

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF MARCH 20, 2001
BOARD OF DIRECTORS REGULAR MEETING**

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 1:10 p.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were John Chaney, Mark Conkling, Richard Deubel, Guy McDowell, and Dub Yarbrough. Staff members present were David Stoliker, Executive Director, and Perry Baird. Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

APPROVAL OF AGENDA.

A motion was made by Dub Yarbrough to move items X and XII to right before item V. It was seconded by John Chaney and passed unanimously.

PUBLIC FORUM.

None.

SECRETARY'S REPORT.

1. Approve Minutes of February 20, 2001.

Mr. Deubel noted three corrections to be made in the minutes and then made motion to approve the minutes of February 20, 2001, as corrected. It was seconded by Mark Conkling and passed unanimously.

2. Approve Minutes of March 6, 2001.

A motion was made by John Chaney to approve the minutes of March 6, 2001 as presented. It was seconded by Richard Deubel and passed unanimously.

TREASURER'S REPORT.

1. Action/Approval of Expenditures for 02/01/01 - 02/28/01.

A motion was made by Mark Conkling to approve the expenditures for 02/01/01 through 02/28/01 as presented. It was seconded by Dub Yarbrough and passed unanimously.

2. Action/Approval of Treasurer's Report for 02/28/01.

Mr. Conkling presented the Treasurer's Report to the Board.

A motion was made by John Chaney to approve the treasurer's report for 02/28/01 as presented. It was seconded by Mark Conkling and passed unanimously.

3. Discussion of Preliminary Budget for FY/02 (07/01/01 - 06/30/02).

Mr. Stoliker stated that the Budget Committee has met three times and the Committee has prepared an interim budget for the Board's review. Most of the items at the beginning deal with what has happened over the course of the past year. The next bond election is still scheduled for 2002-2003. In the past, bond elections have been held on an off general election date and not with a general election. Mr. Stoliker would like the Board to consider having the next bond election at the general election in November 2002. Mr. Chaney stated that SSCAFCA has held the elections separately from the general elections simply to eliminate people who might vote "no" against SSCAFCA bonds simply because they don't like to spend any money. Holding the elections separately lets the people who are really interested come out and vote.

Mr. Stoliker stated that the general fund tax revenues are estimated to be \$705,980, which is 8% over last year's revenues. The Committee identified the cost of living at 3.4%. Cost of living adjustment is only given to staff, per the Board's direction. There is no cost of living adjustment included in the budget for the Executive Director. A new position has been identified for SSCAFCA. The position could be identified for O & M or as an environmental position.

O & M has been dropped to \$150,000 in this budget which does not include the salary for the proposed new position. Contract O & M will not be removed from the budget at this time. Eventually, SSCAFCA hopes to have its own O & M personnel to handle those duties. The bond projects are budgeted at \$1.7 million. It is assumed that Roskos Field will be complete by the end of this fiscal year. The drainage plan on the Montoyas Arroyo will be completed by the end of this calendar year.

Mr. Baird stated that there is another Budget Committee meeting to finalize the preliminary budget that will be submitted to the Board next month. If the Board approves the budget for submission to the state, it can then be submitted to the DFA prior to the June 1, 2001 deadline. If the budget is not approved at the next meeting, there is still a last chance to approve it at the May meeting. The final budget will be brought to the Board after DFA has approved the preliminary budget.

ACTION/APPROVAL OF DRAINAGE DESIGN CRITERIA FOR ROADWAY PROJECTS WITHIN SSCAFCA JURISDICTION.

Mr. Stoliker stated that a 50 year/24 hour event will produce approximately 2.3 inches of rain, which is a higher number than the 100 year/6 hour event. He is asking that the Board adopt the New Mexico State Highway & Transportation criteria of the 50-year/24 hour event for roadways within SSCAFCA's jurisdiction. AMAFCA uses a 100-year/6 hour, as does SSCAFCA at this point. Adoption of the State Highway criteria will eliminate confusion on which standards to be used.

Mr. Metzgar stated that SSCAFCA, in its drainage policy, had already adopted the 100-year storm runoff policy. Recently, in the discussions of roadway projects, it seemed that the policy made it tougher for entities within SSCAFCA's jurisdiction. Rather than have the general 100-year criteria, when discussing roadways, SSCAFCA should adopt specific criteria. SSCAFCA has already adopted the Albuquerque DPM which sets forth the criteria for local streets.

Mr. Metzgar stated that the Board could change its standard, either up or down, at any time, to address a particular circumstance. What cannot be done is that David Stoliker could not make a change on his own.

A motion was made by Mark Conkling to approve Resolution 2001-6. It was seconded by Richard Deubel. Roll call vote: Mark Conkling, yes; Richard Deubel, yes; John Chaney, yes; Guy McDowell, yes; Dub Yarbrough, yes. The motion passed 5-0.

CHAIRMAN'S REPORT.

Mr. Yarbrough stated that he, Mr. Stoliker and Mr. Chaney have had discussions on the Urban Pond 4 Project and the Tree Farm Pond Project. Mr. Yarbrough recommended to the Board that SSCAFCA name the Urban Pond Trinity Estate system, including the pipeline and the Urban Pond 5, in honor of Annette Jones. He recommended that the Board

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name the Tree Farm Pond Project in honor of Johnnie Losack. He asked the Board members to think about it and it will be placed on the Agenda at a later time.

1. Report on Loma Larga Issues:

The following documents are contained in the Board members' packets:

- a. March 7, 2001 letter from SSCAFCA;
- b. March 8, 2001 letter from Mayor Kanin;
- c. March 12, 2001 letter from SSCAFCA;
- d. Presentation on March 13, 2001 Village of Corrales Council Meeting; and
- e. March 15, 2001 letter from SSCAFCA.

Mr. Metzgar stated that at the last Board meeting, the Board instructed Mr. Stoliker and Mr. Metzgar to attempt to get on the Village Council Agenda to present SSCAFCA's positions on Loma Larga, both on its authority and criteria. Mr. Stoliker stated that he and Mr. Metzgar appeared, with some Board members in the audience, and presented the information as non-confrontational as possible. Councilor Callan was concerned with respect to what he thought might be threatened litigation by SSCAFCA. The Village offered to have a work study session on March 22, 2001, to which SSCAFCA could not commit because of the Open Meetings Act requirements on notice.

Mr. Metzgar stated that the engineer for the Village stated that the design plans for the present phase of the Loma Larga project have not been completed. The plans are being revised to incorporate more drainage into them. The only thing a work study session could deal with would be SSCAFCA's authority. Another alternative would be to wait for the design to be completed and reviewed by SSCAFCA, and then schedule a work study session. The next Village Council meeting is March 27, 2001.

Mr. Deubel stated that the issue is whether Corrales is going to abide by the Memorandum of Agreement and acknowledge SSCAFCA's jurisdiction in the matter. If SSCAFCA goes before the Council and poses those questions to it, it forces the Council to act. There is no room for discussion. Mr. Metzgar stated that he had asked Mayor Kanin about the acknowledgment of SSCAFCA's jurisdiction and the Mayor stated that was an issue that should be discussed at a work study session.

Ms. Allen from the Village stated that the Council had also suggested having a special meeting. Under special meeting conditions, the Council can have action items. A

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work study session would be a general discussion with no action taken. A special meeting would be a discussion of the SSCAFCA issues and action could be taken.

A motion was made by Mark Conkling that SSCAFCA accept the Village of Corrales Council's invitation that the SSCAFCA Board meet with the Village Council in a work study session to discuss the Loma Larga road project at a suggested date of April 3, 2001 at 6:00 p.m. and, thereafter, the Village Council go into special session at 7:00 p.m. to make a decision on SSCAFCA's flood control authority within the Village of Corrales, including the Loma Larga project. The SSCAFCA Board will also advertise for a special session in anticipation that it may also have to make a Board decision relating to this project. It was seconded by Richard Deubel. Roll call: Guy McDowell, yes; John Chaney, yes; Mark Conkling, yes; Richard Deubel, yes; Dub Yarbrough, yes. The motion passed 5-0.

CITY OF RIO RANCHO REQUESTS.

1. Unit 7 Retention Pond - Local Government Assistance Funds.

Mr. Stoliker stated that Ken Curtis, of the City of Rio Rancho, has asked for funding from SSCAFCA on two items. These items are covered under the Local Government Assistance Funds.

Mr. Curtis stated that because of the age of the original platting of Rio Rancho, the City has problems with discontinuous easements for drainage ways and a lack of drainage facilities. One of Rio Rancho's greatest needs is acquiring right of way for passage of storm water flows, detention, and retention. Unit 7 is historically a closed basin. There are some problems right now in handling nuisance flows during smaller events. The City would like to control the whole basin to a common low point with the purchase of one or two lots in Unit 7 to build a retention facility. A 100 year storm can be put into a single lot by making it deeper (approximately 6 feet) and put a fence around it, or on two lots, in which case the depth can be lessened and there will be no need for a fence. The basin cannot be connected to a SSCAFCA arroyo because there are ridgelines on all sides and a concrete pipe under the ground is cost prohibitive.

Mr. Curtis stated that the lots were appraised at approximately \$18,000 per lot. The ponds are being planned for retention only. There is no release mechanism for the water.

Mr. Stoliker stated that he would like SSCAFCA to provide funding for two lots to allow for multiple use of the facility per SSCAFCA's goals.

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A motion was made by John Chaney to approve the City's request on the Unit 7 Retention Pond for the purchase of two lots. It was seconded by Mark Conkling and passed unanimously.

2. Rainbow Watershed - Local Government Assistance Funds.

Mr. Curtis stated that this project is north of Tulip Road in which they have a known drainage way through an old neighborhood that eventually ties into the Ivory Channel. Again, there is a disconnect. The Ivory Channel dead ends at the end of a FEMA designated flood plain. After some study for a new road project, it was decided that some detention was needed in this area.

Mr. Stoliker stated that SSCAFCA needs to make sure the size is right and that the design is right. It has been suggested that a two step process be done. This would include approving the request as it sits right now and then see if some more study can be done to lock in the numbers. Whatever will be needed for detention can then be purchased at a later date.

A motion was made by John Chaney to approve the City's request on the Rainbow Watershed, not to exceed the \$50,000.00 grant money available to Rio Rancho on both projects minus the \$10,000 previously approved for the Unit 17 study. It was seconded by Mark Conkling and passed unanimously.

MARCH 12, 2001 REQUEST FROM ERIC YOUNGBERG REGARDING ACCESS ACROSS THE DULCELINA CURTIS CHANNEL.

Mr. Youngberg stated that there is a potential development site in the Village of Corrales on the west side of the Dulcelina Curtis Channel. Preliminary conversations with the Village and Rio Rancho indicate that in order to develop the site, the developers would require access across the Dulcelina Curtis Channel. The engineer who is designing the site suggests a crossing somewhere perpendicular to Calle Contenta, which is around the Otra Vez subdivision. Something like the John Warner Bridge that crosses Rio Vista Drive just to the north of the site would be an appropriate type of crossing.

Mr. Stoliker stated that his concern is whether the Board wants anybody to cross the Dulcelina Curtis Channel. In this particular area, there are four different developers who want access into the northwest sector area. Generally, the local jurisdiction would plan the roadway system and the infrastructure is built as it develops. He hopes that a condition on any bridge being built would be to instruct staff to talk to the Village to see if one crossing can be built instead of many.

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Mr. Youngberg stated that in discussions with the Village of Corrales, they are constantly bringing up the issue of emergency vehicle access to the approximately 200 acres of undeveloped sagebrush in Corrales. The Village would prefer that the emergency vehicles not go outside of its municipality into Rio Rancho. In order to do a subdivision, the Village prefers that a Corrales emergency response vehicle use a Corrales road. The jurisdiction for the property is in Corrales and part of the Village's development process requires that emergency vehicles have access directly from Corrales. It is possible to take the state highway up to Rio Vista, travel through Unit 17A, down the right of way along the Dulcelina Curtis Channel and eventually arrive on site.

Mr. Chaney stated that SSCAFCA should request some input from the Village of Corrales on this matter. Mr. Youngberg's request is to determine if SSCAFCA is receptive to having a bridge built across the channel.

Mr. Yarbrough stated that the crossing at John Warner Bridge was constructed by the Corrales Watershed District (CWD) in conjunction with the City of Rio Rancho. The City allowed CWD the use of some of its property if CWD would construct the bridge. One of the starting points is going to have to be the NRCS, who may still have jurisdiction over whether or not a bridge can be built across the channel. The channel cannot be touched in any way by the bridge. There can be no load bearing structure built on the channel. The bridge will also have to span the two access roads on either side.

Mr. Stoliker stated that the access road belongs to the Village of Corrales. Mr. Metzgar stated that SSCAFCA owns the channel and in order for anybody to cross the channel, SSCAFCA must approve any kind of crossing to make sure it won't hurt the channel. Mr. Yarbrough stated that SSCAFCA retained the right to use the roads as maintenance roads.

Direction was given to have Mr. Stoliker initiate a meeting between Mr. Youngberg and the Village.

MARCH 9, 2001 REQUEST FROM JOHN KEEHART REGARDING ACQUIRING EXCESS FRAGMENTED PARCEL C (28-B), BLOCK 166, UNIT 17.

Mr. Stoliker stated that Mr. Keehart has requested that he be allowed to acquire a parcel located at the intersection of Rio Vista and Rio Ruidoso. When the Dulcelina Curtis Channel was put in, CWD purchased that property. He stated that the parcel in question does not serve a drainage function. Mr. Yarbrough stated that the previous owners had come

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before the Board in the past to acquire the property. At that time, Jerry Fossenier, of the City of Rio Rancho, did not want SSCAFCA to sell the property. However, Mr. Yarbrough does not recall the reasons given. Mr. Stoliker stated that there are cable and phone easements under the property.

Mrs. Keehart stated that when the channel was being planned, the land around the channel was purchased. Since then, her neighbors have purchased the land back from SSCAFCA and they are the only parties who have not been allowed to purchase the property back. Mr. Metzgar stated that the reason the extra land was obtained was because the John Warner Bridge was going in at that location. There was then a change in the bridge location and that caused CWD to have the extra pieces of property. Mr. Metzgar suggested contacting the present Rio Rancho engineer to make sure there is no reason to keep the property.

Mr. Curtis stated that if the property were sold to the Keeharts, the utility easement would stay, unless SSCAFCA goes through a replat process. If the utilities are there, the City will not allow the replat. The Keeharts could purchase the property, but city documents will show that they own two lots instead of consolidating them into one lot.

Mr. Yarbrough stated that the property owner should bear all costs of getting the property surveyed and appraised. Mr. Metzgar stated that certain things would have to be done before getting DFA approval to sell it to a particular person.

A motion was made by Richard Deubel to sell the property to the Keeharts, once DFA approval is received, with the provision that all costs are borne by them. It was seconded by Guy McDowell. The motion passed unanimously.

UNSER BOULEVARD/RIO RANCHO GATEWAY DETENTION FACILITY PROJECT.

Mr. Cliff Spirock, of Community Sciences Corporation (CSC), stated that CSC has been retained by a consortium of developers related to a multi-jurisdictional issue and would like to ask SSCAFCA to undertake maintenance of a drainage structure to be constructed. The development will include about 120 acres, which will need a detention facility. The developers have acquired a guaranty from the City of Albuquerque for use of the Black Dam and there will be about 3,000 lineal feet of pipe to serve the projects. The natural drainage watershed is about 500 acres. About 300 acres is within the City of Rio Rancho and 200 acres is within the City of Albuquerque. There is surplus right of way that may be suitable for a drainage pond.

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Mr. Spirock stated that the response they have had from the City of Rio Rancho and from SSCAFCA has been refreshing. The City of Albuquerque is at the meeting today to see if this project can come to fruition. If these properties develop as they are proposed, the City will construct a pipe along Black Arroyo Road and build a pond. There are six surface acres identified outside of the rights of way, with a prudent line set back from the existing construction of the City of Rio Rancho for its existing curbing, asphalt, etc., plus leaving sufficient room on 20th street.

There is a proposed resolution in front of the City of Rio Rancho, which will allow the use of its land for this facility, all subject to review and approval by SSCAFCA, along with some joint use conditions. One of the conditions is that the developers must provide a drainage master plan for the entire basin and show all feasible alternatives. There will be landscaping within the pond after the final construction.

Mr. Spirock stated that the City of Rio Rancho is in need of a detention and controlled release facility to be constructed and is requesting SSCAFCA's assistance with maintenance. Maintenance would include periodic removal of sediment and periodic inspection of the facility for drainage integrity. The culverts that currently exist under Unser Boulevard are deficient for the storm criteria that is SSCAFCA's policy. The vertical alignment and size are inadequate for developed conditions in an upstream capacity. As part of the pond system, structures would have to be installed on the upstream side to raise the pipe so that drainage water, including sediment, as it enters the pond, would leave through the new pipe going to the SSCAFCA dam to minimize the sediment going underneath Unser.

For \$1.3 million, the developers and the City of Albuquerque could put a pipe along the county line that would do nothing for the City of Rio Rancho or for Sandoval County. For approximately \$1 million, there is about 300 acres of watershed in Unit 10 that could be accommodated because of the pond and the smaller diameter pipe (24") that goes along the county line. The pipe along the county line would be strictly a 100-year solution.

Mr. Yarbrough stated that it was possible that O & M on the project could far exceed the savings being proposed at this time. If the EPA regulations were imposed, the water treatment cost would most likely be joint between AMAFCA and SSCAFCA. The pond would be about ten feet deep.

Mr. Meinz, of the City of Albuquerque, stated that the property south of Black Arroyo Boulevard has been planned out for some pipe installation and some ponds and some approvals have already occurred. The City of Albuquerque does not want to pay for the

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pond, nor does it want to maintain it. McMahon Boulevard is in the planning process and there will be some type of drainage outlet constructed possibly down Unser or Black Arroyo Boulevard. The City does not object to the project, but there are some problems with it. The volume might be too small for what is being proposed. Jurisdictions are being crossed and the parties need to work out who is going to control the planning. There is most likely a need for an MOU between the four jurisdictions to set forth all understandings. AMAFCA feels that piping to the dam would be the best solution, with the cost being shared with all jurisdictions.

The Developer is asking SSCAFCA to provide for perpetual maintenance of the pond. Mr. Yarbrough expressed concern over who might have to pay for the cleanup of the fecal coliform if the EPA regulations are ever enforced. The City of Rio Rancho is looking for conceptual approval from its council to proceed to a more detailed agreement. Approval needs to be given by SSCAFCA by April 17, 2001, as the development is underway right now.

Mr. Conkling proposed that this matter be deferred until the next SSCAFCA Board meeting to give Mr. Stoliker time to review the plan. Mr. Stoliker could then give an opinion at the next Board meeting. Mr. Spirock stated that he intends to go to the City of Rio Rancho on March 28, 2001 and that SSCAFCA will need to give its approval by April 17, 2001.

The City of Albuquerque has not had a chance to go over the plans. Wilson & Company is the designer and they are about to submit to the City the preliminary plans. They are going for construction after the bond election in October. There is another design project underway at the moment that has put this project on the back burner. Mr. Conkling stated that this project may be an opportunity to gain some knowledge on how to cooperate in solving problems that don't know boundaries, as water quality and drainage are.

Mr. Stoliker stated this project is a benefit because it addresses the entire watershed. Mr. Chaney mentioned a concern about liability.

General consensus was given to the concept for Developer construction and SSCAFCA operation with JPA's, but no approval was given. Mr. Stoliker was instructed to review the plans, determine the benefits to SSCAFCA and bring it back to the Board at the next meeting.

PRESENTATION BY EDI ARCHITECTS.

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Ms. Callori, from EDI stated that she has had several meetings with Mr. Stoliker and SSCAFCA's staff on guidelines for the new building. They have prepared a presentation for the building.

There were some issues that came up at a meeting a couple of weeks ago. The first was does the building work environmentally? The second question was whether the building was going to be built with readily available materials. Third, does it make sense on the bottom line?

Ms. Callori stated that they would not use any materials that will be exorbitant in cost. She stated that you could spend more money up front to put in a building feature that might save money down the line. For example, if you spend more money insulating the building, you will save money each month. Most buildings that are built today are not built for the 20-year life cycle. However, EDI would like to build SSCAFCA a building using the 20-year life cycle for cost estimating purposes.

Ms. Callori stated that the preliminary cost estimate is based on the information gathered during the programming phase. The total project budget is \$750,000. Soft costs, including design fees, taxes, etc. will not change. With those subtracted out, the number remaining is the site cost and building cost combined. After discussing the landscaping, they came up with a number of \$130,000, which will be refined as design proceeds. The number left over is \$520,800, which is a building cost. They came up with a square footage for the building during the programming phase and came up with a price of \$98 per square foot.

Ms. Callori stated that she has reviewed the room-by-room design with SSCAFCA staff. The boardroom will be 30' x 40' with possible expansion to 50' x 40'. The expansion would be built in with a conference room on the other side of the boardroom with a collapsible wall. They also discussed making the boardroom separate from the staff offices for possible rental of the room for other functions.

Mr. Chaney stated that he has been opposed from day one with building a "box" and would like something aesthetically pleasing.

Mr. Beierle stated that through the programming phase, the possibility for additional offices were determined to be in a separate unit in the future, at the time the O & M is added. The only expansion planned to this building at this time is records retention.

A motion was made by Dub Yarbrough to approve the EDI presentation, including designing to maximize the 20 year life cycle cost, the three identified driving design

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guidelines (environmental building, readily available materials and bottom line sense), preliminary cost estimate, room-by-room evaluation and the spatial adjacency diagram. It was seconded by Guy McDowell and passed unanimously.

DIRECTOR'S COMMENTS.

None.

EXECUTIVE DIRECTOR REPORT.

1. Roskos Field Project Update.

Mr. Stoliker stated that the contract must be awarded to the lowest bidder so long as all criteria are met.

A motion was made by Richard Deubel to delegate authority to David Stoliker and Dub Yarbrough to sign the contract on the Roskos Field Project. It was seconded by Mark Conkling and passed unanimously.

Mark Conkling and John Chaney left the meeting at 5:45 p.m.

2. 10 Year Anniversary - Pam McGrath.

Mr. Stoliker announced that Ms. McGrath's 10th year anniversary was coming up on April 1 and he would like to recognize her for her service to SSCAFCA. She has been a loyal employee and a hard worker for the Authority. The Board left the arrangement to Mr. Stoliker and gave general consensus to recognize Ms. McGrath.

OTHER BUSINESS.

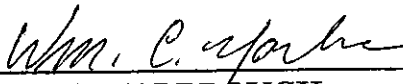
None.

ADJOURNMENT.


A motion was made by Guy McDowell and seconded by Richard Deubel to adjourn the meeting. It was carried unanimously. Meeting adjourned at 5:55 p.m.

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WM. C. YARBROUGH
Chairman



RICHARD DEUBEL
Secretary

DATE APPROVED: April 17, 2001

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