

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF SEPTEMBER 17, 2002
BOARD OF DIRECTORS REGULAR MEETING**

CALL TO ORDER.

The regular meeting of the SSSCAFCA Board of Directors was called to order by Dub Yarbrough, Chairman, at 1:11 p.m.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by Dub Yarbrough.

ROLL CALL OF DIRECTORS.

Directors in attendance were Michael Cline, Richard Deubel, and Dub Yarbrough. Staff members present were David Stoliker, Executive Director, Bob Foglesong, Perry Baird, and Laura Davis. Clayton Crowley, one of SSSCAFCA's attorneys and members of the public were also present.

APPROVAL OF AGENDA.

A motion was made by Richard Deubel to approve the Agenda as presented. It was seconded by Michael Cline and passed unanimously.

ANNOUNCEMENTS.

Announcements were made by Dub Yarbrough regarding the next Board meeting and that cell phones need to be turned off during the meeting.

CONSENT AGENDA.

1. **Action/Approval of the Minutes of August 6, 2002 Special Meeting.**

A motion was made by Richard Deubel to approve the minutes of August 6, 2002, as presented. It was seconded by Michael Cline and passed unanimously.

2. **Action/Approval of the Minutes of August 20, 2002 Regular Meeting.**

A motion was made by Richard Deubel to approve the minutes of August 20, 2002, as presented. It was seconded by Michael Cline and passed unanimously.

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3. Action/Approval of the Minutes of September 3, 2002.

A motion was made by Richard Deubel to approve the minutes of September 3, 2002, as presented. It was seconded by Michael Cline and passed unanimously.

4. Action/Approval of the Treasurer's Report for July and August.

A motion was made by Richard Deubel to approve the Treasurer's Reports for July and August as presented. It was seconded by Michael Cline and passed unanimously.

PUBLIC FORUM.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTORS' COMMENTS.

1. Discussion/Action of a proposal made by Mr. Richard Counts, of Community Sciences Corporation offering to provide a presentation to the Board giving a background explanation of the Scottsdale Arizona Indian Bend Wash Project.

Mr. Stoliker stated that this letter was concerning what occurred in Scottsdale, Arizona with respect to Indian Bend Wash. The letter was prepared by Richard Counts, of Community Sciences, who was the planning director for the City at the time when the project was under construction. Mr. Counts has prepared a request for approximately \$800.00 to make a presentation to the Board on how that was pursued. The Indian Bend Wash Project had significant federal and local contributions to the cost of the project.

Mr. Yarbrough stated that he would like to postpone this matter until Mr. Chaney arrived at the meeting.

ATTORNEY'S REPORT.

Mr. Crowley stated that there was no attorney's report for this month.

EXECUTIVE DIRECTOR'S REPORT

1. Action/Approval of the Proposed Bridge Crossing Concept of the Dulcelina Curtis Channel for El Dorado de Corrales Subdivision.

Mr. Stoliker stated that this project will be located in the northwest sector of Corrales. The Developer is proposing a crossing of the Dulcelina Curtis Channel and connections to Corrales Road. Mr. Russell Grayson, of Huitt-Zollars, stated that they are the engineers for the El Dorado de Corrales Subdivision. It is located in Corrales and is the first project of the Northwest Sector Plan that is being developed. As part of that development, the main access to the subdivision is via Corrales Road along Cesar Chavez and Calle Contente, which runs along the Harvey Jones Channel on the north side. They are proposing that the Dulcelina Curtis Channel be crossed with a bridge similar to the bridge that crosses the Dulcelina Curtis Channel in Rio Rancho at Rio Vista Drive. The geometry of the bridge has been developed in discussions with the Village and SSCAFCA. They are currently preparing the preliminary plat package to be submitted to the Village. As part of that package, they will be submitting plans for the bridge crossing to the Village and to SSCAFCA for review and approval. The bridge is a proposed access point, as indicated in the Village Northwest Sector Plan, and it is proposed to be 40' wide with two lanes of traffic and a horse trail. There are two trails and maintenance roads that run along the channel and they are proposing to bring those trails and roads up to an at-grade crossing with the proposed bridge crossing.

Mr. Deubel asked about the cross-section that shows that there will be culverts channeling the water under the road. Mr. Grayson stated that there is local drainage that runs along the Dulcelina Curtis Channel and, to maintain the trail system, they propose to ramp the trails up to the top, which will require that fill be put in. The culverts are to allow the local drainage to continue along the channel.

Mr. Yarbrough stated that SSCAFCA has sent a letter to Mr. Grayson that states "do not modify the depth of fill currently placed against the channel walls." The bridge has a concrete wall separating the channel from the back fill. Mr. Grayson stated that they are proposing to do the same thing with their bridge. Huitt-Zollars has had discussions with Bohannon-Huston, who designed the last bridge, and they will be doing the structural review on behalf of SSCAFCA. A separation of about 6" from the existing wall needs to be maintained and no more back fill can be placed there. Mr. Stoliker stated that the Board has expressed a desire to have wider spacing between the walls. When he reviewed the John Warner Bridge, which was designed for Corrales Watershed District, it has a very narrow spacing similar to the one being proposed by Huitt-Zollars. Bohannon-Huston stated that the 6" spacing is adequate to protect SSCAFCA's structure.

Mr. Yarbrough expressed a concern about a child being able to get between the structures. Mr. Grayson stated that a person would not be able to get behind the piers or the wall structure of the channel. Mr. Yarbrough asked if there would be vibrations from the boring of the pier holes to the

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existing walls. Mr. Grayson stated that should not happen, but that they will look at the design for this issue. Mr. Stoliker stated that staff is also concerned about vibrations. They are requesting that Mr. Bean, the structural engineer for Bohannon-Huston, who did the last project, be present when the boring is taking place so that he can watch for any problems. He stated it is his understanding that Huitt-Zollars is going to excavate below the bottom of the channel on the outside and then drill the piers, so it should be okay.

Mr. Cline asked if the bridge is restricted on load capacity. Mr. Grayson stated because this bridge is the main access point into the Northwest Sector at this time, the loading is for a big truck load. Mr. Yarbrough asked what the space between the bottom of the bridge and the actual channel would be. Mr. Grayson stated that the beams of the bridge will not touch the channel, but that they are still in the final design for that at this time and they are establishing the grade. Mr. Stoliker stated that the depth of the channel is around 10' to 12'. SSCAFCA will be able to get equipment under the bridge if needed.

John Chaney arrived at the meeting.

Mr. Grayson stated that as part of the development of the subdivision, they have been working with the Village to see if there is something they can do with the access of Paseo Cesar Chavez and Corrales Road. Currently, Paseo Cesar Chavez runs parallel on the north side of the Harvey Jones and, as it reaches Corrales Road it goes through two sharp 90° corners and the access to Corrales Road is pulled away from the Harvey Jones Channel. The Village has asked them to investigate to see if they can try to straighten out that intersection to help alleviate the two sharp corners. They have drawn up an exhibit to show a possible access, but it is not necessarily the best solution. They have presented it to the Highway Department and are currently waiting for a response. They are concerned about the corner of the Harvey Jones Channel right against Corrales Road being exposed. Right now there is about 70' or 80' of guard rail in front of the corner with the current configuration of the access. His feeling from initial discussions with the Highway Department is that they will tell them to leave the corner alone.

Mr. Stoliker stated that SSCAFCA's concern is with the traveling public at that bridge. Guard rails are set up to deflect the force of an accident. If another system is put in, then you have to be able to absorb the force. SSCAFCA has asked for them to take a look at that to make sure that the bridge and the side wall can be protected from a collision. He believes the system in place right now, the guard rails, is the correct system for the current set-up. But the system is owned by the Village of Corrales and the State Highway Department. This is a liability issue and SSCAFCA will not be involved in removing existing guard rail. Mr. Stoliker stated that SSCAFCA has an easement on the 25' radius, but that he believes the Village or the Highway Department actually owns it. Mr. Yarbrough stated that staff should research who actually owns that 25' radius. Mr. Stoliker stated that SSCAFCA has asked for a six foot minimum distance between the roadway and the channel wall.

Mr. Grayson stated that, to help continue the subdivision process through the Village, they are asking for approval of the conceptual design of the bridge, which will assist them in the platting process through Corrales, so that the Village knows that SSCAFCA has seen this and they understand what is being proposed. The final design issues are still being worked on. When the final design comes in, it will be brought back to the Board for final approval.

Claudia Smith, Planning and Zoning Administrator for the Village of Corrales, stated that at P & Z's preliminary plat stage, they have requested that Eric Youngberg and his engineer submit both engineered and planned drawings for inside the subdivision as well as outside, which includes the bridge and the roadway entrance on Corrales Road. Along that line, the Planning & Zoning Board also requested that it go through SSCAFCA for approval for the bridge, along with an okay from the Highway Department and that the Village would defer to those decisions.

Mr. Yarbrough stated that he would like staff to research on who owns the 25' easement and that he would like to wait for Mr. Metzgar to return before a final decision is made with regard to the intersection. Mr. Grayson stated that the developer is bearing the cost of construction of the bridge. They do not have traffic numbers on the increase in traffic the bridge might cause. They are still working with the Highway Department on that. They are still doing the geo-technical investigation to get the soils analysis for the design of the bridge. They intend to have the package submitted to the Village and to SSCAFCA by the first week of October.

The consensus of the Board was that the bridge design concept is approved and that Huitt-Zollars could go ahead with their platting through the Village process. Mr. Stoliker stated generally, when staff understands that the Board has given a consensus, they write a letter to document it. He stated that he could write a letter stating that the conceptual design of this crossing is acceptable. Mr. Grayson stated that would work for them because they could go forward with their design.

2. Action/Approval for Conditional Acceptance of the Drainage Report, Proposed Improvements and Maintenance of the Sierra Norte Subdivision Major Drainage Elements.

Mr. Ron Bohannon, from Tierra West, stated that this is a 117 lot subdivision near Unser Boulevard and Pine Road near North Hills. They have been working with Community Sciences and Lyle Losack. This project has been on-going for a while and is centered on drainage. They have re-verified all the existing drainage studies that were on this project and have confirmed all the existing ponding and routing programs through this project to make sure everything worked.

Mr. Bohannon stated that at the conjunction of Unser and Pine Road there is a future commercial lot that will be developed on the corner. The arroyo will be dedicated to the City of Rio Rancho with an easement granted to SSCAFCA. The developer is Falcon Ridge, LLC which is Fred Montano and Steve Shuman, out of Albuquerque.

Mark Conkling arrived at the meeting.

Mr. Bohannan stated that the boxes ended up being 8' tall to allow for maintenance underneath the roadway. The developer is paying for all of the improvements. The original design was for a naturalistic type flow. There is a little less than 1,000 cfs that comes through this section. Based on the velocities, greater than 15' per second, you would end up with a lot of scour and it was decided a concrete lined arroyo would work best.

Mr. Bohannan stated that the North Hills Subdivision will drain into this channel. He stated that he has gone through and re-verified all of the upland conditions and the drainage basins. They went back into the old drainage reports that were done in the early '80s to make sure that they had all the current hydrology on the project. They took all that information and went over it with Mr. Stoliker and Mr. Foglesong to make sure that they had adequate developed conditions in the drainage. The channel will accept any flows upstream developed and undeveloped. When the undeveloped portion is developed, it will also accept those flows.

Mr. Stoliker stated that if you have any flows over 15' per second, the arroyo needs to be hard lined. By hard lining this arroyo it will be an improvement over existing conditions. The developer is willing to bear the cost for the arroyo improvements. This arroyo will be one where you can't leave blank spaces between the hard linings. It has to be completely hard lined.

Mr. Bohannan stated that they will work with SSCAFCA to do the bottom of the pond so SSCAFCA can do settlement removal and some passive recreation uses. The developers will cooperate with SSCAFCA with regard to multiple use facilities.

Mr. Stoliker stated that they are asking for approval of the drainage report for Sierra Norte, and to accept maintenance of the concrete channel, given that SSCAFCA will have more comments as the project goes along.

A motion was made by John Chaney for conditional approval of the drainage report as presented with a stipulation that the Developer look at multi-use possibilities of the pond and that the concrete be colored. It was seconded by Richard Deubel and passed unanimously.

BOARD OF DIRECTORS' COMMENTS. (continued)

Mr. Yarbrough stated that since Mr. Chaney was now present, he would like to go back to the report on the Indian Bend Wash.

Discussion/Action of a proposal made by Mr. Richard Counts, of Community Sciences Corporation offering to provide a presentation to the Board giving a background explanation of the Scottsdale Arizona Indian Bend Wash Project.

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Mr. Yarbrough stated that Mr. Counts would like \$500.00 to make the presentation, plus \$300.00 traveling expenses. Mr. Chaney stated that the problem you run into is high density development, which precludes having projects like Indian Bend Wash.

Mr. Counts met with Mr. Stoliker about a month ago and brought photographs of the Wash to illustrate that the Wash itself is more than a flood management technique, as it has recreation and other things that are not typically found in drainage management.

Mr. Chaney stated that SSCAFCA has this one-time opportunity in the history of Rio Rancho to create an arroyo network of trails that will help with drainage. SSCAFCA needs to acquire all the arroyo bottoms and the unplatted side land.

A motion was made by Richard Deubel to approve the \$800.00 expenditure to bring Richard Counts to Albuquerque for his presentation. It was seconded by John Chaney.

The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT (continued).

3. Discussion/Action Regarding the Bond Election Failure.

Mr. Stoliker stated that the list provided was what he heard from people on why the bond election failed. One of them was the weather. They didn't want to pay for flood protection because it hadn't rained. Another reason was the impact of September 11th. Another was that there were way too many elections and people get tired of voting. There has already been discussion about having a legislative change to have a mail-in ballot, or doing it during the general election. Something SSCAFCA has not done much of in the past is public relations and maybe SSCAFCA needs to look at that.

Mr. Yarbrough stated that advertising can make the difference in an election. The information on SSCAFCA's projects needs to get to the public.

Mr. Stoliker stated that on XI (14) under attachment A, are the projects that staff believes that SSCAFCA has ongoing or committed projects. At the top of that, under local government assistance fund, SSCAFCA has a contract with Rio Rancho where SSCAFCA agreed to commit \$40,000.00. All the items "X'd" on the left column depict either money that is spent or committed under a task order. Those all add up to a little under \$565,000.00. In the total of all the projects that are numbered along the left margin is \$965,000.00. They are asking for Board direction on what to do with the remaining monies.

Mr. Yarbrough stated that he would like for the Budget Committee, consisting of Mark Conkling, Michael Cline, and David Stoliker, to review this matter and make recommendations on

project priority. Mr. Chaney stated that he would like to suggest that the committee take into consideration contingencies for emergency situations that might arise.

Mr. Yarbrough stated that Mr. Chaney had requested that item 6 of the Executive Director's report be moved up to be heard at this time, before the other two items are discussed.

6. Discussion/Action on Employee/Employer Insurance Contribution.

Mr. Chaney stated that the Personnel Policy stated that SSCAFCA would cover only the employees' health insurance costs 100%. However, about three years ago, SSCAFCA started following the same split of health insurance that the County had, which is 60/40. Recently, the County went to 70/30, but SSCAFCA's personnel policy still stated 100% employee coverage only.

Mr. Chaney suggested that if the Board passes the 60/40 split, it change the Personnel Policy. If the Board wants to stick to the original Personnel Policy, the Board then has a question of going back three years to reimburse for the overpayments. He stated that he believes that SSCAFCA should stay at the 60/40 split and not require the employees to make the back payments.

Mr. Crowley stated that a Personnel Policy is not a contract. It is a guideline that an employer uses to create predictability and flexibility for employees. There is no restriction on SSCAFCA from either reconfirming the Personnel Policy (leaving it the way it is) or changing the Personnel Policy in a retroactive and prospective manner, such that 60/40 split. The decision to change the Personnel Policy to reflect what SSCAFCA has actually been doing for the past three years can be made. Changing the Personnel Policy is not a problem, but changing the past with regard to how SSCAFCA has been treating its employees is more problematic.

Mr. Baird stated that the intergovernmental agreement signed by SSCAFCA and the County in June 1998 says that SSCAFCA shall participate in County employee benefits program and shall be entitled to the same plan of benefits and the same monthly premium structure available to the County. That contract is still in force and has a term that indicates it automatically renews each fiscal year unless terminated. Mr. Crowley stated that the manner in which the premiums are paid is up to the individual government entity. The agreement provides a benefit to SSCAFCA but doesn't necessarily dictate to SSCAFCA that it has to follow the other government entities' payment structures.

Mr. Stoliker stated that there is an intergovernmental agreement on every employee with regard to the insurance issue. Mr. Baird stated that the Personnel Policy rule number relating to health insurance is 403.1. Mr. Yarbrough stated that he doesn't see a need of changing the 60/40 split. SSCAFCA has been paying a 70/30 split since July 2002.

A motion was made by Mark Conkling to pay the 70/30 split. There was no second.

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A motion was made by Dub Yarbrough to continue with SSCAFCA's personnel policy as is. There was no second.

Mr. Chaney suggested that Mr. Conkling amend his motion to read that with regard to the change to the Personnel Policy, rule number 403.1 read that there shall be a 60/40 split with regard to the health plan, instead of SSCAFCA paying 100% for the employee only.

A motion was made by Mark Conkling that the Personnel Policy, 403.1, read that the employee and SSCAFCA share health benefits 60% SSCAFCA/40% employee and no back pay would be required. It was seconded by Dub Yarbrough.

Mr. Yarbrough stated that the Personnel Policy will eliminate the clause which states that SSCAFCA pays 100% for the employee only.

The motion passed unanimously.

4. Action/Approval of Wording on the Guy McDowell Memorial Plaque and the Bronze Dedication Plaque for the New Office.

Mr. Stoliker stated that they are looking for approval of the plaque that will go on the building. It follows the same pattern as has been previously approved for the Roskos Field monuments.

Mr. Yarbrough stated that he would like to see the wording changed to read something like "...generosity of the property owners in Southern Sandoval County..." Having "SSCAFCA" spelled out again is fine. The listing of the Board of Directors is fine, which includes "Guy McDowell - in memoriam." With regard to the plaque for Guy McDowell, Mr. Deubel suggested that he would like to make the plaque a little more descriptive. He suggested that the wording be changed to read, "In memory of the contributions by Guy McDowell to SSCAFCA."

Mr. Conkling stated that the first wording with "generosity" should be changed to read "This building was constructed by the taxes paid by the property owners in Southern Sandoval County...."

Mr. Metzgar was added.

It was the general consensus of the Board to go forward with the above.

5. Action/Approval of the Board Room Audio/Visual Equipment.

Mr. Stoliker stated that Pam McGrath has put together a comparison sheet with regard to the audio/visual equipment for the Board room in the new building. The major piece of the equipment is the actual projector. Generally, the higher the lumens in a projector, the higher the cost.

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The concerns with the audio equipment are that Advance Presentations is a great system; the concerns with the Professional Business System are that it is a one volume knob, but has great speakers. There is a very basic audio system at \$13,656.00, but you do not have the ability to turn up the volume for anybody in the audience. He stated that if the Board likes this system, the upgrades should be added to that system. The audio equipment for Advance Presentations will work, but it's an additional \$7,000 over what Professional Business Systems has. He recommends that both audio and visual systems be purchased from the same company to insure that they interface properly. He thinks Professional Business Systems will work with the upgrades.

There is a one year warranty on the projector and other warranties on the other materials. The first meeting that is held with the equipment, the company will come to the meeting to make sure that it meets the Board's needs.

Mr. Conkling moved approval of Professional Business Systems proposal including the upgrades in the amount of \$17,827 plus NMGRT. It was seconded by Mr. Deubel and passed unanimously.

FOR BOARD INFORMATION:

1. August 9, 2002 Letter Sent to Mr. Charles Price Regarding the Consolidation of Corrales Properties.

Mr. Stoliker stated that this letter is contained in the Board's packets.

2. August 28, 2002 Letter to Mr. David Lafferty Referencing Installation of a Fence on a Drainage Easement Owned by SSCAFCA.

Mr. Stoliker stated that this is contained in the Board's packets.

3. Update on Ribbon Cutting/Building Dedication.

Mr. Stoliker stated that this is contained in the Board's packets.

ADJOURNMENT.

A motion was made by Richard Deubel and seconded by Mark Conkling to adjourn the meeting. It was carried unanimously. Meeting adjourned at 4:00 p.m.

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WM. C. YARBROUGH
Chairman



RICHARD DEUBEL
Secretary

DATE APPROVED:

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