

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF OCTOBER 19, 1999
REGULAR BOARD OF DIRECTORS MEETING**

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 1:12 p.m.

Directors in attendance were John Chaney, James Dorn, and Dub Yarbrough. Guy McDowell was noted as absent. Bill Joiner arrived at 1:30 p.m. Staff members present were David Stoliker, Executive Director. Bernard Metzgar, SSCAFCA's attorney and members of the public were also present.

APPROVAL OF AGENDA.

A motion was made by John Chaney to approve the Agenda as amended with the addition requested by Mr. Stoliker (i.e., to include a letter contract from renaissance Networks, Inc.). It was seconded by James Dorn and passed unanimously.

DEBRIEFING ON 1999 BOND SALE.

Mr. Baird stated that assessed values change as protests are heard and cleared up by the County Assessor. SSCAFCA's assessed value starting with this tax year is \$849,187,092, which is about 16.5% over 1998 (adjusted).

Mr. Baird suggested that SSCAFCA hold elections every four years and issue bonds every two years. The only changes, with the growth in assessed value and with the good interest rates, are that SSCAFCA may be able to increase the bond amount in future elections.

Five bids were received from underwriting firms and the Dain Rauscher Underwriting Department was allowed to purchase the bonds as they were the best bidder in a sealed bid process.

There was a lack of timely distribution of documents to the Board for signature and Dain Rauscher is determined to coordinate that through bond counsel to make sure that SSCAFCA has timely distribution for the next bond sale.

The future bond elections, as planned right now, are \$4.7 million election in February 2003, subject to adjustment, and a \$5.3 million election four years later.

Dain Rauscher is trying to set up an electronic transfer of SSCAFCA's monthly tax checks with the county treasurer.

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Mr. Stoliker stated that by trying to stabilize the scheduling of the bonds provides two benefits. First, SSCAFCA can let the public know what to expect. Second, SSCAFCA can stabilize staffing and projects.

No action was taken and handouts were provided to the Board and the public.

SHERIFF POSSE ROAD FLOODING.

Mr. Stoliker stated that he met on October 13, 1999 with the City of Rio Rancho, Sandoval County, and the Town of Bernalillo. The City of Rio Rancho stated that the flooding is out of their jurisdiction and didn't feel that they had any part in it. AMREP is taking pretty much the same position. The Town of Bernalillo indicated that they do have a part in it. Sandoval County agreed that they would participate in the project. The arroyo does have a current flow of greater than 500 cfs, it crosses governmental jurisdictional boundaries, and it does have an outflow to the Rio Grande. Therefore, it is recommended that SSCAFCA get involved.

Mr. Bohannon stated that the survey of the arroyo was prepared from the river to NM 44, as well as the crossing of Sheriff's Posse Road. The preliminary estimate on the design, which is two 6' by 10' concrete box culverts with some wing walls and to rebuild Sheriff's Posse Road to go over the crossing structure, and the other things that would need to be done to correctly construct the crossing, is roughly \$917,000.00. The developers have dedicated about half of the right-of-way, have already put in \$7,500.00, and will contribute the bridge and roadway design, bidding and construction observation.

Mr. Bohannon stated that he would like to see action taken first on the bridge design. The bridge design will be about \$80,000.00. The Town of Bernalillo and Sandoval County have said they would cover the reconstruction of the roadway costs. Mr. Bohannon would like to work with SSCAFCA to take any surplus dirt out of the arroyo from Sheriff Posse Road to the Rio Grande to build up pads in the subdivision.

Building the bridge would be the first phase of a three-phase approach. The second development phase would be from Sheriff's Posse Road to the Rio Grande. The third phase can wait until the properties above the road are developed, or Rio Rancho comes back and realizes that they do affect the arroyo. The remaining 5.42 acres of the right-of-way, as development occurs, could probably be dedicated by the developer(s).

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When questioned by Chairman Yarbrough regarding Mr. Bohannan's liability, Mr. Bohannan indicated that he should have looked at the crossing, but that the flood plain from the arroyo did not impact Mr. Bohannan's project. Mr. Bohannan did not look at the fact that the County had installed four 24" culverts. Also, he did not anticipate that it would create a problem. Mr. Bohannan stated that the culverts were severely undersized for a 100-year event carrying only 136 cfs Vs the 1500-cfs required. Sandoval County put in the culverts under a co-op agreement with the State. If the culverts had not been there, the water would have continued straight and head cut about four or five feet out of the channel to the river, with no damage.

Mr. Stoliker stated that given the amount of flow that the culverts could take, the problem would have occurred even if AMREP had not been developing above the road.

Mr. Stoliker stated that SSCAFCA is being asked to put in a bridge and remove the culverts. Mr. Stoliker stated that he would like the Board to consider the other two phases as well.

Mr. Yarbrough stated that the water came through freshly disturbed land from the AMREP development above the road. If the development had not been there the sediment load would not have been as much.

Mr. Stoliker stated that once the Encantado Channel diversion occurs the flow rate will go down. Mr. Stoliker stated that he has not received anything in writing from Cinfran or AMREP addressing FEMA's comments on the diversion channel.

Mr. Stoliker stated that SSCAFCA couldn't force Cinfran to widen and enlarge the Encantado Channel. Cinfran also needs to do some additional modeling to make sure that the levy in the Venada Arroyo is satisfactory. Mr. Stoliker stated that, given the conditions today, it is his opinion that SSCAFCA should design the culvert for existing conditions (i.e., 1500 cfs). If SSCAFCA reduces the size to 300 cfs for this particular box culvert section, SSCAFCA then is saying that the diversion will have to occur.

Mr. Bohannan stated that if the culvert were planned for the 500-cfs range instead of 1100-cfs only one box culvert would be needed. Mr. Bohannan stated that doing so would probably not save that much money on the actual construction. It would probably save \$65,000.00. The cost would not be cut in half.

The developers are looking at getting this matter resolved in the very near future so they can feel secure when they sell their lots. The developers want to start construction before

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Thanksgiving.

Mr. Bohannan stated that by Town of Bernalillo ordinance, the developer would be required to donate the easement for drainage conveyance. Mr. Bohannan stated that if a developer wanted to discharge its developed waters, they would want it to go into SSCAFCA's hand or the Town of Bernalillo's hands to convey the water.

Mr. C' De Baca stated that the culverts have been washed out twice before and were replaced by the County, with an upgrade in size each time. He stated that the residents donated the prior acreage thinking that the County was going to do the drainage properly.

Mr. Chaney stated that the diversionary channel matter needs to be resolved before Mr. Bohannan's request is approved.

Mr. Bohannan stated that they have offered to go to meet with AMREP to point out the fact that AMREP may have violated state law and SSCAFCA ordinances, as well as show them their liability. That has not happened.

Mr. Stoliker stated that he understands the Board wants Mr. Bohannan to continue to look at one versus two box culverts. SSCAFCA will go ahead and work on final arrangements with all parties and to insure that AMREP complete its diversion as quickly as possible.

Mr. Chaney stated that a 50:50 match occur with Sandoval County and asked that the Executive Director meet with Sandoval County to discuss the funding issue with them.

RIO RANCHO RESOLUTION 58, PROJECT PRIORITY LISTING.

Mr. Stoliker stated that SSCAFCA received Resolution 58 from Rio Rancho identifying their priorities for flood control facilities and requesting assistance from SSCAFCA. Mr. Makowski could not be present but this information is included for the Board's review. A list of SSCAFCA's priorities will be prepared and presented along with the other entities within SSCAFCA's jurisdiction.

EXECUTIVE DIRECTOR REPORT.

1. October 12, 1999 Correspondence from Mr. V. Heid.

Mr. Heid stated that he lives in the Corrales Heights Subdivision in Rio Rancho. He sent a letter to SSCAFCA on October 12, 1999 regarding the lands of SSCAFCA on Vista Verde Drive at Dam

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1. Mr. Heid talked with Mr. Stoliker and Mr. Yarbrough on this issue and he is concerned with the general appearance of the lots (i.e., Dam 1). He stated that the residents are very unhappy with the blowing sand and the weed pollen coming off of those properties. Mr. Heid is requesting that SSCAFCA improve the appearance of the lots to reduce the pollen and to reduce the unsightliness of the weeds.

Mr. Yarbrough stated that something does need to be done between the curb and the new fence. Mr. Heid stated that the residents want SSCAFCA to take care of the entire property, not just along the fence.

Mr. Dorn suggested that SSCAFCA provide the materials and the neighborhood provide the labor. Mr. Heid stated that since it is an older neighborhood he does not feel that he could get the interest from the residents.

Mr. Metzgar suggested that the Board allow Mr. Stoliker to get cost estimates on the improvements needed and the Board could make a decision at the next meeting. Mr. Stoliker stated that the area is a habitat for birds and lizards, et al. and that SSCAFCA should not remove anymore vegetation than is absolutely necessary. General consensus was given to Mr. Stoliker to obtain the costs and, if approved by the Chairman, to clear vegetation between the fence and the road and install a liner with crusher fines.

2. September 16, 1999 Correspondence from Fish & Wildlife to SSCAFCA, Mr. B. Howe.

Mr. Stoliker stated that Mr. Howe's letter addresses the bank swallows and the burrowing owl issues. Mr. Stoliker stated that there is still the outstanding issue on Lot 116 and he has not done the calculations on the detention that is required for Lot 116. This is a low priority and no action is anticipated for some time.

3. September 10, 1999 Correspondence from Mr. and Mrs. Schoppet.

Mr. Stoliker stated that Charles and Evelyn Schoppet sent a letter to SSCAFCA regarding Vista de Corrales. Mr. Stoliker stated that SSCAFCA has responded to their questions by providing the technical input to the City of Rio Rancho and Corrales. Mr. Stoliker stated that he has not responded in writing to the Schoppets but can send them letter showing what SSCAFCA did and to address any further comments to the City of Rio Rancho. The Board agreed.

4. September 29, 1999 Correspondence from Ms. P. Nuttall.

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Mr. Stoliker stated that Ms. Nuttall is a teacher at Rio Rancho High School and would like help from SSCAFCA to put in some prototype erosion control systems. Mr. Stoliker stated it would be an excellent opportunity for SSCAFCA to train the younger generation on what is good and bad with respect to erosion. Ms. Nuttall and her class would watch over the vegetation.

Mr. Stoliker stated that he went to the school and made a slide presentation and talked about water quality and erosion. He showed the class slides on the damage that motorcycles do when they climb up a bank of an arroyo. He talked about water quality and what erosion does to water quality. They also talked about preservation of the arroyos.

Mr. Stoliker stated that Ms. Nuttall's class has adopted the pond that is on the south side of High Resort right across from the sports complex at the high school. They are doing tests and studies that affect that pond. Ms. Nuttall is asking if SSCAFCA can go in, take three or four different run-offs from the building, structure them, and build something that would show the different types of treatments.

Mr. Stoliker was given Board approval to continue working with Ms. Nuttall and her class and to install a demonstration project.

5. Contract Change with J. Campbell to include Water Truck @ \$38/hour.

Mr. Stoliker stated that John Campbell had requested a change to his contract to allow him to add the cost of a water truck at \$38.00 per hour. Mr. Stoliker stated that the water would be pumped out of the Harvey Jones Channel. John Campbell will get a water meter and charge SSCAFCA for the water.

A motion was made by Bill Joiner to add the water truck cost to John Campbell's contract. It was seconded by John Chaney and passed unanimously.

6. Sanitary Sewer Lift Station Correspondence from L. Webb, Rio Rancho Director of Utilities.

Mr. Stoliker stated that SSCAFCA has now received the information on Trinity Estates from Mr. Webb that it requested concerning Rio Rancho's sanitary sewer lift station policies, procedures and performance. This information is contained in the Board packets.

7. SSCAFCA Personnel Evaluation System.

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Mr. Stoliker stated that he is preparing to write job descriptions and he has come up with the beginning of a personnel evaluation system. The Board reviewed the information.

8. SSCAFCA Project Review/Construction Plan & Final Plat Review Process.

Mr. Stoliker stated that he and Shelly have come up with a diagram on how plans were reviewed. The bottom line is that they have imposed time frames on the review process to cut turn-around time.

9. Letter Contract with Renaissance Networks, Inc.

Mr. Stoliker stated that he needs to have somebody come in and evaluate Karen's computer. She has a slightly older machine and Mr. Stoliker is unsure if her computer can handle everything that needs to be done. Mr. Stoliker will first look locally for somebody to come in to do the work on the computer.

10. Informational items.

a. **Enchanted Hills CLOMR & Related Correspondence.**

Mr. Stoliker stated that he has provided all the background information on the Enchanted Hills matter in the Board packets.

b. **Correspondence from American Consulting Engineers Council (ACEC).**

Mr. Stoliker stated that he made a presentation at ACEC and he has provided their thank you letter for the Board's information.

c. **Attendance at National Association of Flood and Storm Water Management Agencies (NAFSMA) Conference in Philadelphia 11/1/99.**

Mr. Stoliker stated that he has the conference agenda in the Board member's packets for their information. The big thing for the NAFSMA conference is water quality and EPA regulations and that this should be a good conference. It is anticipated that annual or semi-annual attendance at a national conference will occur.

d. **Correspondence to D. Fagley.**

Mr. Stoliker stated that Ms. Fagley has purchased a

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fragment in Unit 17 and this matter is now completed.

e. Hiring of Karen Roybal for part time secretary.

Mr. Stoliker stated that he wanted the Board to see the information provided on the hiring of Karen Roybal. He included this purely for the Board's information. Ms. Roybal has been hired as a part time secretary for \$7.75 per hour and works five hours per day.

f. Ribbon Cutting Ceremony Information.

Mr. Stoliker stated that he included the agenda on the ribbon cutting ceremony for the Board's information.

CHAIRMAN'S REPORT.

Mr. Yarbrough stated that SSCAFCA has provided the Village of Corrales with the Drainage Study for 528. He saw Mr. Kanin recently and asked him about the drainage report. Mr. Kanin stated that he had not had time to look at it yet.

Mr. Yarbrough stated that, on the Dam 4 to 1 project, in lieu of the five-wire fence along Villa Verde and part of Dam 4, he authorized a change order to delete the five-wire fence and put in the split rail fence.

Mr. Yarbrough stated that on Dam 1, that he has authorized another company to put in erosion control polymers in lieu of Lee Landscaping's contract.

Mr. Yarbrough stated that, because of Pam's health problems, she is not capable of doing part of the research that Mr. Stoliker had planned for her to do. Mr. Yarbrough suggested using Jim Service to do the legwork that Pam is unable to do at this time.

Mr. Yarbrough stated that he would like to see SSCAFCA's excess properties on Unit 17 on the market by the end of the year. Mr. Metzgar is talking with the appraiser about getting the appraisals done. Mr. Metzgar stated that the state is looking more favorably at auction sales for property rather than closed bids. The state is also looking at the possibility of allowing government entities to list properties with a realtor for a "no less than" sale.

Mr. Yarbrough is concerned about the SSCAFCA dirt that the Village of Corrales gave away to a private developer.

Mr. Yarbrough stated that he found another nesting site for

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the bank swallows.

Mr. Yarbrough stated that he has had two different people from Corrales tell him that they would like SSCAFCA to buy the arroyos that will not carry any more water due to the pipeline and put in jogging paths and horse trails, etc. Mr. Yarbrough stated that he is totally opposed to doing something like that. Private owners own that property now and SSCAFCA would have to condemn the property for that purpose. Mr. Metzgar stated that the SSCAFCA statute does not allow SSCAFCA to condemn for that purpose. If it was done in conjunction with a project it is a totally different matter, but even then SSCAFCA's policy has been that it will not own recreational facilities. SSCAFCA transfers that property to the city or village and take back only an easement for its purposes.

Mr. Stoliker stated the he does not see where SSCAFCA can get Lot 116 under way before the first of the year and more probably late in FY 2000/2001. Mr. Stoliker stated that he still needs to run through the design.

DIRECTOR'S COMMENTS.

None.

OTHER BUSINESS.

None.

PUBLIC FORUM.

Mr. Korzdorfer of NRCS stated that the tour on November 17, 1999 has been cancelled. It is his understanding that the annual O & M Inspection is November 22, 1999 at 8:00 a.m. Mr. Korzdorfer stated that there has been a major problem with rabbits eating all of the vegetation that was planted and Ramona is working on trying to control the rabbits. The annual work plan should be finalized soon.

CLOSED SESSION.

A motion was made by Bill Joiner to go into a closed session for purposes of discussing potential and pending litigation on the Dam 4 to 1 Pipeline Project, the Urban Pond #4 Project and Personnel Issues. It was seconded by John Chaney. Roll call vote: John Chaney, yes; James Dorn, yes; Bill Joiner, yes; Dub Yarbrough, yes. Motion passed 4 to 0.

The Board went into closed session at 3:42 p.m.

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RESUMPTION OF OPEN MEETING

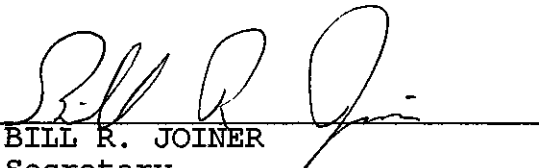
The Board reconvened in open session at 4:30 p.m.

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 on the matters discussed in the closed session.

ADJOURNMENT.

A motion was made by Bill Joiner and seconded by John Chaney to adjourn the meeting. It was carried unanimously. Meeting adjourned at 4:33 p.m.



BILL R. JOINER
Secretary



WM. C. YARBROUGH
Chairman

DATE APPROVED: 12-7-99