 21, 2008. Laura Davis stated that there is a package in the Board's packets with the invitation and a list of the items she has been working on for the dam dedication.

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

West Branch of Black Arroyo.

Mr. Stoliker stated that SSCAFCA has hired Huitt-Zollars to look at the environmental mitigation area of the West Branch of the Black Arroyo Watershed. The yellow on the map was what SSCAFCA was going to get from Cabezon South, but SSCAFCA was going to purchase some other property in the area for environmental mitigation in the future, and also because it's needed to preserve the arroyo and it provides flood control. He approached the Executive Committee to allow SSCAFCA to purchase two lots on which a house was going to be built and they agreed. Additionally, it is our intent to request a moratorium on this property once an agreement with Game and Fish can be negotiated and brought back to the Board. The initial meeting with Game and Fish is set for later this month.

Mr. Kemper, of Huitt-Zollars, stated that the yellow area has already been obtained; the blue on the bottom is the 19th Avenue Dam. The red is a boundary that was drawn primarily with some logic behind it taking into consideration the LEE effects and what the Board has been told relative to suitability for habitat. The big objective is to try to set this property aside and not get homes built out there. SSCAFCA needs to work with the City to identify the boundary to flag it as it comes up. Over time, SSCAFCA would like to purchase all of this property to use when other issues requiring mitigation come up. SSCAFCA would have an area set aside so that could be for mitigation purposes. It's almost like a land bank. General consensus was to proceed with this project and bring it back to the Board when the specifics are worked out.

7. Presentation of Contract Required SSCAFCA Business Plan.

Mr. Stoliker stated that he has prepared a draft of his Business Plan which he calls an "Authority Development Plan." This is not complete. It will have budget information, future bond information and other details, which will be included when SSCAFCA goes through the budget process and when it goes through the capital improvement program process. SSCAFCA will be putting all these plans and thoughts into dollars and cents, on a schedule and roll that out. That will be this summer or the end of the year before it is completed. Mr. House stated that this is a really good rough draft. When it is complete, it will be a great business plan for SSCAFCA.

Mr. Stoliker stated that he is concerned that the development community does not take this as certain that SSCAFCA will be building this stuff. This is not in concrete until the Board has budgeted for it and the engineers have designed it. He went over the plan in some detail with regard to plans and projects contained in it as well as future projects.

Mr. Stoliker stated that in the Village there are some issues and they tie in well with the Montoyas. First, there is a potential lawsuit between residents of the Village and the City with respect to Industrial Park. The City is looking at this right now and has recommended a SAD on the Industrial Park. A second issue between the Sportsplex Dam and the river is some channelization problems because of the natural arroyo. There is also a water quality feature that needs to be put in at the entrance of the Harvey Jones Channel and something needs to be done on the bridge itself.

Mr. Stoliker continued going through the plan with regard to sediment, watersheds, and different projects that still need to be done. It's important to have the plans in place in order to provide the information to developers, etc. He wants to stress that SSCAFCA is a service organization. He currently signs all plans and everything that gets approved. With the implementation of this plan, which will go into effect on July 1, 2008, he will delegate these duties to technical services. This report completes the contractual requirements stipulated in Mr. Stoliker's current contract.

ACTION/APPROVAL OF THE MINUTES OF JANUARY 18, 2008.

A motion was made by Donald Rudy to approve the minutes of January 18, 2008 as presented. It was seconded by Steve House and passed unanimously.

RECOGNITION/ACKNOWLEDGMENT OF THE TREASURER'S REPORT FOR JANUARY 31, 2008.

Mr. Rudy stated that the Treasurer's Report is available for review by the Board. There were no questions on the report and it was acknowledged by the Board.

Mr. Perry Baird introduced Deborah Casaus, SSCAFCA's new accountant, to the Board.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

Discussion of Leadership Initiative by Rio Rancho, Sandoval County, SSCAFCA and New Mexico State Legislators Including State Representative Tom Swisstack

Mr. Stoliker stated that there was a meeting held in the Legislature with regard to an issue on leadership issues to help the City and the County form a team that will look at infrastructure needs. At the meeting, the County expressed a need for a desalinization plant and SSCAFCA showed a need for projects to control flooding problems. At the meeting, Mr. Swisstack stated that the idea is to form a leadership team with the City as its head and SSCAFCA assisting with forming the leadership group. Mr. Swisstack recommended that SSCAFCA take the lead with regard to flooding issues in Unit 17.

Mr. House stated that he thought it was important to bring this to the Board to bring the Board up to speed with regard to what is out there with other government groups.

Mr. Rudy stated that SSCAFCA's lobbyist has been very active with regard to speaking with the legislators and has at least verbal response from several legislators that they are trying to grant monies as they did last year. However, it may not happen.

ATTORNEY'S REPORT.

None.

PUBLIC FORUM.

None.

FOR YOUR INFORMATION.

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

1. The following infrastructure plans were signed by the Executive Director:
 - a. Cielo Norte Phase IV, the Executive Director signed the mylars on January 17, 2008.The following plat was signed by the Chairman:
 - a. Parcels A, I-1, & I-2, Lomas Encantadas were signed by the Chairman on January 17, 2008.
2. Mrs. Deborah Casaus started on Monday, February 4, 2008 as SSCAFCA's new full time Accountant.
3. January 24, 2008 Executive Committee Meeting Minutes.
4. January 29, 2008 Executive Committee Meeting Minutes.
5. February 5, 2008 Executive Committee Meeting Minutes.

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- 6. The task-order with Bohannon-Huston for \$27,900 for a FEMA Letter of Map Revision for the Sportsplex Dam was signed on February 5, 2008.
- 7. An IFB for General Maintenance Services is in the process of being advertised.

OTHER BUSINESS.

The next Board meeting is March 21, 2008 at 9:00 a.m.

Following the meeting will be the Sportsplex Dam Site Dedication near the west parking lot off High Resort Boulevard.

ADJOURNMENT.

A motion was made by Steve House and seconded by Donald Rudy to adjourn the meeting. It was carried unanimously. Meeting adjourned at 11:10 a.m.

Wm C Yarbrough
Dub Yarbrough
DUB YARBROUGH
ACTING CHAIRMAN

Donald Rudy
DONALD RUDY
Secretary

DATE APPROVED: *3/21/08*