

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF SEPTEMBER 19, 2008
BOARD OF DIRECTORS REGULAR MEETING**

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Donald Rudy, Acting Chairman, at 9:05 a.m.

ROLL CALL OF DIRECTORS.

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

APPROVAL OF AGENDA.

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

ANNOUNCEMENTS.

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

STAFF REPORTS.

Executive Engineer.

1. **Presentation of Sportsplex Dam PMF Analysis.**

Mr. Stoliker stated that engineers typically design for 2 to 10 times what might be needed to protect a structure. Looking at probable maximum floods in other jurisdictions, Texas has recently seen rainfall events that were half the PMF, which were never expected. In this jurisdiction, the PMF analysis is 18 inches in a 24 hour period. The most we have seen is 7 inches in recorded history.

Mr. Howard Stone, of BHI, stated that as bad as Hurricane Katrina was, it was not a PMF event. The PMF is really trying to predict the worst hydrologic condition that can occur given the area that you're in. The Office of the State Engineer (OSE) requires SSCAFCA to analyze downstream of the dam the impact of that flooding. The regulation states that the "evaluation of the effects of the flooding from dam failure shall extend at least to the location downstream where the flood no longer poses a threat to life or property."

Mr. Stone stated that their PMF prediction is roughly 104,000 cfs. The 1% chance of the 100 year storm in the Rio Grande is 22,300 cfs. This comes from a FEMA study. The 500 year event for the Rio Grande is about 44,000 cfs. The 100 year event in the Montoyas is about 5,500

cfs. They then analyzed the PMF from the dam all the way down and have taken it all the way through Corrales. The 100 year flood plain from the dam goes into the Harvey Jones Channel and then into the Rio Grande. It is confined to the channel around the 5,500 cfs. Because of the design of the Montoyas arroyo, it can contain the 500 year event pretty well high up, but once it starts to fan out and lose slope, it just spreads out. Part of their job is to also provide an emergency action plan which provides to the authorities a plan of giving notice to people to evacuate the area. They are about 3/4 of the way through the analysis. They are only doing this where there is a dam in the watershed. Right now, there are many arroyos that SSCAFCA has responsibility for that they are not showing a PMF inundation map. They are not required to do so at this time.

Mr. Stoliker stated that the OSE is looking at increasing the regulatory size of the dam where these regulations will be required. Right now, the dam size is ten acre feet and ten feet high and may go up to 25 feet high and 58 acre feet. He stated that when SSCAFCA put in the pipeline along the dam and reconditioned the dam, a big amount of area was taken out of the flood plain. There are flood plain maps for the 100 year event that are public information. Other entities have flood plain managers who should inform the public when they go in to build that they are in a flood plain. What they are discussing today is an event that goes beyond what SSCAFCA normally protects against.

Ron Reader, of Corrales, stated that the shock factor of something like this can obscure the need to provide a good emergency action plan which is about all anyone can hope to do in an event like this. Mr. Stoliker stated that one of the things that they have been fighting for is access for people to get out of the way. Mr. Rudy stated that the governmental entities must work together in order to implement any sort of plan such as this.

Mr. Stone stated that the only report that has to be finished is the emergency action plan. They will get together with Corrales to make sure they have the appropriate contact people in the plan. They should be able to submit this back to SSCAFCA within a month and then it can be sent to Santa Fe for approval from all entities up there. At this point, he doesn't need anything else from SSCAFCA unless the Board wants to give some sort of direction with regard to public involvement. If not, he will now take it to Corrales directly and coordinate it with them.

2. Action/Acceptance of Resolution 2008-12 Infrastructure Capital Improvement Plan (ICIP).

Mr. Stoliker stated that the ICIP is a state requirement. He spoke with Mr. Rudy yesterday and voiced some concerns about it and made one change to it so there is a new one in the Board's packet. In the Calabacillas, there is a lot more development going on out there than staff realized. This is not within the City of Rio Rancho. A plan is needed for this area in order to ensure that it is developed correctly. The change was to move the funding for planning up for that watershed.

Mr. Stoliker stated that you're not supposed to be able to get any legislative funding on any project if it is not on this list. They put in numbers on everything they could think of in order to cover everything. The list includes Tributary A Dam, Unit 17, Sugar Dam Outlet Structure, 19th Avenue Dam, Montoyas Arroyo Channel Stabilization Improvements, Rio Rancho Industrial Park Drainage Improvements and others. The ICIP also shows the timing and the amounts needed for

each project. He went over the plan with various projects and amounts and reasoning why they were contained on the list.

Mr. Stoliker mentioned a sewer line that breaks in the Town of Bernalillo on a regular basis. Mr. Yarbrough questioned why this was SSCAFCA's responsibility. Mr. Stoliker stated that it is not SSCAFCA's direct responsibility, but that the idea is to work with the Town of Bernalillo to address the problem. SSCAFCA would only work on the drainage part of the problem. Mr. Metzgar stated that though there is a Resolution here to adopt, it does not make it final because there can be other resolutions if priorities change. It is basically a working document.

A motion was made by Steve House to accept Resolution 2008-12 as presented. It was seconded by Dub Yarbrough. Roll call vote: Steve House, yes; Donald Rudy, yes; Dub Yarbrough, yes. The motion passed 3-0.

3. Action/Acceptance of Intergovernmental Agreement with the City of Albuquerque.

Mr. Stoliker stated this is a standard agreement and is the same one SSCAFCA had last year. This is the agreement where staff gets its health and dental insurance. When you get a bigger group of people, you get better rates.

A motion was made by Steve House to approve the agreement as presented. It was seconded by Dub Yarbrough and passed unanimously.

Technical Services Director.

1. Discussion of Sediment & Erosion Design Guide Training Course that was held on September 17 and 18.

Mr. Foglesong stated that about a year ago, Dr. Musseter came down and made a presentation to the Board regarding SSCAFCA's sediment erosion design guide. Since that time, SSCAFCA has adopted the new drainage policy and it references certain things that are in that Guide. On the 17th and 18th of this month, Dr. Musseter and others came down from Fort Collins and gave staff two days of very intense training on this document.

Mr. Stoliker stated that when this Guide is done it will include the LEE line information and the engineers will then have the method to do the evaluation. SSCAFCA had Edit House tape the seminar so it will be available to engineers in the future and staff will make it available to all engineers.

2. Presentation of the Following Developments that have been submitted for review (locations attached):

- a. Presbyterian Hospital Site;
- b. Healthy Way Road;
- c. SAD 7A;
- d. Paseo Del Volcan, Iris Road to US 550, 65% plan submittal;
- e. SAD 8.

Mr. Foglesong stated that these projects have been submitted to SSCAFCA for review. SSCAFCA has received a preliminary drainage report for Presbyterian Hospital. Staff has looked at it and met with Bohannon-Huston and provided them comments. They have been able to protect the hospital from the 100 year event, but there are some other issues that need to be worked out before the final report is submitted.

Mr. Foglesong stated that Healthy Way Road is the road that would serve the hospital. Staff has reviewed the plans, and met with Huitt-Zollars, and gave them comments regarding certain aspects of the storm drain. Staff expects to have another submittal very soon on that.

Mr. Foglesong stated that SAD 7A, which used to be part of SAD 7 and Unit 17, is continuing, whereas Unit 17 has dropped out. They have provided a drainage report and he has reviewed it. There are one or two issues that will be addressed and a report will be back to SSCAFCA in a short time.

Mr. Foglesong stated that Paseo Del Volcan is a state and federally funded highway project that the City of Rio Rancho is leading. They received a 65% submittal with a drainage report. Staff has reviewed that and provided comments to the City and HDR on September 3, 2008. It will probably be a month or two before the final plans are finished.

Mr. Foglesong stated that SAD 8 is the City sponsored SAD north of Idalia. Staff has received a drainage report for it and are working through that. There is a meeting scheduled shortly to provide comments to the City of Rio Rancho.

Mr. Rudy asked what the priorities might be and Mr. Foglesong stated that he would think they are the hospital and Paseo del Volcan. The hospital seems to be working towards a solution. Paseo del Volcan has problems with regard to what will be needed but they are tackling the problem head on.

Mr. Foglesong stated that Paseo del Volcan is laced with drainage issues. It crosses three large arroyos, together with a bunch of other tributaries. They are also dealing with the environmental document which puts some heavy restrictions on the way they can build the road. One of the restrictions is through Enchanted Hills where Paseo del Volcan has to be depressed at least eight feet. In doing that, what happens is that Paseo del Volcan will actually go underneath Enchanted Hills Boulevard. This is a tremendous engineering problem.

Mr. Foglesong stated that the depression in the road is from the south side of Enchanted Hills and will actually come up above existing grade just south of the Encantado Channel. It will go over the Encantado Channel as a bridge and then tie into 550. Staff has been trying to talk the engineer into a solution that does not have pumping stations and, so far, they have been able to do that. They propose having a storm drain in the bottom of Paseo del Volcan which will actually drain into the channel on the south side of Enchanted Hills Boulevard. For a portion, it will be removed and put into a pipe.

Mr. Stoliker stated that they were in the design and construction phase of these projects and these weren't going to be brought back to the Board. If it can't fit within the plan, staff will bring it

back or if there is right-of-way or maintenance needed, it will be brought back. Mr. Foglesong stated that they are using the Watershed Management Plan to review these projects. Mr. Yarbrough stated that he would like to see what SSCAFCA has committed itself to. Mr. Stoliker stated that it sounds like the Board wants to see more information, so the staff will figure out what exactly needs to be brought back to the Board and will get it done.

Fiscal Services Director.

1. **Recognition/Acknowledgment of the Budget Status Report for August 31, 2008.**

Mr. Perry Baird stated that the report in the packet is a budget status report for July and August combined. Preliminary numbers on SSCAFCA's total evaluation assessment show that the tax base grew 14.6% for the coming tax year, which determines SSCAFCA's revenues for the fiscal year that it's in right now. Staff has estimated that SSCAFCA has used 15%, so it is right on target as far as growth in the tax base with no change in the tax rate, both for debt service and operating expenses. SSCAFCA had used 15% growth for this year and 15% for next year in the Capital Financing Plan.

Mr. Baird stated that SSCAFCA's interest earned on investments in the State Treasurer's Pool is at a nice rate of almost 2 ½%. Ninety day treasury bills are at less than 1%. He stated that SSCAFCA's commercial bank is Wells Fargo and Wells Fargo has only been mentioned in the news, in terms of possibly taking over failing banks, and not the other way around. This is good news. The audit for fiscal year 08, which just ended in June, is progressing. The auditor has not been in the office much, but has been doing a lot over the phone and also with email.

Mr. Baird stated that the City of Rio Rancho has issued 587 permits so far this calendar year. If that continues at the same rate, they would end up with 880 by the end of the year. Expenditures are on track in the general fund and the debt services fund and staff is continuing to be able to meet obligations with no problems.

Mr. Baird stated that he has recently received approval of the fiscal year budget for 2008-2009 from DFA.

PUBLIC FORUM.

Don Chapman, of the Chamisa Hills Homeowners Association, stated that he was concerned about the Guadalajara project because of funding issues with regard to the money being tied up with FEMA. Mr. Stoliker stated that it is still in the mix. SSCAFCA has not received it but has received indications that the paperwork is being processed. The project has been split into two phases – one being the pipeline project and the other being the issue of addressing the Corps, etc. They are proceeding with that part now.

Mr. Chapman stated that by looking at the ICIP plan he is concerned as far as Unit 17 is concerned that the money that would go to Unit 17 is several years out in the process. There are lots of large projects slated for Rio Rancho in the coming years. He asked why the funding was not more at the front of the fiscal period rather than at the end. Mr. Stoliker stated that he would love to build all the infrastructure right now. There is plenty of need out there, but it all comes down to

funding and prioritizing need. Mr. Rudy stated that the time scale for the money that was allocated for Unit 17 were defined on the basis of when SSCAFCA could spend the money. This is a joint project between SSCAFCA and the City of Rio Rancho. The time scale was not set by priority, rather by the order of steps needed to get the project done.

Susan Barton, of Chamisa Estates, stated that, if the SAD had gone through a lot of these problems would be taken care of and they wouldn't have to be coming to SSCAFCA all the time.

Cheryl Ganch stated that her understanding from the Board and the printed material was that there was over \$1 million ear marked for Unit 17 drainage that would have gone into effect in 2009 or 2010, now it's 2012. Mr. Stoliker stated that all the money that was ear marked for Unit 17 was spent in Unit 17, but it was spent cleaning out arroyos. SSCAFCA is hoping to get it all back, but he doesn't have it right now. Mr. Rudy stated that money is not moved from one project to another. When the money is allocated to a project, it gets spent there. It may be delayed because of priorities, etc., but money has not been diverted from one project to another.

ACTION/APPROVAL OF THE MINUTES OF AUGUST 15, 2008 AND SEPTEMBER 3, 2008.

A motion was made by Steve House to approve the minutes of the meeting of August 15, 2008 as presented. It was seconded by Dub Yarbrough and passed unanimously.

A motion was made by Steve House to approve the minutes of the meeting of September 3, 2008 as presented. It was seconded by Dub Yarbrough and passed unanimously.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

None.

ATTORNEY'S REPORT.

Mr. Metzgar stated that he has completed the JPA with the Town of Bernalillo. He stated that the mistake by the Title Company that had been made on the lots in La Bona Tierra Subdivision has been corrected.

FOR YOUR INFORMATION.

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

1. August 5, 2008 newspaper article "Dam Work".
2. August 15, 2008 newspaper article "City Lays Out 6-Year Strategy".

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3. August 17, 2008 newspaper article "Drainage Plan Cleared for CNM".
4. August 22, 2008 newspaper article "Flood Control on Ballot".
5. August 28, 2008 newspaper article "Corrales Backs Flood Control Bond".
6. Resolution from the Rio Rancho Public Schools supporting our bond.
7. Resolution from the Village of Corrales supporting our bond.
8. Final Drainage Policy has been put on the website
9. November 4, 2008 Bond Election brochure and polling locations.
10. Sunset Pond and Aldaba Storm Drain Application for payment No. 4 in the amount of \$361,228.78.
11. Response letter regarding Tree Farm Pond "B" – Use as Riding Arena.
12. Resolution from the Town of Bernalillo supporting our bond.
13. August 14, 2008 correspondence from the Department of Finance and Administration approving the budget for fiscal year 2008-09.

OTHER BUSINESS.

- Next Board Meeting is October 17, 2008 at 9:00 a.m.
- Presentation at City of Rio Rancho Council Meeting on September 24th at 6:00 p.m. – Mark Conkling.
- Presentation at City of Rio Rancho Council Meeting on October 8th at 6:00 p.m. – Mark Conkling.
- Early voting begins October 7th in Bernalillo and October 18th in Rio Rancho.

The Board watched an informational video that had been prepared by Edit House on the election.

ADJOURNMENT.

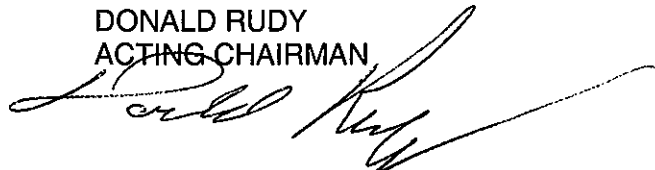
A motion was made by Steve House and seconded by Donald Rudy to adjourn the meeting. It was carried unanimously. Meeting adjourned at 11:00 a.m.



STEVE HOUSE
Acting Secretary

DATE APPROVED: 10/17/08

DONALD RUDY
ACTING CHAIRMAN



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