

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)

MINUTES OF APRIL 13, 1999  
REGULAR BOARD OF DIRECTORS MEETING

I. CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 2:20 p.m.

1. Roll Call of Directors.

Directors in attendance were Bill Joiner, Guy McDowell, James Dorn and Dub Yarbrough. John Chaney was noted as absent. Staff members present were David Stoliker, Executive Director, and Pam McGrath, Administrative Secretary. Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

2. Approval of Agenda.

Mr. Yarbrough stated that Item IV of the Agenda needed to be moved to after the closed session.

A motion by Bill Joiner to approve the Agenda as amended was seconded by James Dorn and passed unanimously.

II. SECRETARY'S REPORT.

1. Approve Minutes of March 16, 1999.

A motion by James Dorn to approve the minutes of March 16, 1999 was seconded by Guy McDowell and passed unanimously.

III. CITY OF RIO RANCHO REQUEST FOR LOCAL GOVERNMENT DRAINAGE ASSISTANCE FOR ARROYO DE DESPORTES SPORTS COMPLEX.

Mr. Stoliker stated that the City of Rio Rancho is still interested in cost sharing with SSCAFCA for the Arroyo de Desportes Sports Complex for culvert pipe to be placed in the arroyo. SSCAFCA's share would be \$20,000 as per the request from City contained in the packet. All requirements by SSCAFCA have been met for the cost share.

A motion by James Dorn, seconded by Bill Joiner, to approve the transfer of \$20,000 from SSCAFCA to the City of Rio Rancho passed unanimously.

**IV. APPROVAL OF BID AWARD AND NOTICE TO PROCEED FOR URBAN POND #4 EMERGENCY SPILLWAY.**

Item moved to after closed session.

**V. URBAN POND SUMMARY.**

Mr. Stoliker stated that, per the previously approved agreement with Mr. Wilken, SCAFCA will buy all the land for the Urban Pond #4 Project. This will enable SCAFCA to build its portion of the project. However, problems have arisen because of the NMED letter from Mr. Gallegos, which identifies the pond as a potential contamination site and might restrict drinking water wells within 100' of its 100 year water surface elevation. Because of this potential liability, Mr. Stoliker stated that he recommends SCAFCA does not own property within 100' of the nearest drinking water wells.

Mr. Metzgar stated that the New Mexico Environment Department drinking water regulations require that private water supply sources to be located at least 50 (fifty) feet horizontally from a privy (outhouse), septic tank, or enclosed system or liquid water treatment unit and at least 100 feet horizontally from an existing or potential pollution source. He further stated that the Environment Department is saying that the Urban Pond #4 is a potential pollution source.

Mr. Stoliker stated that if SCAFCA deeded all the property to the City of Rio Rancho and took a drainage easement on that portion necessary to maintain the pond and remain 100' from the local drinking water wells, SCAFCA could probably avoid any liability regarding the pollution source problem.

A motion by Bill Joiner, seconded by Guy McDowell, to have Cinfran replat the property at a cost of \$1,495 + GRT which will transfer all of the property to the City of Rio Rancho, and retain the necessary drainage easements, carried unanimously.

**VI. BUILDING LEASE RENEWAL.**

Mr. Stoliker stated that the current building lease expires September 30, 1999 and there are no options left on the lease. The building is full and commercial office space is sparse in Rio Rancho so negotiations should start soon on a new lease. Regarding the possibility of constructing an office building prior to the lease expiring, it will probably be a long time before SCAFCA can get into

its own building. The two possible options for a SSCAFCA office building is on commercial land and Corrales Road where SSCAFCA currently owns property. The Corrales Road property will have to be rezoned and it will take at least four (4) months to do so. The commercial property is currently zoned to meet SSCAFCA needs and would be the quickest to design and construct.

A motion by Bill Joiner, seconded by Guy McDowell, for Mr. Stoliker to attempt to negotiate the present building lease for one additional year from October, 1999, with four six month renewal options carried unanimously.

**VII. APPROVAL OF RENEWAL OF CAMPBELL CONSTRUCTION O&M CONTRACT.**

Mr. Stoliker stated that John Campbell Construction O&M contract is up for renewal and that Mr. Campbell is asking for a price increase under the equipment section of 10% per item, and an increase in coordination costs from \$22.00 per hour to \$32.00 per hour. The equipment costs vary with the different types of machinery used. This is the last renewal for Mr. Campbell.

Mr. Metzgar stated that O&M has become a big part of SSCAFCA's projects. For the next contract, SSCAFCA should look at setting up a bid package so that SSCAFCA can make sure that it is competitively bid.

A motion by Bill Joiner, seconded by James Dorn, to approve the renewal of John Campbell's Construction O&M Contract in accordance with the increases, carried unanimously.

**VIII. 528 WATERSHED TASK ORDER APPROVAL.**

Mr. Stoliker stated that Avid Engineering was originally doing the 528 Watershed Task Order but was bought out by Parsons-Brinkerhoff. Because of our lawsuit with the Village, Parsons-Brinkerhoff does not want anything to do with the NM 528 Watershed project. The only option at this time is to go with another on-call engineering firm. He stated that he had contacted Clint Dodge to see if he would be willing to look at it. The original task order was for \$30,000 and Mr. Stoliker stated that SSCAFCA has already spent about \$5,000 on it. Mr. Stoliker stated that he is very pleased with Leedshill-Herkenhoff's product and they will do a good job for SSCAFCA. He recommended SSCAFCA discontinue the Task Order with Parsons-Brinkerhoff and issue one to L/H in the amount of \$34,620 plus NMGR.

Mr. Dodge stated that they were going to do two reports. One would be to look at the 528 channel, down past Intel, to where it connects onto the AMAFCA channel to find out if there were any problems so they could develop the hydrology. The second report is on the Tree Farm Ponds. Mr. Dodge stated that they will update the model to the current conditions in order to look at the 100 year storm situation.

A motion by Guy McDowell, seconded by James Dorn, to approve the 528 Watershed Task order for Leedshill-Herkenhoff, carried unanimously.

**IX. CHAIRMAN'S REPORT.**

**1. Vision Retreat.**

Mr. Yarbrough stated that SSCAFCA should have a vision retreat in the near future. There was discussion about a facilitator for such a retreat and Mr. Stoliker was instructed to look into the matter of obtaining a facilitator.

**X. OTHER BUSINESS.**

None.

**XI. DIRECTOR'S COMMENTS.**

None.

**XII. PUBLIC FORUM.**

None.

**XIII. CLOSED SESSION.**

A motion by Bill was seconded by James Dorn to go into closed session for purposes of discussing potential and pending litigation for Dams 1 & 4 Outfall Project, Lot 116 and the Urban Pond #4 Project. Roll

call vote: James Dorn, yes; Bill Joiner, yes; Guy McDowell, yes; Dub Yarbrough, yes. Motion passed 4 to 0.

The Board went into closed session at 3:55 p.m.

**XIV. RESUME OPEN SESSION.**

The Board reconvened in open session at 4:25 p.m.

The matters discussed in the closed meeting were limited only to those specified in the motion for closure.

Mr. Yarbrough stated that no action was necessary of the matters discussed in the closed session.

**IV. APPROVAL OF BID AWARD AND NOTICE TO PROCEED FOR URBAN POND #4 EMERGENCY SPILLWAY.**


Mr. Stoliker presented the bids for the Urban Pond #4 emergency spillway, Lot 1. He stated that only two bids were received and Joiner Construction was the low bidder. Therefore, he asked for approval of the bid award to Joiner Construction and for approval of the Notice to Proceed on the project.

A motion was made by James Dorn to approve the bid award to Joiner Construction and the Notice to Proceed for Urban Pond #4 emergency spillway and to give Dub Yarbrough and David Stoliker authority to sign the required documents. It was seconded by Guy McDowell and carried with Mr. Joiner abstaining.

XV. ADJOURNMENTS.

A motion by James Dorn, seconded by Bill Joiner, to adjourn the meeting, carried unanimously. Meeting adjourned at 4:30 p.m.

  
WM. C. YARBROUGH  
Chairman

  
BILL R. JOINER  
Secretary

Date Approved May 18, 1999