

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)  
MINUTES OF JUNE 20, 2008  
BOARD OF DIRECTORS REGULAR MEETING**

**CALL TO ORDER.**

The regular 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, Steve House, Donald Rudy and Dub Yarbrough. Mark Conkling was noted as absent. 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 Donald Rudy to approve the Agenda with items #1 and 2 removed from the Executive Director's Report. It was seconded by Dub Yarbrough and passed unanimously.

Donald Rudy arrived.

**ANNOUNCEMENTS.**

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

**EXECUTIVE DIRECTOR'S REPORT.**

- ~~1. Action/Acceptance of selection of projects for the 2008 Bond Election.~~
- ~~2. Action/Acceptance of Bond Resolution 2008-7.~~
3. Action/Acceptance of Drainage Policy.

Mr. Fred Aguirre, consultant, stated that on October 7, 2007, they brought to the Board the policy, which then went back to the Executive Committee for comments. On April 4, 2008, there was a special board meeting where the policy was reviewed and they were authorized to do advertising. On May 7, 2008, it was advertised in the Albuquerque Journal and the internet. It was also mailed to individuals, agencies, developers, engineering firms and it was also available at the front desk and on SSCAFCA's website for review. They didn't get any comments from the community or firms or the agencies.

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

4. Action/Acceptance of Building Expansion Play Layout.
5. Action/Acceptance of Office Building Site Work.

Mr. Stoliker stated that staff is requesting approval of the site layout, including the parking lot and perimeter wall, and approval of the building expansion plan layout.

Kim Kemper, HDR, stated that they are ready to move forward with the site work at this time. They are going to add another parking lot following the exact same pattern. They are going to finish the perimeter wall and fill in the gaps that exist and put in a wall to shield SCAFCFA from the residential zoning behind them. In the back there will be a retaining wall. The other thing they are going to do is change the entrance into the facility since it has been a problem. The total budget for the project is \$250,000.00. Right now, construction cost estimate is a little lower than that. They are looking for approval today to go forward with this project.

A motion was made by Steve House to approve the parking lot expansion layout concept with a budget of \$250,000 and authorization to proceed to advertisement. It was seconded by Donald Rudy and passed unanimously.

Mr. Beierle presented an aerial photograph of the property which shows the existing building. The scope has increased a little where there are additional offices added. The idea with the floor plan was to remain consistent with the architectural style of the existing building. Also to respect the site in its form, as it is very healthy and lush and as energy efficient as possible. They set out to have a goal of net zero energy use for the addition. The basic functional arrangement is to provide a new wing of offices for the engineering staff, a secondary wing for the new field engineer staff, an immense amount of file storage, new production space, and a private board room. They also provided new rear entry for the staff. There will be locker space for all the staff. There will be minimal disturbance to the existing building during construction. With regard to layout, they paid attention to solar design strategies, however, in an office environment, passive solar becomes harder to accomplish. They have endeavored to break down the energy consuming aspects of a building into key pieces.

Mr. Beierle stated that first, they have a building envelope that contains the energy to focus it on the space and along with mechanical systems which actually condition the space. They have the interior energy using "stuff" that uses the energy inside the building. If energy usage can be reduced from the perspective of the building's efficiency, then they have already hit a big part of the net zero goals. To accomplish that, they looked at insulation systems, as well as efficiency in terms of construction costs. At this point, they believe the new addition will use 30% of the energy usage of the existing building.

Mr. Beierle stated that he was asked to prepare a life cycle cost assessment to validate and rationalize the decisions. He passed out a summary page of assessment. This is just the portion related to mechanical systems and photovoltaics. Functionally, they allowed for some addition in the future for training, but for the time being they considered the board room as a relatively low occupancy, in the grand scheme of things, so that it can be used for training. They are maintaining their commitment to water harvesting and water conservation. He stated that they have incorporated a lot of passive solar concepts into the building. They anticipate harvesting every drop of water from the site.

Mr. Beierle stated that after honing in on the actual building construction ideas, they started looking at the mechanical systems that are available to them. The RTU is a conventional rooftop unit based on what is on the building right now. It has low initial cost and uses electricity to cool and gas to heat. It has a relatively short life span in the grand scheme of equipment of 10-15 years. The next system is a variable air volume (VAV) system which has a central heating and cooling plant that generates hot and cold water which is then distributed to all the offices. The advantage to this system is that it allows for huge individualization of space. The disadvantage is that it has a very high initial cost, it uses a fair amount of electricity and gas, but it has a longer life span and relatively moderate maintenance in terms of filters, etc. The next system is a ground source heat pump. This has an extremely high initial cost, but it has no gas use. It is all electric system and uses the earth as a heat storage capacitor. It has a very long life span because it has few moving parts. As a result of this, maintenance is very low. In their analysis, this did not perform well enough to be considered. The next system is called variable refrigerant volume. Basically, it is like a rooftop unit, but instead of the thing kicking on to make cold or heat, it slowly amps up and amps down and uses a varying volume of coolant to generate hot and cold. It is extremely efficient, it has no gas use and uses moderate electricity. It has a decent life span.

Mr. Beierle stated that the "ludicrous" systems, simply because there is unfamiliarity with them, are radiant systems. These would be systems that are not radiant floors, etc, they are low mass radiant systems, essentially a metal radiant panel in the offices that would circulate hot or cold fluid. The effect is immediate and is not unlike the old fashioned radiators. It has a high initial cost, very low electricity and moderate gas. It is, however, very efficient. Holding onto that idea, they tried this idea coupled with solar panels to make hot and cold fluid. This drives the initial cost much higher, but drastically reduces electricity and gas usage.

Mr. Beierle stated that the key to any life cycle cost assessment related to energy is getting a grasp of energy costs over time. Unfortunately, that cannot be pinned down. He spent almost an entire day on the phone with various people at Public Service and gas is at a 6% increase per month which equates to 100% increase annually. For the purposes of assessing these systems, he assumed 20% increase annually for gas and 6% annually for electricity. The current costs for gas and electricity does not include the fluctuations for usage. Assuming that the RTU system is the standard solution, with an initial approximate cost of \$32,000.00, its projected electric and gas usage is standard. The VAV system's ballpark cost estimate would be about \$100,000.00. Payback on this system is 22 years. The ground source heat pump is a 20 year pay back; with 13 years on the variable refrigerant volume system. The radiant system is off the charts which default at 30 years. If it is coupled with solar, it comes in at 18 years. Just looking at this evaluation, the knee-jerk reaction is to go with the VAV system.

Mr. Beierle stated that a photovoltaic operation would be solar panels that create electricity to offset the electric usage of the building. He broke the building into two parts – existing and the new addition. The existing building is still using a lot of energy. They would need about a 20 kilowatt array to offset the electrical usage of the current building. Being a governmental agency, SSCAFCA does not qualify for any of the tax credits. If conventional RTUs are used on the addition, and if SSCAFCA offsets the energy usage expected from the use of building, as well as the mechanical systems, you'd be looking at a 6 ½ kilowatt array, or a 16 year pay back.

Mr. Beierle stated that, with the building that has been designed, he is recommending that SSCAFCA go with a varying volume system on the cooling, with a PV array in the area of 10 kilowatts or less. He does not recommend putting on a kilowatt array over 10 kilowatts because the cost benefit is not there. The system they would do would look really nice. They would also have a lot of roof space to put it on or place them on covered car parking. Based on the building design, they are looking at just over \$1 million construction budget, which is just less than \$250.00 per square foot. Depending on the mechanical systems that are decided on, that amount may change.

Mr. Beierle stated that the one thing that also plays into the issues of construction is that typical commercial construction is metal stud framing. Steel is going through the roof right now, so they are actually contemplating a wood stud framing. Mr. Stoliker stated that staff needs to make sure that the Board is okay with the plan and the second is that staff wants to pursue photovoltaics and the covered parking. The budget for the building was already established at \$1.6 million. Parking is included in the cost.

Mr. Rudy asked if there was any cost benefit to retrofitting the old building. Mr. Beierle stated that the only thing they looked at in terms of building retrofit was mechanical systems, and that was the combination of the ground source heat pump system. Going through and adding additional insulation to the existing building is a possibility. They did identify better lighting controls because even with the daylight in the building, a lot of lights are being left on.

Mr. Chaney stated that he thought the Board should approve the concept, but leave it open for the Board to discuss whether it wants to expend this amount of resources on expansion of a building or whether it would be better spent for flood control projects. He suggested having this discussion at its next meeting.

Mr. Stoliker stated that development does 2/3 to 80% of all drainage improvements, and SSCAFCA needs to have engineers housed at SSCAFCA to regulate the development. He stated that SSCAFCA needs to be able to hire the best and brightest to make sure that everything is done right. He stated that SSCAFCA is better served to have itself set to move forward with a strong foundation into the future than to be dysfunctional by having offsite offices or pulling in a trailer to house staff.

A motion was made by Donald Rudy to approve the building expansion plan layout concept with the inclusion of the 10 KV array over covered parking and the recommended, upgraded HVAC system and to proceed with the final design. It was seconded by Steve House and passed unanimously.

6. Presentation on Erosion Control & Water Harvesting Workshop.

Laura Davis stated that she and Jim Service participated in this workshop and she stated that it was a wonderful outreach program and was very well organized.

Jim Service thanked the Board for its support with regard to the workshop. The site chosen is directly across from the Enchanted Hills Elementary School, which is off of Obregon Road. There were probably 60 to 70 people there. Jim Brooks gave an excellent commentary about how to keep

drainage on the public's own property. SSCAFCA had authorized \$15,000.00 and the contract has not been signed yet, but he knows that the contract is not to exceed that amount.

**7. Discussion of Status Report Summarizing Sediment Removal from 2006 Flood.**

Mr. Stoliker stated that staff has completed all the FEMA reports. The reports were delivered last week and a copy of the financial summary is contained in the Board packet. The last report was hand delivered to FEMA on the 13th. SSCAFCA has outstanding the amount of \$1,657,414.00 that we are requesting be reimbursed. SSCAFCA spent a total of \$2.5 million on the flood damage.

Mr. Perry Baird stated that staff thinks that the detailed report that went to FEMA helped speed the reimbursement process.

Mr. Clint Dodge, of WHPacific, stated that the money was spent in a crisis, unexpected mode. A couple of things that came out of this are that the facilities worked very well with a couple of exceptions. A small exception was at Sprint Pond, the low flow channel and energy dissipater failed. The other thing that didn't work too well was the flow under the Corrales Bridge. This is in the budget to go in and do something about that. One of the things that they ran into in the design and implementation was a lot of delays due to different permitting and access easements. There were 11 different sites, and seven different construction documents. This made it more complex than where they started from.

**8. Action/Acceptance of Selection of Legal Services/General Counsel.**

Mr. Stoliker stated that staff is recommending selection of Crowley & Gribble, which is Bernie Metzgar's firm. There were three firms that submitted and were reviewed by himself, Perry Baird and Bob Fogelsong. Mr. Stoliker stated that staff is very happy with Crowley & Gribble's services. Crowley & Gribble was in the middle of the three submissions in terms of costs, but since this was an RFP, selection was qualifications based and not just cost.

A motion was made by Steve House to accept the general counsel legal services selection of Crowley & Gribble, P.C. It was seconded by Donald Rudy and passed unanimously.

**9. Action/Acceptance of Selection of Auditor.**

Mr. Perry Baird stated that SSCAFCA would have simply renewed the contract with the firm that it has had the last two years, Chester Mattocks, but the scope changed because SSCAFCA is now receiving federal funds. There is a "federal single audit" that is required of SSCAFCA now and staff thought it would change the dollar amount significantly, so an RFP was published a year earlier than otherwise would have been done. SSCAFCA received proposals from three firms, including the Mattocks firm that has been used the last two years. It turns out the additional funds were not nearly the increase that staff expected and staff is happy to recommend the Mattocks firm.

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

10. Action/Acceptance of Sunset Pond & Aldaba Storm Drain Change Order No. 2 with an Additional Amount of \$17,009.11 without NMGRT.

Mr. Clint Dodge, of WHPacific, stated that this is a project that has just started construction. The primary work in this change order is a cutoff wall for the emergency spillway at the Northern Meadows Pond. The storm events undercut it some and it was added to the design to protect that spillway.

A motion was made by Donald Rudy to accept change order No. 2 as presented. It was seconded by Steve House and passed unanimously.

11. Action/Acceptance of Contract Increase to ASCG on the Guadalajara Project for the USACE Permit.

Mr. Clint Dodge, of WHPacific, stated that this is an increase to the Unit 17 task order. The primary project in there currently is the Guadalajara storm drain. There are four components to this task order. The Guadalajara Project started the design with a medium sized pond at Sonora and a storm drain to bring that water down based on the Watershed Management Plan and the SAD that Wilson had done. Originally, they subcontracted that work to Wilson because they had a heads up on what had to be done. In the process, the Corps determined that it was a 404 Permit required site and they stopped work until it could be resolved. This will take about six months to get the permit. The proposal that they did was to delete the pond and extend the storm drain into the existing City excavation and avoid the Corps' ordinary high water mark area.

Mr. Dodge stated that the first item is to change that design. They currently have the final designs and specs in for review. The next item is work that was done under the original task order where they had six original projects. The third item is the 404 permit from the Corps. The last is to actually bid and award the Phase IA work once it is approved. The total cost for the increase in the contract price, with tax, is \$58,781.00.

A motion was made by Donald Rudy to accept the contract increase to ASCG as presented. It was seconded by Dub Yarbrough and passed unanimously.

12. Clarification of Title for La Bona Tierra Lots 6-A1 and 6-AT.

Mr. Stoliker stated that SSCAFCA bought this property about ten years ago and, somehow, SSCAFCA wanted to buy the little one and got the big one deeded instead from the title company. It is a switch of one number from "6-A1" to "6-AT." SSCAFCA has title insurance and the title company realized it was their error and they will pay all costs to have the corrections made. Mr. Metzgar stated that the agreement that SSCAFCA signed had the correct lot, but when it was sent to the title company for closing, the title company changed the lot number. He anticipates that the correction will just be a corrected warranty deed.

13. Discussion of Infrastructure Finance Planning with other Overlapping Government Jurisdictions.

Mr. Stoliker stated that this matter will go to the Special Board Meeting on June 27, 2008.

14. Discussion of June 27, 2008 Special Board Meeting at 10:00 a.m.

**ACTION/APPROVAL OF THE MINUTES OF:**

- 1. APRIL 18, 2008**
- 2. MAY 2, 2008**
- 3. MAY 16, 2008.**

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

A motion was made by Donald Rudy to approve the minutes of the meetings of May 2, 2008 and May 16, 2008 as presented. It was seconded by Steve House and passed unanimously.

**TREASURER'S REPORT.**

1. Recognition/ Acknowledgment of the Treasurer's Report for May 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. Rudy stated that there is a complete consensus on next year's budget in the Budget Committee.

Ms. Deborah Casaus stated that property taxes are pretty much where SSCAFCA thought they would be. SSCAFCA is at 31% total increase over last year; 19% higher in its operating property tax, and about 44.3% in debt service. SSCAFCA should receive its last check in the next couple of days and this will close out the year. SSCAFCA has seen a slight dip in the interest being earned by the state treasurer funds, however, SSCAFCA still continues to receive above what U.S. Treasury bills are paying. She stated that general fund expenditures to date are about 60% of the total budget. Also, staff is monitoring the building permits issued by the City of Rio Rancho for this year and will continue to do that. They were also asked to look at permits in the Town of Bernalillo and the Village of Corrales and will report that as well.

**CHAIRMAN'S REPORT.**

Mr. Chaney commended staff with their diligent work in trying to get SSCAFCA's money back from FEMA.

**BOARD OF DIRECTOR'S COMMENTS.**

None.

**ATTORNEY'S REPORT.**

Mr. Metzgar stated that he completed the license agreement with Mr. and Mrs. Clanon and he understands they have signed it. They had asked, but he did not agree, to extend the license automatically each year. They must come to the Board and get the license extended each year.

**PUBLIC FORUM.**

Mr. Ron Meyer stated that nothing has happened with regard to the flooding problems created by the rains of 2006 in Unit 17. He urged the Board to reconsider rescheduling the fix from 2011 to the present.

**FOR YOUR INFORMATION.**

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

1. May 25, 2008 Newspaper Article, "High Waters."
2. June 6, 2008 Correspondence from Department of Finance Granting Interim Approval of Proposed operating budget for the 2008-2009 fiscal year.
3. June 7, 2008 newspaper article, "Workshop on Erosion Set for Today."
4. June 8, 2008 newspaper article, "Residents Promoting Self-Help."
5. May 8, 2008 correspondence from residents regarding Arroyo de Los Montoyas between Broadmoor and the Sportsplex on High Resort.
6. June 6, 2008 correspondence regarding Tree Pond B signs to allow an outdoor riding arena for horses.

**CLOSED SESSION.**

A motion was made by Donald Rudy to go into Closed Session for the purpose of discussing pending negotiations for right-of-way acquisitions. It was seconded by Steve House. Roll call vote: John Chaney, yes; Steve House, yes; Donald Rudy, yes; Dub Yarbrough, yes. The motion passed 4-0.

**REOPEN SESSION.**

A motion was made by Donald Rudy to go back into open session. It was seconded by Steve House. The Board reconvened in open session at 11:15 a.m.

A motion was made by Donald Rudy to accept the Springer settlement as presented. It was seconded by Steve House. Roll call vote: John Chaney, no; Steve House, yes; Donald Rudy, yes; Dub Yarbrough, yes. The motion passed 3-1.

**OTHER BUSINESS.**

Nominating Petitions for Board of Directors Election are due Thursday, June 26, 2008 at the SSCAFCA Office.




**BOARD OF DIRECTORS REGULAR MEETING**

**JUNE 20, 2008**

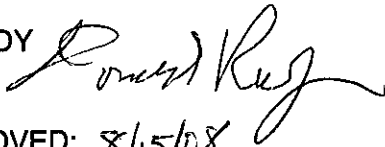
Next regular Board meeting is July 18, 2008 at 9:00 a.m. A special Board meeting is set for June 27, 2008 at 10 AM.

**ADJOURNMENT.**

A motion was made by Donald Rudy and seconded by Steve House to adjourn the meeting. It was carried unanimously. Meeting adjourned at 11:17 a.m.

  
JOHN CHANEY  
CHAIRMAN

DONALD RUDY  
Secretary



DATE APPROVED: 8/15/08

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