

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)  
MINUTES OF MAY 16, 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 9:08 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 Donald Rudy to approve the Agenda with item #5 removed. It was seconded by Mark Conkling and passed unanimously.

**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 Edinburgh Facility Plan.**

Mr. Stoliker stated that in an area north of Northern between Idalia and the Montoyas Arroyo, there has been a group of developers in there that couldn't get individual approvals for their drainage plans. This has been an on-going issue for over 2 years. They approached SSCAFCA six months ago and SSCAFCA decided that something needed to be done in order to allow planned development rather than risk it becoming single lot development without drainage protections. The idea was to come up with a master drainage plan that everybody could buy into. They have had several meetings on the Facility Plan with the developers, including meetings with the City, and the plan is now ready and is being brought in for Board approval.

Jarrold Likar, of Huitt-Zollars, stated that this is a sub-basin of the Montoyas Arroyo Watershed Management Plan. There have been several developments coming through the City that encompass approximately 800 lots that are planned to be redeveloped. Altogether, the Plan will solve the drainage problem in this basin of about 1,250 lots. They came together in a collaborative effort, with SSCAFCA taking the lead, to establish this Plan, along with efforts from the City and the developers. The parties have come up with six options to solve this drainage problem within the basin.

Along with this basin, the City of Rio Rancho is planning on expanding Northern Boulevard from Unser to where it goes to four lanes currently, which is at the animal control center. With that plan, the City will stub out a pipeline that will actually connect to the main trunk line within the basin and connect to the existing box culvert that crosses Northern at the desilting basin and discharge south into the Montoyas.

On the first option, the platted lots would have land treatments that are identical to the Watershed Management Plan for existing half acre lots. It would include those platted lots that were not part of any potential redevelopment within the area. All the areas that would be redeveloped would discharge at historic rates. It would have a single discharge point, meaning that it would come down Edinburgh Drive through the center of the basin, discharge into the stub-out in Northern provided by the City of Rio Rancho, and eventually to the box culvert. It would include a regional pond in the middle of the basin that would be a three acre pond and would be under the ten acre feet that would bring it under the Dam Safety Bureau jurisdiction.

The second option would include the platted lots having individual ponds on each of them discharging at historic rates. All the redeveloped areas would pond and release at historic rates at the three acre pond discharge point.

The third option would have two discharge points, one that would peel off at 13th Avenue and discharge into the Montoyas upstream of the original discharge point at the box culvert. Everything below 13th Avenue would discharge at the stub-out and eventually to the box culvert.

The fourth option would be the same as the third option, with the difference being the platted ½ acre lots. In option three they would discharge at developed rates after land treatments and in option four they would have historic rate discharge, meaning a pond on each individual lot.

The fifth option has the antiquated platted, ½ acre lots discharging flows at developed; existing platting rates as shown in the Montoyas Watershed Management Plan. Specific redevelopment areas within the basin would have free discharge. There are presently six redevelopments planned in the area, as well as one existing subdivision. A majority of the redevelopments would discharge freely into the backbone pipeline that would run up Edinburgh Drive. The one that would pond and release at historic rates would be the Regal Subdivision. As part of this option, it will be a single discharge point into the box culvert. In addition, the regional pond would be expanded to seven acres and turned into a multi-use facility.

Option six has the same scenarios as option five, but also maximizes the seven acre pond to attempt to discharge the smallest amount possible from the pond to minimize the size of the pipe put into Edinburgh Drive. This expands the pond to 35 acre feet of storage, which is within the jurisdiction of the State Engineer, which would mean that SSCAFCA would have to deal with this jurisdiction. This is true for option five as well. With the multi-use facility in option five, there are 14 acre feet of storage and that pond, as of today, would be in the jurisdiction of the State Engineer and approval would be needed.

The option they eventually chose was option five. They passed on the other options. With option one the box culvert could basically only take a 72 inch pipe. With the flows that are in option one, the pipe that would come down Northern Boulevard would be too large for the box culvert and

would not safely penetrate the culvert. This is why option one was dropped from consideration. Options two and four talked about historic land treatment for the ½ acre lots and ponding on those lots, SSCAFCA policy states that you have to accept developed discharge from upstream lots, so given that fact, and the fact that it would be difficult to actually make sure that everyone put a pond on their lot and kept it maintained was the reason these two options were dropped from consideration. The dual discharge points that were located in options three and four ran into a problem because of an archaeological site. With the excavation of the pipeline that would go down 13th Avenue and discharge into the Montoyas, would have disturbed the site. This is why these options were not chosen. With option six, there were no multi-use benefits to the community.

Option five basically discharges 850 cfs to Northern which is what the City of Rio Rancho allowed for. There is a multi-use facility to the community for the 800 lots that would be redeveloped, as well as for the other 450 existing platted lots. This is a self-contained sub-basin of the Montoyas Watershed Management Plan. The areas flow in the opposite direction into the Lomitas Negras. With this plan, it will allow people to build homes on the antiquated platting and will take care of the flows. The idea being that it will not be another problem like Unit 17. The antiquated platting is basically half of the area within the basin. When the roads come in, the major backbone infrastructure will have the capability to handle storm water from any of the blocks. There will have to be collection systems via street inlets to collect that water. With the street construction, the flow from the antiquated lots will be collected and handled in this system.

Mr. Stoliker stated that none of the developers in this area have been able to get individual approval for their projects. If approved by SSCAFCA and the City, the City will write into the development agreements conditions that each developer must comply with the plan in order to receive approval for their development. It is always conditioned on time and who goes first, and which area the developers are in. If there is a Plan, it will be possible to get there, but if there is no Plan, it won't happen at all.

Mr. Likar stated that as part of this study, there will be a Drainage Implementation Plan. After this Facility Plan is approved, he will go back and set up each development and describe to them what they would have to do if they went alone to develop the property, or if they were part of the Plan and what would be expected from them. This would be the next document after the approval of this Facility Plan. SSCAFCA is paying for the Plan, but will not be responsible for any part of the development.

Kim Kemper, of Huitt-Zollars, stated that there are many things going on in this sub-basin. It stands alone, but is part of the Montoyas. None of the developments could move forward, simply because the drainage cost was too high to do the project correctly. They are trying to get everybody together to get one plan in place for the right solution for this basin and then divvy up to each developer who gets to do what. When it is done this way, the finances start to make sense for the individual developments. The costs will be assigned based on their fair share of the basin cost. The only thing being done today is showing that this Plan is the best drainage solution for this area. Mr. Chaney stated that he is concerned about huge cost over-runs that the public might have to pick up. Mr. Kemper stated that the agreements will be written so that this does not happen. Mr. Stoliker stated that the antiquated platting in here is one of the "bugaboos" of the project. It is our hope that the City will address this with each developer by allowing them to build it and then recoup the money through either impact fees or some other economic vehicle.

Mr. Conkling stated that it seems that SSCAFCA's role is to help drive the Plan and then turn over the implementation, financial concerns and development agreements to the City of Rio Rancho. SSCAFCA's only role is to drive the Plan. Mr. Rudy stated that SSCAFCA is accepting the planning guidelines but the detailed engineering will have some latitude for optimizing the Plan. Mr. Likar stated that SSCAFCA has paid Huitt-Zollars the amount of \$45,000.00 for this Plan. Mr. Yarbrough asked why SSCAFCA is not making the developers pay a portion of the cost of the Plan. Mr. Stoliker stated that he believes it is part of SSCAFCA's mission to plan and if SSCAFCA can put the Plan out there, the community is better served. Without such a Plan, the area will be stuck with another problem like Unit 17. The City Manager has stated that this is exactly what the community needs. Mr. Likar stated that the area contains 800 redeveloped lots, as well as another 450 of the antiquated half acre lots, which would amount to a total of about 4,000 dwelling units.

Scott Sensanbaugher, with the City of Rio Rancho, stated that they have been working with SSCAFCA as a partner on this project and certainly involving its staff in the review process. When those plans get further along than they are now, the City would certainly want SSCAFCA to review, approve and sign off on them as well. Mr. Likar stated that the discharge at the bottom of the arroyo will be 850 cfs from the basin. Originally, at historic land treatments, it was 1,300 cfs at the arroyo. The regional pond reduces that flow in the Montoyas Arroyo. As part of this study, SSCAFCA asked them to size a potential additional regional pond to handle another sub-basin in the Montoyas Watershed. In conjunction with this study, that pond was sized, so it would help in a future study what size pond would be needed in order to clean up the tributary to the Montoyas. The right-of-way for that pond and to keep the arroyo in that area naturalistic is the next unfunded project that staff perceives. Mr. Chaney stated that he would like to revisit this as a possible model project because this might be the type of project that can solve a lot of the problems within the entire jurisdiction.

A motion was made by Mark Conkling to accept the Edinburgh Facility Plan as presented. It was seconded by Donald Rudy.

Mr. Likar stated that the drainage is part of the Lomas Negras Watershed and travels east to 40th Avenue. Mike Adams, a developer in the area, stated that they have been working with the City and SSCAFCA for quite some time and it has been a pleasure to put this Plan together. The developers in this area are for this Plan and they support it and they appreciate the opportunity to work on something like this.

The motion passed unanimously.

2. Action/Acceptance of November 4, 2008 SSCAFCA General Obligation Bond Election for \$12 Million and Selection of Projects.

Mr. Kevin Powers, with RBC Capital, stated that the assessed valuation is the engine that drives SSCAFCA's bonding capacity. SSCAFCA has been fortunate in recent years to see a very healthy increase in that valuation. This has, in turn, allowed SSCAFCA to actually accelerate its bonding program. The assessed valuation grew by almost 50% last year. That came on the heels of two solid double digit increases in 2005 and 2006. Today, SSCAFCA is out of authorized bonds. All of the bonds that were approved at previous elections have been sold and it is now time to look at a new authorization.

Mr. Powers stated that in 2007, the increases came primarily in residential property in the City of Rio Rancho and also in non-residential property where some of those vacant lots were dramatically increased to reflect the actual market conditions. He stated that a lot that is intended for residential use, but vacant, with no home on it, is considered non-residential. It doesn't become residential property until a dwelling is built on it. There are restrictions on how property is revalued. There is a restriction on the increase of a residential dwelling – it can only go up 3% per year, as long as the current owner continues to own it and occupy it. On a lot that is not considered residential, that limitation does not apply.

Mr. Powers stated that SSCAFCA has a policy of maintaining the debt service tax rate at .87 mils; the debt service tax rate has been there and that has been the controlling factor in how many bonds SSCAFCA can issue. That tax rate, times the assessed valuation, generates an amount of money that can be used to pay debt service each year. Then they back into how many bonds can be supported by that revenue stream. Mr. Conkling stated that SSCAFCA is a single purpose entity and, as such, its tax rate is much smaller than any of the other tax rates. Mr. Powers stated that the operating levy of SSCAFCA, as well as the operating levies for the City and County, are subject to yield control, a tax limiting law. The drop in the tax rate that SSCAFCA saw from last year to this year is due primarily to that large increase in the assessed value. The assessed value jumped by 40%, a lot of which was due to reappraisal. The portion that was due to reappraisal was subject to yield control and, therefore, SSCAFCA's rate went down. The amount of money generated by the rate, times the assessed value still went up. The total residential tax rate in the area is about 30 mils.

Mr. Powers stated that the original bond plan for SSCAFCA that was developed in 2004 had anticipated issuing \$3 million every other year and then in 2012 there would be an election that would allow for the issuance of \$3.25 million, which would allow for a total of \$18.5 million to be issued. What has actually happened is that SSCAFCA was able to accelerate the sale of the 2004 election in one year and then there was another election in 2006 that was accelerated also. The broad plan had an election in 2008 and 2009 for two \$6 million sales. They have accelerated more of the 2008 option into 2009 and assuming that growth rates hold the way they are, there could be another election in 2012 for \$12.5 million and sell \$6.25 in each of the two years, for a total of \$40.5 million.

They went beyond the .87 mils to look at other options to raise money; one was to add .5 mil or 1.0 mils. They figured out the corresponding bonding capacity increases for those mil increases, which is significant. The greatest significance in this is by increasing the mil rate at some point in the future you get a big bump in the amount of money that you can generate because you can absorb that mileage. The way the program is set up; it not only gives a big bump in the early years, but also gives a continual bump because of the cyclical program. In the grand scheme of ways to generate money for capital improvements from local government activity, the property tax method is the most efficient method that is available.

Mr. Conkling stated that based on the charts, for a \$200,000.00 home, a homeowner would pay \$27.00 more per year on a half mil increase, and \$54.00 more per year for a one mil increase. Mr. Powers stated that this chart makes an assumption that 85% of the market value of the house would be carried on the tax rolls. This may fluctuate some. A lot value would come down to

whatever the value of that lot is on the county assessor's tax roll; it would be that value, divided by three, times .5 mil or 1 mil.

Mr. Powers stated that the 1998, 1999 and 2001 bonds are actually at higher interest rates than current market rates. They would look at possibly refinancing those at the time that the next set of bonds would go to market and some interest rate savings could be obtained. The 2005 and 2007 show evidence of the acceleration of the sales. In their quest to maximize bonding capacity or generate more dollars for capital, he always gets the question on stretching the bond issues out a bit to keep the payments lower. The program relies on reduction of principal through repayment of old debt. When you stretch them out further you run into a situation where you pay more interest than principal and you slow down the repayment of principal to the point where it impairs your future bonding capacity. He recommends that SSCAFCA consider a bond election in the amount of \$12 million, with \$7 million being sold in early 2009 and the rest being sold in 2011. SSCAFCA has the ability to ask the voters to authorize any amount of bonds, but there is a limitation on how much debt SSCAFCA can have outstanding at any time. It's only reasonable to expect to sell these amounts. In asking for more money, you run the risk of the misperception that SSCAFCA has more money to spend than it has. Mr. Powers stated that SSCAFCA could go on a six year cycle rather than a four year cycle and ask for more money at one time, but it is generally better to have the bond elections held at the same time as the general election because of better turnout.

Mr. Rudy stated that the question is what would SSCAFCA add to the list of projects to the \$12 million sale if the Board decides to go for a \$20 million bond request. There is a chance that growth would remain high, but there is a chance that the economy can take a down turn as well.

Mr. Stoliker stated that Sugar Dam will cost \$500,000.00 to complete. In this year's budget, there is about \$125,000.00 to finish the design, get all the permits, and get everything set up. The list also includes the cost to purchase all of the right-of-way for Tributary A Dam. They put another \$1 million into the 19th Avenue Dam, for a total of \$7 million. The Montoyas they put in the Sportsplex, so somewhere around the Sportsplex Dam immediately upstream or down, they have \$400,000.00 to put in some bank stabilization. Alberta Unit 17, there is \$1 million to do these improvements. There is \$700,000.00 around the City Centre for right-of-way acquisition. In the Town of Bernalillo they have \$200,000.00 for the Venada Arroyo. In the Village of Corrales, they have \$200,000.00 that is non-specific at this point. This would cover the 2009 sale.

Mr. Stoliker stated that for the 2011 sale, they have the some right-of-way acquisition for the West Branch, Cabezon connections. The main one is the Corrales Road crossing to actually figure out what to do there. The number one jurisdictional issue or liability is the Harvey Jones Channel at Corrales Road. He can't get there right now because he's got to get the Corps on board and then some preliminary work has to be done. They would then go into full design and then into right-of-way acquisition. It will take two to three years to get to full design with the Corps and NRCS involved in this project. There is an extra \$2 million in Unit 17, \$1 million in the Guadalajara area and another \$1 million in the northern area. There is another \$1 million in the City Centre because of the right-of-way acquisition needed. That adds up to \$12 million. Staff is not tied into the priority of these projects but he believes that this is a correct appropriation. However, the Board can prioritize any other way it feels necessary.

Mr. Yarbrough stated that it was the consensus of the Budget Committee to really consider this bond issue because of the fact that SSCAFCA will be out of money probably next summer. Mr. House asked whether SSCAFCA should consult the City, the Town and the Village regarding their priorities for these projects. Mr. Baird stated that the Board can wait until at least July for the Board to decide how much it wants to ask for, but it should give Mr. Strumor the number now so that he can prepare the resolution.

Mr. Chaney stated that it is the consensus of the Board to keep the tax rate the same and that staff should move forward with the bond election.

3. Action/Acceptance of General Maintenance Contract Renewal with Quick Bros. Excavating with a 12% Equipment and 3% Personnel Increase.

Mr. Stoliker stated that this contract is up for its annual review with a rate increase as shown. He stated that these rates are still 10% less than the original bids received and that staff is recommending approval with these increases.

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

4. Action/Acceptance of Joint Powers Agreement for Guadalajara Drainage Project.

Mr. Stoliker stated that this JPA is for \$335,610.00 to fund the acquisition of three lots that are needed for the Guadalajara project. He put in an extra 10% above appraisal amounts so that it doesn't need to come back to the Board. There is time pressure on this matter. It is included in SSCAFCA's budget and has been approved.

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

~~5. Action/Acceptance of Building Expansion Plan Layout.~~

6. Discussion of NRCS Operations & Maintenance Agreement for Harvey Jones Channel.

Mr. Stoliker stated that the NRCS wants another agreement with SSCAFCA. The original agreement was supposed to run for the life of the Harvey Jones Channel, which is 100 years. He doesn't want action today, but he would like Mr. Metzgar to review the agreement.

Mr. Chaney stated that it was the consensus of the Board to move forward with this and have Mr. Metzgar review the agreement and take it to the Executive Committee.

7. Action/Acceptance of USGS Agreement.

Mr. Stoliker stated that the USGS agreement is for them to do SSCAFCA's rain gauges and flow monitoring in its channels. A new agreement is needed each year and the amount is about \$25,000.00 per year. If there is a rain event, they go in and identify the run-off so that SSCAFCA can check to make sure that its designs and engineering match what actually happens. The

information was needed for 2006 but SSCAFCA did not have this at that time. Last year was dry and no data was recorded. This is a long term project and will be brought back each year.

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

**8. Action/Acceptance of Contract Renewal with Hughes & Strumor without Changes.**

Mr. Stoliker stated that this is an annual renewal contract and there are no changes. Mr. Chaney asked about a newspaper article about a misallocation of funds by some agency and the possible involvement of this law firm. He suggested that Mr. Strumor come to the Board to address it. Mr. Stoliker stated that staff is aware of the article and he has spoken with Mr. Strumor about it. Mr. Strumor told him that this was a possible misappropriation of funds by the executive director of a housing authority. He doesn't allocate the funds; all he does is make sure the bond is correct. They are defending themselves because it is a lawsuit, but he could not speak to it more. Mr. Metzgar stated that any time there is a lawsuit; the attorneys are restricted in what they can talk about because of the unresolved issues. Mr. Stoliker stated that Mr. Strumor is willing to meet with the Board on the issue.

Mr. Chaney stated that SSCAFCA should look at the issue and see if it would have a possible impact on the bond issuance for SSCAFCA. Mr. Metzgar stated that he has not seen anything yet, so he will need more information before he can say anything but there is nothing wrong with bringing Mr. Strumor to an Executive Committee meeting to find out what is happening.

A motion was made by Steve House to accept the contract renewal with Hughes & Strumor as presented, subject to an Executive Committee meeting with Bob Strumor. It was seconded by Donald Rudy. The motion passed 4-1, with Dub Yarbrough stating that the contract should be approved without condition because he does not believe there will be a problem.

**9. Action/Acceptance of Contract Renewal with RBC Capital Markets Without Changes.**

Mr. Stoliker stated that this is a contract renewal with RBC Capital Markets with no changes.

A motion was made by Donald Rudy to accept the contract renewal with RBC Capital Markets as presented. It was seconded by Mark Conkling and passed unanimously.

**10. Discussion/Action of Unit 17 citizen request for demonstration project with Soilutions not to exceed \$5,000 and purchase of rain barrels for donation. Erosion Control meeting will be June 7th, 9 -12 in Council Chambers at City Hall.**

Mr. Stoliker stated that this is a request from a citizen's group in Unit 17. Susan Barton asked if there was something that SSCAFCA might help with and that the City is part of it. They are going to put on a program on erosion control and storm water run-off for the public.

Susan Barton, a member of the public, stated that she is a Board member of the Chamisa Estates Neighborhood Association and that she is present to announce an event that will take place in Rio Rancho on June 7, 2008 at City Hall and to ask for SSCAFCA support. In August 2006, after the floods, Chamisa Estates conducted an informal study of flood damage within its borders. One



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hundred four homeowners reported either property damage, road damage or both, for an estimated cost of around \$200,000.00 to repair. SSCAFCA has a copy of this report. Knowing that many homeowners needed help, Chamisa Estates sponsored an erosion control workshop last June. They had around 40 participants. They have decided to do it again this year and she asked for Councilor Salzman's help. She applied to the City to fund it out of her discretionary money and have it filmed by Edit House. The funding had not been approved by the time of the election and when Ms. Salzman was not re-elected, Ms. Barton then challenged the City to support it. District 4 and District 6 councilors have agreed to share approximately \$8,750.00 cost - most of which is the filming by Edit House.

Ms. Barton stated that it will be held at City Hall in Council chambers on June 7, 2008 from 9:00 a.m. to 12:00 noon. Jim Brooks, of Soilutions, Inc. and Rob Roman of Roman's Rain Reserve will be the main speakers, with participation from City staff. They will be doing field trips to two homes afterwards to see the installation of Mr. Brooks' techniques. Los Rios Neighborhood Association is also a sponsor.

Ms. Barton said she asked David Stoliker if SSCAFCA would like to be involved. Mr. Stoliker suggested that SSCAFCA purchase some rain barrels and offer them as door prizes. She asked that the Board authorize the purchase of up to ten rain barrels at a cost of \$120.00 each in the amount of \$1,200.00 for door prizes. As a follow up after the workshop, a partnership with SSCAFCA and the City was suggested to pick a City owned site to actually install some of the erosion control techniques employing Jim Brooks, which is where SSCAFCA comes in again with more money. This would allow the public to see the techniques so they can employ them on their own property to control their run-off. She stated that a site has been identified on which to put these techniques to use and it is a win-win for SSCAFCA and will provide good public relations for SSCAFCA and the City and will provide erosion control and property improvement for the nearby homeowners.

Randall Carroll, of the City of Rio Rancho, stated that one of the target questions that came out of the recent exercises with the SAD was that most of the residents were in favor of trying to do something. What they are trying to do here, with this cooperative approach, is attempt to provide one avenue of education to the general public. The preferable site has been identified as one of the new ponds that has just been built at the intersection of Alberta and 528. This is part of the Alberta Watershed Project. One reason that this site was identified is because of its high visibility. Anybody driving on 528 can see the result of the actual physical efforts to resolve the drainage issues. The approaches taken by the engineering firms today with ponds are to "dig a hole, find something to protect the slopes, and walk away from it." What this approach will do is show how a new hole and the protective slopes can be further protected and made into an aesthetically pleasing drainage facility and also reduces maintenance costs. The approximate cost for that particular site is \$12,000.00. They are trying to do this with a limited budget.

Mr. Stoliker stated that SSCAFCA has the money to let a sole source contract with Soilutions for a demonstration project in an amount up to \$15,000.00.

A motion was made by Dub Yarbrough to approve the request for up to \$5,000.00, including the rain barrels. Mr. Conkling stated that the rain barrels are a good idea. Mr. Carroll stated that the first site that they looked at possibly being able to do with just \$5,000.00 worth of work is one in

which there is only an easement. It is not publicly owned by a governmental entity. There is a drainage easement in an outfall from the drainage pipe across Kim Road into an arroyo. One of the problems is that by doing only \$5,000.00 worth of work at that site there is a very good possibility that in a major event that work would wash down the arroyo. One of the other sites that were chosen was a well site off of Huron and there are some drainage issues with some land recovery that was done in that area. There are slopes that need to be protected to protect nearby residents. That particular project would most likely cost more than \$5,000.00 and might even be more than the \$12,000.00 for which they have asked. It is not as highly visible and not easily accessible for the public as the preferred site.

Mr. House asked if this area was included in what SSCAFCA is going to do in Unit 17. Mr. Stoliker stated that that was staff's intent. Mr. House asked if there could be some cost savings by including this in that project. Mr. Stoliker stated that this is an initiative from a neighborhood association and Alberta will not be done until next year, but this might solve some of the ugliness issue.

Mr. Yarbrough amended his motion to approve \$15,000.00, plus the cost of the rain barrels. It was seconded by Steve House and passed unanimously.

11. Discussion/Action of Montoyas Road storm water drainage between Town of Bernalillo and City of Rio Rancho.

Mr. Stoliker stated that there is no action needed on this item. Between 528 down Montoyas Road, there is a new Wal-Mart and they are putting in a pipe to take drainage down Nazcon Road and put it into Sheriff's Posse Road into the unnamed arroyo. The Joiners are on the north side of the Montoyas in the City of Rio Rancho. They are trying to get the Town of Bernalillo and the City of Rio Rancho together to talk about that development. There are still some discussions that need to occur and staff is entering into those discussions to help the community with this issue.

12. Action/Acceptance of Jennifer Martinek Consulting Funding Agreement for grant writing services.

Mr. Stoliker stated that this is an agreement to get some grant writing done. Mr. House stated that SSCAFCA has looked at the possibility of going out and "finding" money and having access to services like this will help SSCAFCA.

Ms. Jennifer Martinek stated that she is the owner of Martinek Consulting and has been doing grant writing for 14 years and has secured about \$240,000.00 in grants and loans in the State of New Mexico. Most of those are for municipalities and authorities. She would like to help SSCAFCA find some funding for improvements that the bonds don't pay. Mr. Stoliker stated that staff is recommending a sole source agreement for this purpose.

A motion was made by Mark Conkling to accept the Jennifer Martinek Consulting Funding Agreement as a sole source contract, as presented. It was seconded by Dub Yarbrough and passed unanimously.

13. Action/Acceptance of Change Order No 1 for the Sunset Pond with Aldaba Storm Drain Dulcelina Curtis wall addition in the amount of \$11,979.33.

Mr. Clint Dodge stated that this is a change order for the Sunset Pond project that was awarded two weeks ago. Construction has not started yet and they are in the process of getting the contracts signed and the NPDES stuff in place. This change order has one change in price and three technical issues. The change in price is a block wall at the Dulcelina Curtis sign site. The wall was originally discussed and, through a series of miscommunications, did not get into the plans. The price is \$11,979.33, which is a good price for the wall.

A motion was made by Mark Conkling to approve the Change Order No. 1 as presented. It was seconded by Donald Rudy and passed unanimously.

**ACTION/APPROVAL OF THE MINUTES OF APRIL 18, 2008.**

These minutes were not prepared in time for the meeting.

**TREASURER'S REPORT.**

1. **Recognition/ Acknowledgment of the Treasurer's Report for April 30, 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. Baird stated that the growth in SSCAFCA's collection is almost at 21% over last year. He also stated that SSCAFCA is earning 2.7% on its investments, which is pretty good considering what treasury bills are going for now.

**CHAIRMAN'S REPORT.**

Mr. Conkling stated that he was happy to see the public activity in flood control concerns.

**BOARD OF DIRECTOR'S COMMENTS.**

Mr. Yarbrough asked Mr. Stoliker to look into getting longer microphones for the Board members.

**ATTORNEY'S REPORT.**

None.

**PUBLIC FORUM.**

Cheryl Ganch thanked SSCAFCA for supporting the project presented by Susan Barton. She stated that they have looked at continuing efforts on how to address the drainage issues.

Elaine Clanon stated that she mailed to each of the board members a letter asking that they be able to purchase land from SSCAFCA next to their property up to a pond that is owned by SSCAFCA. She has met with Mr. Stoliker and Dr. Rudy and they have come to a potential

**BOARD OF DIRECTORS REGULAR MEETING**

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compromise; however, based on what she's heard today she would like to ask for additional land for her horses. Mr. Rudy stated that the agreement is essentially prepared and will need to go before the Executive Committee and eventually be brought to the entire Board. He stated that it won't be able to be completed until at least the June meeting.

Mr. Metzgar stated that the proper way to go about this would be a license agreement rather than a lease. They work pretty much the same way. He would prefer not to allow them to use the property until a formal agreement is entered into by the parties. It is possible that it doesn't have to come back to the Board if the Board gives the Executive Committee the authority to go ahead and deal with the agreement and they wouldn't have to wait until the next board meeting. Mr. Rudy stated that the land is not going to be used for any structure; rather it will allow them to move the horses from the barn to the exercise area.

A motion was made by Steve House to authorize the Executive Committee to make the decision on this issue when it meets. It was seconded by Donald Rudy and passed unanimously.

**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. Westside Court, Cabezon Subdivision, construction mylars were signed by the Executive Director on April 23, 2008.
- 2. May 8, 2008 concurrence by Los Griegos Development, LLC regarding the soil remediation at the Harvey Jones Inlet.

**OTHER BUSINESS.**

On Tuesday, June 3, 2008, the SSCAFCA office will be open from 7:00 a.m. – 7:00 p.m. for voting in the Primary Election.

Next Board Meeting is June 20, 2008 at 9:00 a.m.

**ADJOURNMENT.**

A motion was made by Steve House and seconded by Donald Rudy to adjourn the meeting. It was carried unanimously. Meeting adjourned at 11:30 a.m.



STEVE HOUSE

Secretary

DATE APPROVED: 6/20/08

JOHN CHANEY  
CHAIRMAN

