

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF MAY 17, 2013
BOARD OF DIRECTORS REGULAR MEETING

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Donald Rudy, Chairman, at 9:02 a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were John Chaney, Mark Conkling, Jim Fahey, Steve House, and Donald Rudy. Bernard Metzgar, SSCAFCA's attorney, Charles Thomas, Executive Engineer, and members of the public were also present.

ANNOUNCEMENTS.

Announcements were made by Donald Rudy that all electronic devices needed to be turned off during the meeting and that the microphones are voice activated.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by Donald Rudy.

APPROVAL OF AGENDA.

Mr. Rudy stated that the Administrative Services Director portion of the meeting will be moved up to be heard right before the Executive Engineer portion of the meeting.

A motion was made by Jim Fahey to approve the Agenda as amended. It was seconded by John Chaney and passed unanimously.

ACTION/APPROVAL OF THE MINUTES OF APRIL 19, 2013.

A motion was made by Jim Fahey to approve the Minutes of April 19, 2013 as presented. It was seconded by John Chaney and passed unanimously.

PUBLIC FORUM.

None.

STAFF REPORTS:

Administrative Services Director:

1. Rio Rancho Public Schools Energy Efficiency Art Project.

Ms Alena Kayak, introduced Ariel Ives, a senior graduating from the Rio Rancho Cyber Academy. Ms. Kayak stated that the facilities department decided that instead of hiring a graphic designer to represent their project, they would hire Ariel to use her photographs to represent the energy cube project.

Ms. Ives stated that the main goal of the energy cube project is to spread the word about environmental stewardship in the home, school and the community. It started in 2009 and is continuing. It is to help avoid the purchase of recyclable materials. She has been involved with the project since 2010. Her photographs will be in all 19 schools in the area to share the beauty of nature through photography to remind people that they should be improving the environment. She showed the Board a slide show of her photographs and the posters that will be used for the project.

Ms. Kayak stated that they have provided SSCAFCA with ten framed photos to put up in its offices to thank SSCAFCA for its efforts in the community.

Executive Engineer:

1. Action/Acceptance of Resolution to Update the Personnel Policy to Reflect Changes in PERA.

Mr. Charles Thomas stated that Senate Bill 27 passed which contained several changes to PERA which affects staff at SSCAFCA. There were two changes that needed to be addressed within the Personnel Policy. The first is in 403.2, the percentage of gross salary deducted from the employee's paycheck is being changed from 3.2875% to 3.6625% to reflect the 1.5% increase in employee contributions; SSCAFCA's percentage goes from 19.0125% to 20.1375%. The other change is that they are changing vesting requirement for employees moving forward, so they are inserting a clause for that. Right now, employees are vested in the program after five years. They are changing that to be that employees are vested in the program after eight years employed effective July 1, 2013.

A motion was made by Mark Conkling to accept the Resolution as presented. It was seconded by John Chaney. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Steve House, yes; and Donald Rudy, yes. The motion carried 5-0.

2. Discussion on Drainage Impact of the Chamisa Hills Golf Course.

Mr. Charles Thomas stated that Director Chaney had asked that staff evaluate the potential impacts with the current Chamisa Hills Golf Course. The golf course is up right now for private auction, which will be held on May 29, 2013. One of the thoughts is that with a sale of the golf course and the property being located at the heart of the city, one possibility is that the purpose of the property will be changed to something else. Staff wanted to evaluate the drainage impacts of changing the current land use to something else. One of the key factors is that it's 263 acres scattered between three basins; 67 acres is in the Black Watershed, 56 acres drains into the Montoyas Watershed and the remaining 140 acres is in the NM 528 Watershed. With the golf course being what it is, there is a lot of infiltration that naturally occurs, which reduces the amount that flows off. The other unique characteristics about the golf course right now, particularly in the 528 Watershed, is that all of the drainage from the golf course is routed down to the ponds that surrounds the small subdivision in the middle of the golf course. In essence, not only is the largest portion of golf course of the land type that promotes infiltration of the storm water, all the remaining storm water that would normally run off is retained on-site. Current state engineer rules do not allow for retention of storm water beyond household use. This golf course was put in place some time ago and he does not believe there has been a ruling by the state engineer on the continued use of the retention feature. However, it is likely that if any new development occurs, the opportunity to use those ponds for retention may be eliminated in the future, which would require all the water to be released.

Mr. Thomas stated that when they did the analysis on drainage, they did the densities at four dwelling units per acre and eight dwelling units per acre. They found that the runoff volume in the Black Arroyo would increase by 5 acre feet and 9 acre feet. The runoff in the Montoyas Arroyo would increase between 4 to 7 acre feet in the 100 year event. The largest would be in the NM 528 Watershed, which would be between 21 and 28 acre feet. This is just the increase in changing the land use to more impervious surface. This will be further complicated by the fact that right now, the existing flow on that facility is about 28 acre feet, plus the additional volume, would all have to be discharged. There are several difficulties with increases to any of these basins. The Montoyas is already an over-allocated watershed, which is demonstrated by the issues at the Corrales Road Crossing. Any increase in the flow, no matter how small, would aggravate that. In the Black Arroyo Watershed, most of the drainage would go to the crossing at Southern. Staff has recently

BOARD OF DIRECTORS REGULAR MEETING

MAY 17, 2013

completed some initial re-evaluation of the Black hydrology and that crossing structure itself is currently under capacity by about half as it exists today. The biggest difficulty that would be faced by development of the NM 528 portion is that the basin is fully developed and fully allocated for drainage. The NM Department of Transportation is currently looking at widening 528 as it goes north and they are currently working on the portion from Southern to Ridgecrest. As part of that, they have evaluated the local hydrology to see the impacts of increasing runoff on the existing infrastructure. As they add lanes, they're adding impervious surface - which increases flow. During that evaluation, the flow comes down 528 and goes all the way to the Seven Bar Channel and into the Calabacillas. The problem is, right now, with the 528 project, they are already exceeding the free board capacity of the Seven Bar Channel. They were required to get a special waiver from AMAFCA to allow them to encroach on the existing free board. If additional flow is added to that basin, then it would just further the encroachment on that right-of-way.

Staff's recommendation, from a drainage perspective, is to retain the current land use and current drainage structure. Any development which would produce a higher volume would require significant detention basins to ensure that the flow remains at historic levels. In response to a question regarding piping, Mr. Thomas stated that there is a channel where a lot of the drainage goes into. The basin in the Black would probably be one of the relatively simpler ones to deal with in terms of access. In the Montoyas, there is no pipe structure that gets down to the Montoyas Arroyo. With regard to the 528 area, although there is piping fairly close by, there is no connecting structure; however, it is feasible from a mechanical standpoint of connecting pipes. Without knowing what the potential buyers have in mind for the property, at this point, it is very hard to react. Some information has been provided to the City in a committee presentation. A formal transmittal has not been made to the City.

In response to a question from Mr. Conkling, Mr. Thomas stated that, from the standpoint of the existing land use being open space, it's feasible to create ponding. The grading would have to be identified. The difficulty would be obtaining approval to allow retention, which would be a factor in any alternate drainage proposal. Mr. House stated that the biggest unknown is what is the present owner's representation to potential buyers with regard to the land. In his discussions with the Mayor last Friday, the Mayor had not thought about the drainage issues. SSCAFCA needs to visit with the City management to see what they know or don't know to see if SSCAFCA can help.

Mr. Jim Service stated that he believes the owner just wants to get out from under it. He spoke with Kim Kemper, from Huitt Zollars, regarding the sale. Mr. Kemper understands that the owner just wants to sell it. The problem is that when he bought it, he also developed some of the open space as part of a plan to make it financially feasible for him. Mr. Service is not sure how

much the increased rate for the re-use of water has on the sale, but the owner is certainly playing that up. He is saying that due to the increase in the water rates there is no way he can keep all 27 holes open. One of the things that may happen is that at least one of the 9 hole courses will be changed into something else. Whoever buys this will most likely develop 9 of the holes and keep an 18 hole golf course open. Most likely, the 9 hole course in the Black Arroyo would be developed. There are two City wells on the property and they are allowed to sit there. Mr. Kemper does not know if the City has ownership of them and if they are City owned facilities specifically for the golf course. The scary part would be that if somebody bought it and decided that they couldn't keep the golf course and the council declined to rezone it, the property could turn to tumbleweeds. Mr. Chaney stated that the Montoyas part of the golf course has already been abandoned and is not being watered.

A motion was made to present this information to the City of Rio Rancho so that any potential purchaser would know the drainage issues that they would have to deal with. It was seconded by Jim Fahey.

Mr. Metzgar stated that it was his recommendation that SSCAFCA take this issue to the City, but not take it to the public at this time. This way the City will at least have a heads up on the issue.

The motion passed unanimously.

3. Development Status Update.

Mr. Charles Thomas stated that there has been some increase in activity. The Cielo Azul drainage report was submitted. They have reviewed it and provided some comments with regard to addressing all of the basin with the improvements and the associated connection to SSCAFCA's ponding areas. The Sportsplex was a grant of easements and lot consolidation. One of the larger projects is the Montoyas Arroyo Sanitary Sewer Improvements. A City bid package has been signed and placed out for bid. This is the sewer line that will be buried in the Montoyas and will replace the line that is on the southern edge of the arroyo.

4. Action/Acceptance of Memorandum of Understanding with City of Rio Rancho for City Center Facility Plan.

Mr. Thomas stated that the MOU with the City of Rio Rancho was approved last month; however, in the interim, it went from Acting Manager, James Babin, to the City Manager, Keith Reisberg. The signature page has been restructured and it needs to be signed again. The City also made two technical minor corrections in the scope of work to clarify the modeling that will be required. He concurs with the changes.

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

Environmental Services Director:

1. Action/Acceptance of the Black Arroyo Wildlife Park Master Plan.

Mr. Dave Gatterman stated that the Black Arroyo Wildlife Park Master Plan has been prepared. A full copy of the final draft is in the Board's packets. Staff asks that, unless the Board has comments, that the Board accept the Plan as drafted.

George Radnovich, of Sites Southwest, stated that the newest plan has quite a bit more detail than last time. There is a lot of information related to open space in the plan. There is more detail for the education oriented open space for the Maggie Cordova school. They visited with the Maggie Cordova PTO last Monday and they were very excited about the plan moving forward and having that open space set aside for their use.

A motion was made by Jim Fahey to accept the Black Arroyo Wildlife Park Master Plan as presented. It was seconded by John Chaney and passed unanimously.

In response to a question from Mr. Rudy, Mr. Gatterman stated that on May 1, 2013, EPA issued the MS-4 permit into the federal register which put it out for public review. Since then, he has been working with the other MS-4 entities in developing comments that will go to the EPA as a collective entity. He believes that this will have more impact than every entity sending separate comments. There have been two public meetings and a public hearing that was held by the EPA attended primarily by MS-4 entities and some public members to discuss the permit. The permit is pretty reasonable concerning what the EPA is trying to do. It does not impact SSCAFCA heavily financially, however, it does impact some. However, using a cooperative mode, it will cut costs. They have until July 1, 2013 to submit written comments to the EPA. The EPA will have about 90 days to address those comments and then issue the actual permit for the watershed. The final permit will probably come out in early October. In recent days he has been talking with AMAFCA, who seems to be coming around to a little more cooperative stance. The only entities who may have a difficult time getting in on the cooperative elements will most likely be the federal entities, i.e., Kirtland Air Force Base, the Department of Energy, etc., because they are not able to enter into these type of agreements.

Fiscal Services Director:

1. Recognition/Acknowledgment of the Fiscal Services Report for April 30, 2013.

Deborah Casaus presented the Fiscal Services Report for April 30, 2013 in the Board's packets. She stated that property tax collections are 66% of budget for the operating tax and 71% for debt service. At this point they don't expect anything different than what the budget states at this point. General fund expenditures, fiscal year to date, are about 42.55% of the total budget and we're about 83% through the fiscal year

There were 67 single family residential permits issued by the City of Rio Rancho for the month of April 2013. This brings their total to 201 permits for the year compared to last year's 128 permits issued by this time. Interest earned on the State Treasurer's funds was at a rate of .152%.

The Fiscal Services Report for April 30, 2013 was recognized and acknowledged by the Board.

2. Action/Acceptance of Fiscal Year 2014 Personnel Budget.

Deborah Casaus stated that the Board approved the entire budget at the last meeting with the exception of the Personnel Budget, which went back to the Personnel Committee. The recommendation from the Personnel Committee was to approve the Budget as originally presented, which included a cost of living increase for all employees of 2.1% and salary adjustments ranging from 2.9% to 5.4%.

Mr. Thomas stated that in terms of a strategy, salary adjustments, based on performance, would be considered on a two year cycle. A lot of the factors involved include cost savings achieved through internal design and seeking outside funding. It was felt that this sort of window was appropriate to warrant evaluation. The next one will be the budget for fiscal year 2016.

A motion was made by Jim Fahey to accept the Fiscal Year 2014 Personnel Budget as presented. It was seconded by Steve House and passed unanimously.

3. Action/Acceptance of contract renewal with Hughes Law, LLC for Bond Counsel Services with no requests for changes.

Ms. Deborah Casaus stated that Hughes Law, LLC has requested its contract renewal with no requests for changes.

4. Action/Acceptance of contract renewal with RBC Capital Markets for Financial Advisor Services with no requests for changes.

Ms. Deborah Casaus stated that RBC Capital Markets has requested its contract renewal with no requests for changes.

5. Action/Acceptance of contract renewal with American Fence for Fence and Fence Repair Services with no requests for changes.

Ms. Deborah Casaus stated that American Fence has requested its contract renewal with no requests for changes.

6. Action/Acceptance of contract renewal with Select Properties for Right-of-Way Acquisition Services with no requests for changes.

Ms. Deborah Casaus stated that Select Properties has requested its contract renewal with no requests for changes.

7. Action/Acceptance of contract renewal with Eugene N. Cavallo & Associates, Inc. for Real Estate Appraisal Services with no requests for changes.

Ms. Deborah Casaus stated that Eugene N. Cavallo & Associates, Inc. has requested its contract renewal with no requests for changes.

8. Action/Acceptance of contract renewal with Connie's Complete Cleaning Services for Janitorial Services with no requests for changes.

Ms. Deborah Casaus stated that Connie's Complete Cleaning Services has requested its contract renewal with no requests for changes.

A motion was made by John Chaney to accept the contract renewals with all of the above-entities as presented. It was seconded by Jim Fahey and passed unanimously.

Field Services Director:

1. Gateway Pond Parking Lot Update.

BOARD OF DIRECTORS REGULAR MEETING

MAY 17, 2013

Jim Service stated that the Gateway Pond Parking Lot is completed. The final walk-through is scheduled for next Friday. Everything looks great and there should be no problems. After that, it's just a matter of coordinating for the opening.

2. Roskos Pond Update.

Jim Service stated that the Roskos Field is just about finished and will be finished by Friday of next week, except for the shade structure. They are in the process of getting the shade structure plan approved. Once that gets approved, staff will decide whether to put it out to bid or get a specialist to put it up.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

None.

COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

PROPERTY MATTERS.

1. Action/Acceptance - Unit 21, Block 113, Lots 1, 2 & 3 - 2.32 acre - PDV Dam
2. Action/Acceptance - Unit 20, Block 133, Lots 1, 83, 84 & 90 - 2.69 - Venada Dam.

Mr. Thomas stated that staff is seeking approval for the purchase of the lots listed above.

A motion was made by Mark Conkling to approve the purchase of the properties as presented. It was seconded by Jim Fahey and passed unanimously.

FOR YOUR INFORMATION:

1. 2013 Proclamation from Governor Martinez: "Water Quality & Conservation Awareness Week."
2. Rio Rancho Observer article, "Students eye owl, learn about arroyo habitat", (05/08/2013).
3. Rio Rancho Observer article, "Local high school students flooded with video work for SSCAFCA", (05/12/2013).

OTHER BUSINESS.

- Next Regular Board Meeting is on Friday, June 21, 2013 at 9:00 a.m.

ADJOURNMENT.

A motion was made by Jim Fahey and seconded by John Chaney to adjourn the meeting. It was carried unanimously. Meeting adjourned at 10:20 a.m.



STEVE HOUSE
Secretary



DONALD RUDY
CHAIRMAN

DATE APPROVED: 6/21/13