

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)  
MINUTES OF MARCH 16, 2004  
BOARD OF DIRECTORS REGULAR MEETING**

**CALL TO ORDER.**

The regular meeting of the SSCAFCA Board of Directors was called to order by Mark Conkling, Acting Chairman, at 1:05 p.m.

**ROLL CALL OF DIRECTORS.**

Directors in attendance were Mark Conkling, Richard Deubel and Donald Rudy. David Stoliker, Executive Director, Bernard Metzgar, SSCAFCA's attorney, staff and members of the public were also present.

**PLEDGE OF ALLEGIANCE.**

The Board was led in the Pledge of Allegiance by Mark Conkling.

**APPROVAL OF AGENDA.**

Mr. Conkling stated that there have been changes made that are shown on the Final Agenda.

A motion was made by Donald Rudy to approve the Final Agenda. It was seconded by Richard Deubel and passed unanimously.

**ANNOUNCEMENTS.**

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

**CONSENT AGENDA.**

**Action/Acceptance of Minutes of February 17, 2004, Regular Meeting.**

A motion was made by Richard Deubel to approve the minutes of the February 17, 2004 Regular Meeting as presented. It was seconded by Donald Rudy and passed unanimously.

**RECOGNITION/ACKNOWLEDGMENT OF THE TREASURER'S REPORT FOR FEBRUARY 29, 2004.**

Mr. Conkling indicated that the Treasurer's Report for February 29, 2004 was in the Board members' packets for review, acknowledgment and recognition and that he would be happy to answer any questions on it. There were no questions.

**DISCUSSION/REVIEW OF THE DRAFT PRELIMINARY FY-05 BUDGET; GASB 34 UPDATE.**

Staff reviewed the budget packet contained in the Board mail-out. Mr. Stoliker stated that the proposed preliminary budget is presented at this meeting so as to give some time to consider the budget and to be able to bring it back to the full Board at the April meeting for review and final approval. This allows time (May) just in case the Board still desired some changes, if needed. The budget is based on assumptions in growth in the tax base, with changes in the tax rates. The two combined tax rates are being proposed to be the same as the current combined tax rate that has existed in prior years, but realizing that the debt service requirements decrease because of not having new bonds and allowing the general fund rate to increase the same amount, so that the total remains the same. This will require some discussions with DFA about how that works with regard to yield control on the operating side, technical questions, and policy matters. It stated that on page 3 of the detailed budget, the employee payroll deduction versus the benefit on health insurance is proposed at 70% / 30%, which is the current rate. Staff has just received word that health insurance premiums and co-pays will increase an average of 12%. Staff would like to talk to the Budget Committee about the possibility of changing that ratio to 75%/25% or 80%/20% to offset the increase. Mr. Baird stated that staff's recommendation is that the budget be received by the Board and assigned to the Budget Committee for review. Mr. Baird stated that the budget is due on June 1, 2004.

Mr. Stoliker stated that the line item numbers in the budget have not changed dramatically, but they have been refined due to what was actually spent last year. Two additional line items have been added reflecting a shift in SSCAFCA's direction: ROW Acquisition and O & M Improvements. The money for the right-of-way acquisition/appraisals/title is what staff would like to use to pay for surveys, acquisition of right-of-way, etc. in accordance with SSCAFCA's Master Plan. The O & M Improvements would construct needed improvements over time. It is intended that these line items would receive the majority of increased spending over the next 20 years of budgeting.

Mr. Conkling stated that SSCAFCA is in a unique situation with regard to trying to determine the value of assets and carrying them on the books in a certain way. Mr. Baird stated that this is in regard to the GASB (Governmental Accounting Standards Board) 34 update. The Governmental Accounting Standards Board issued statement number 34 - 2 dealing with the basic financial statements of local governments with some major changes, including new financial reporting requirements; infrastructure reporting; a chance to show the public where the money has gone; the management discussion and analysis; and the

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effective date for SSCAFCA. The new statements will now be required to be reported on a full accrual basis, which is the way a business is required to report its income or expenses, including depreciation. The balance sheet is now called the Statement of Net Assets because the assets are net of accumulated depreciation. There is no tax advantage to SSCAFCA on this because SSCAFCA does not pay income tax. The income statement is now called the Statement of Activities. The big difference is that all assets and liabilities of SSCAFCA need to be captured on the Statement of Net Assets; this means capital assets. The building and its costs, the vehicles and the equipment and furniture are shown as fixed assets on this document. They do not have the land, right-of-way, easements, or any infrastructure on the document. This is required to be reported, at least prospectively, from the point of implementation forward, which is this fiscal year.

Mr. Baird stated that another statement that GASB is requiring is a budget comparison, not just a revised budget, but an original budget versus actual. So, as an organization goes through mid-year revisions to get things closer to actual amounts, this will allow readers the chance to see what the original budget was. Mr. Rudy asked if this meant that SSCAFCA will have to take formal action to move money from one line item to another. Mr. Baird stated that he doesn't believe that it will require that change because it's still at the fund level that this type of action occurs. Line items are within the Board's prerogative. Mr. Baird stated that retroactive reporting on infrastructure and depreciation is not required, but staff and its consulting accountants recommend that SSCAFCA do it anyway. The reason is because of the chance to show the public what SSCAFCA has invested in. The last new requirement is a narrative discussion of finances, not just a financial statement with numbers.

James Hartogensis, of Mackie, Reid & Company, stated that the main part of the implementation for GASB 34 is going to be getting a good number to put on the financial statements with regard to the capital assets. SSCAFCA needs to include infrastructure from this fiscal year forward. It is then optional for SSCAFCA to retroactively report infrastructure back to the beginning of SSCAFCA. This would include infrastructure received from CWD. They recommend putting the infrastructure on the books because it shows where the money has been spent. He stated that state law requires that SSCAFCA's capitalization threshold is \$1,000.00. Anything that is spent over \$1,000.00 needs to go on the books. Anything less than that will not be contained on the books. Land must be included. He stated that this is the hard part because included in the land are easements and rights-of-way; some land has been purchased and some has been donated. SSCAFCA can decide either way on the donated land whether it wants to put them on the books or not; however, land that has been purchased must be put on the books.

Mr. Hartogensis stated that the Board needs to categorize the infrastructure of the donated land if it is put on the books. Should it be categorized by watershed, should it be categorized into type, such as dams, etc., all needs to be decided. After the capital assets

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have been decided, SSCAFCA needs to adopt a depreciation policy and how long to depreciate the assets. He stated that there is another option if SSCAFCA doesn't want to depreciate its infrastructure and is called the modified approach. SSCAFCA can hire someone to do a condition assessment of all of SSCAFCA's infrastructure and set a condition, i.e., fair, good, etc. Once every three years, SSCAFCA will have to go through the same condition assessment. If this approach is taken, all SSCAFCA would report is the maintenance costs each year to maintain the infrastructure. They are not recommending this approach because it will require not only the condition assessment, but also maintaining it at that condition level. They think the costs would be a lot higher to do it this way rather than go through the process now to get everything on the books at certain values and then calculating the depreciation and putting any new construction on the books. The proposed budget provides for capitalization of all assets with annual depreciation.

Mr. Hartogenesis stated that once a good inventory is made, and the depreciation policy is made, then SSCAFCA needs to calculate the accumulated depreciation as of July 1, 2003, which is going to be a result of all of the policies and procedures that SSCAFCA has adopted. At that point, they will calculate accumulated depreciation, record it on the books, and then go through the normal process of looking at what has been added, what has been taken away during the fiscal year, which will be an ongoing process year after year. From an accounting standpoint, GASB 34 will require a new set of full accrual financial statements. This means that the assets go on the books and the liabilities that weren't there before on the books will be there now, such as compensated absences, bonds payable, accrued interest on bonds payable, etc. He stated that this is additional and will not replace SSCAFCA's old financial statements under the modified accrual. He stated that one of the big items with regard to the full accrual is that SSCAFCA will have to deal with the County to try to get information from them as to what is out there with regard to delinquent property taxes because SSCAFCA will be required to put a receivable for delinquent property taxes on its books, which will require the County reporting property taxes to SSCAFCA now on a monthly basis.

Mr. Hartogenesis stated that the Board should be familiarizing itself with the requirements of GASB 34. The Board needs to start deciding on policies on how to report infrastructure, a depreciation policy, etc. The SSCAFCA staff should start compiling an inventory of SSCAFCA's infrastructure, which they are doing. After an inventory is completed, the staff needs to apply the policies set by the Board to the inventory of fixed assets. He stated that the Board should also start looking at the collection rates for delinquent property taxes because it will have to decide how to reflect what will be collected on its financial statements.

Mr. Baird stated that SSCAFCA should wait to collect more data before information is brought to the Board about how to divide up assets. For example, networks, systems or watersheds, with the staff having as much of that information as possible before bringing it

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to the Board. Mr. Stoliker stated that staff is collecting historic data and should have that soon. They will then assign costs to it. Staff would like to meet with the Budget Committee before bringing it to the full Board. It is his hope that they will have a rough draft before the Board in May to see if it is going to be okay, with approval either in May or June. The idea is to have this completed by the June meeting. Mr. Baird stated that the depreciation expense does not impact the budget in any way. SCAFCA is budgeting based on its capital outlay on an annual basis, except that it will be used to project future capital outlay. Mr. Conkling stated that this matter is now referred to the Budget Committee and staff at this time.

**PUBLIC FORUM.**

None.

**CHAIRMAN ' S REPORT.**

1. Action/Acceptance of Resolution 2004-6 Designation of Legal Holidays.

Mr. Conkling stated that the changes have been entered, as discussed at the last meeting.

A motion was made by Richard Deubel to approve Resolution 2004-6. It was seconded by Donald Rudy. Roll call vote: Mark Conkling, yes; Richard Deubel, yes; and Donald Rudy, yes. The motion passed 3-0.

**BOARD OF DIRECTORS COMMENTS.**

1. Continued Discussion of Full Impact Development Drainage Issues.

There was no discussion.

2. Discussion of Alternative Funding Sources.

Mr. Stoliker stated that he has spoken with Mr. Stone to get a task order up to prepare the documents that SCAFCA needs in order to present a proposal to its Congressional Delegation. Mr. Stone is in the process of doing this.

3. Proposed Work/Study April 6, 2004 @ 1:00 p.m. with Representatives from Within the SCAFCA Jurisdiction.

Mr. Stoliker stated that the City of Rio Rancho is moving forward in its study of impact fees and it wants input on this issue. Staff has had two meetings with the City so far. Mr. Stoliker believes that it is important that the Board get fully engaged in this issue

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as this is not anything that he should handle by himself. He would like to bring in the City's expert and representatives from all of SSCAFCA's jurisdictions to discuss how to fund things and look at impact fees. He stated that SSCAFCA is offering to bring in the expert at its cost to have him here for that day. Mr. Stoliker stated that the Village of Corrales has written a request to Tom Udall to ask for funding. He stated that everybody is looking for funding and, rather than all of the entities going their own separate way, it would be better to combine efforts and look at how things can be funded together in the most efficient way for the tax payer.

Mr. Conkling stated that one of the reasons for this discussion is how to get at the root of saving the taxpayer the most money. Mr. Stoliker stated that this also includes the issue of looking at single lot development because that may decrease the capital costs in this area. Mr. Conkling stated that the focus last time was on how to work cooperatively with the City to reduce the need for drainage infrastructure by 30% with an ordinance whereby all single lots would have their own historical Retainage on the lot and work out a way to inspect that. This would reduce what needs to be built in all the watersheds by 30% - 35% because the developers would no longer have to use full lot development as their calculated basis. The quickest way to save the most money for the taxpayer is to build less by having a way of retaining water on the lots. This could be the same as impact fees, but it could be an inspection fee. Mr. Stoliker stated that this is a feature of this discussion. It is his understanding of impact fees that if people hold their water on site, there is no impact so, therefore, impact fees cannot be assessed. General consensus was given to hold a special work study meeting on April 6, invite all the jurisdictions and pay for the City's impact fee project manager to attend.

4. March 1, 2004 Letter from Gary Kanin to Congressman Udall Requesting Project Funding for Additional Firefighters and Storm Water Retention Within the Village of Corrales.

This item was discussed above.

**ATTORNEY'S REPORT.**

1. Real Estate Purchase Agreement for Tierra de Corrales, LLC.

Mr. Metzgar stated that this is a project that Mr. Jack Westman is doing. SSCAFCA has some property immediately adjacent to that development and Mr. Westman asked if SSCAFCA was interested in becoming a part of the development. The Board agreed to do so, but wanted to sell the property to Mr. Westman for the appraised value as of today, which is \$12,000.00 per acre. This is on the basis of an appraisal done by Bryan Godfrey, MAI. In addition, the Board wanted to have some additional compensation in case that the project was successful. The Board asked if an agreement could be reached with Mr. Westman to encompass this idea. Mr. Metzgar stated that this agreement has been

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completed and is in the Board ' s packets and is ready to go. SSCAFCA would be entitled to a pro-rata portion of any income made based on its property that is in the project, except that the \$12,000.00 per acre would first be paid back to the LLC. This is still subject to DFA approval.

Mr. Metzgar stated that he found out today that the approval processes by DFA are different than prior excess land sales. DFA now wants you to send appraisals to Tax & Rev, who have their appraisers review them and see if they are acceptable. Once an approval is received from Tax & Rev, the package is put together to go to DFA to get approval for the sale of the property. He assumes that with the package he would draft a letter to explain to DFA how SSCAFCA is getting full compensation for its property based on the appraisal and that it is attempting to get additional compensation if the project is successful. Because this is less than \$25,000.00, SSCAFCA may be able to get administrative approval and not have to go to the Board of Finance. However, since this is a peculiar sale, it may have to go to the Board of Finance.

Mr. Metzgar stated that no Board action is required today. This is merely for the Board ' s information.

### **2. Action/Approval of Declaration of Excess Property for Lot 1-A, Block 13, Corrales Heights.**

Mr. Metzgar stated that this is a sale of some excess property known as Lot 1-A, Block 13, Corrales Heights, and that the Board had approved it in concept and somehow it was never formally declared excess. You cannot sell any property unless it has been declared excess. He is asking for Board declaration of this property as excess.

Mr. Stoliker stated that this property is a piece of land that was in the old Dam 4 that was given to SSCAFCA by AMREP as part of the Dam 4 to 1 Project. It was always understood that Lot 1-A would be resold at some point. It sits in a residential neighborhood and is not needed for what SSCAFCA does today. Mr. Metzgar stated that this matter will definitely go to the Board of Finance because the appraised value was around \$38,500.00. Anything above \$25,000.00 goes to the Board of Finance automatically.

A motion was made by Richard Deubel declaring Lot 1-A, Block 13, Corrales Heights as excess property. It was seconded by Donald Rudy and passed unanimously.

## **EXECUTIVE DIRECTOR ' S REPORT.**

### **1. Review/Discussion of Mariposa Easement and O & M Agreement.**

Douglas Collister, President of High Desert Investment Corporation, stated that they are the owners of Mariposa East, which is approximately 1,500 acres which has been

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annexed into the City of Rio Rancho. On January 6, 2004, this Board accepted and approved the Drainage Management Plan for Mariposa East. Within that plan, there was a provision that easement operation and maintenance agreements be worked out and easements granted to SSCAFCA for arroyos within the property to manage the drainage. In 1993, they drafted an easement agreement with AMAFCA to do this very thing and recorded the documents. In discussions with SSCAFCA staff and its attorney, the drainage easement agreement was modified to reflect the difference in the setting and the differences in terminology between SSCAFCA and AMREP. The agreement is to provide for drainage management within the community while keeping the arroyos in a near natural condition; providing for SSCAFCA to have certain responsibilities, obligations and rights; and the homeowners' association and property owners to have certain obligations and rights within the agreement.

Mr. Collister stated that an important part of the document refers to the inspection and management of these arroyo systems and the inspection reports that are provided. The agreement strives to keep the arroyos as natural as possible while still maintaining the drainage capabilities of the arroyos and providing for SSCAFCA's rights in those arroyo systems. It starts off with a series of definitions, the most important of which are definitions of levels of maintenance. It prescribes that there are four levels of maintenance within the arroyo system. Levels one and two maintenance are the responsibility of the homeowners' association. These levels are characterized as aesthetic kinds of maintenance, cleaning up trash, keeping the weeds out of the culverts, repairing minor erosion control, installing minor erosion kinds of rip-rap and devices to manage that. SSCAFCA's levels of maintenance are levels three and four. These levels maintain the capacity of the flows, the integrity of the LEE line and would be responsible for repairing damage to any major hardened structures, or replacing hardened structures. The highest level of maintenance is really an emergency kind of maintenance and empowers SSCAFCA to go in at any time and do anything that is needed to be done to protect life and property within its discretion. The definitions also include a definition of the LEE line, permanent improvements, the actual grant of the drainage easement and some reserved rights of the property owner, etc. He stated that they retain the right to grant additional subservient easements and also to plat lots over the property and to convey the property to others.

Mr. Collister stated that the easement would become effective upon signing of the easement agreement by SSCAFCA, High Desert, and the Association. It would remain in effect so long as SSCAFCA continues to function as a flood control authority. He stated that there is a notice of entry into the property that SSCAFCA would, on non-emergency situations, phone the President of the Association and advise the President that it would be doing work in the easement. The association would take the responsibility of informing property owners who might own the property underlying the easement within ten days. There is an emergency situation where SSCAFCA could enter at any time without notice to take action as needed. The agreement provides that the Association will establish a



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maintenance reserve fund to make sure that the Association is in a position to perform its level one and two maintenance requirements, should SSCAFCA have to come in and do its work. The reserve fund is not meant to operate as an operating fund for the Association. He stated that there is an inspection requirement built into the agreement that provides that every three years, and in the case of a major storm event, an inspection would be held and take place by a qualified individual.

He stated that the report indicates where maintenance may need to take place. He went through a slide show of the project. It shows a couple of different forms of ownership they have proposed. One is where there are larger arroyo systems that are platted next to conventionally developed lots. The easement would be over a piece of land owned by the Homeowners' Association. Within that, there would be public trails which connect to the greater trail network. The Association would maintain the trails; SSCAFCA would have no responsibility for maintenance or liability for any of the trails. In any area where there are larger lot developments, the actual lot would be platted into the center of the arroyo system and the adjoining owner would own the underlying easement land but would not be allowed to use that land for anything other than visual enjoyment. They are asking for approval of this concept and the easement agreements at SSCAFCA's next Board meeting.

Mr. Collister stated that the Association continues to have a line item in its budget for erosion control and arroyo maintenance of \$20,000.00 per year. Mr. Metzgar stated that he has reviewed the agreement. The changes that were suggested have been incorporated into the draft, however the agreement needs to be reviewed again prior to the next meeting. General consensus was to proceed with development of the agreement.

### **2. Review/Discussion of Draft Unser Dam Agreement.**

Mr. Stoliker stated that when Enchanted Hills came in, they diverted flow from the Unnamed Arroyo to the Venada. As part of that, they raised the water level in the Venada over one foot, which means that there would be impacts on the adjoining properties. A deal was worked out with AMREP where SSCAFCA would purchase property in the Middle Venada that is west of 528. East of 528, AMREP purchased and built all of the improvements. West of 528, up to Dam 1, there was about 6 ½ acres that needed to be purchased, which SSCAFCA did. However, AMREP was going to reimburse SSCAFCA for the cost of the land or the square footage of the land. SSCAFCA has completed its side of the agreement and is now going back to AMREP to look at receiving property from them. SSCAFCA is trying to get the same 6 ½ acres on the Unser Dam Site in the main branch of the Venada, west of Unser. In addition, AMREP will be talking about a donation of the unplatted arroyo bottoms from Unser up to Mariposa as part of a separate action.

Mr. Cliff Spirock, of AMREP, stated that in December 2002, Mr. Chaney asked for discussions and presentations on the Indian Bend Wash and other types of drainage management and engineering solutions and land solutions in other parts of the country. In

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February 2003, they specifically discussed AMREP projects and the pipeline, and Santa Fe Vistas and North Albuquerque Acres were used as a comparison. Examples of Enchanted Hills South were also shown. In April 2003, they presented to the Board specific Venada implementation responses responding to the Venada DMP. That Master Plan showed the Venada area tributaries, together with the Encantado Channel and went all the way down to include the Upper, Middle and Lower Venada. In that presentation, it was indicated that SSCAFCA had just approved a Drainage Management Plan which called for \$72 million of construction that, if some of the land could be obtained by donation rather than acquisition that the land area could represent about 7% of the total implementation cost of the project.

Today, they are asking the Board to consider the contribution to the watershed management by land donations as one issue and the exchange of property as a separate issue. Mr. Spirock stated that the map he has today has been changed a little to show the area between Unser Boulevard and the Mariposa. The black areas show the original map as to what SSCAFCA already owns. SSCAFCA is deeded approximately 110 acres by the action in 2003. Based on the proposal of today's meeting, SSCAFCA will receive 99.7 acres that will consist of a portion of the Unser Dam and will extend up to the westerly property line of the old Rio Rancho or the east/southeast property line of the Mariposa.

Mr. Spirock stated that there are some portions of that Watershed Management Plan for future acquisition or purchase, which is Tributary X and Tributary Y, which consist of mostly dam and ponding areas, and a portion of a large landholding that can't be conveyed without subdivision or description of an easement that is atypical from the properties that are exhibited here. He stated that regarding the land exchange area, which is a separate issue, the area in yellow is approximately 6.66 acres and was part of SSCAFCA's acquisition of the Casa de la Bona Tierra subdivision. AMREP needs to exchange land with SSCAFCA to make that whole. It is within platted lots.

Mr. Spirock stated that the proposal today is to exchange about a one acre to 1.4 acre strip of land in the Lower Venada near the outlet. This is referred to as one of the Tenorio tracts. In addition to that, adjacent to the Unser Dam, would be five platted lots consisting of approximately 6.3 acres. SSCAFCA, in exchange for the 6.65 acres, would receive 6.3 acres at the Unser Dam, plus 1 - 1.4 acres in the vicinity of the outlet. Today's presentation is just a head's up; they are going to be asking for SSCAFCA's support for two AMREP projects: Santa Fe Vistas and Enchanted Hills South. The Santa Fe Vistas property is adjacent to the Mariposa and may have benefited this land donation, but the two are not connected. It is a concept to where there are many types of land treatments and many types of zoning and many types of issues to resolve. Today, the request from AMREP is to accept the donation letters, to approve the land exchange areas, to continue the committee work on policy issues and the support of AMREP projects.

Mr. Spirock stated that the Huitt-Zollars memorandum indicated that, instead of five lots, there would be six lots in the vicinity of the Unser Dam. They are asking that one of those lots, 0.92 acres, be struck and replaced with the land exchange areas indicated for

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the Lower Venada. He stated that Chris Pacheco would like approximately one month to work with Mr. Metzgar to refine some language regarding the transactions and the obligations and have this consummated by April 30, 2004 as a recordable instrument and be in front of the SSCAFCA Board at the April meeting.

Mr. Mike Castillo stated that it is important to AMREP to work with the SSCAFCA staff in a continued effort with regard to the four major watersheds within SSCAFCA's jurisdiction, i.e., the Calabacillas, the Montoyas, the Venada, and the Unnamed Arroyo. He stated that it is AMREP's intent to continue this program to donate the arroyos to SSCAFCA to benefit SSCAFCA and AMREP both. Mr. Rudy asked if the change of conditions due to Mariposa's development have been factored into the needs in this area. Mr. Stoliker stated that they have. He stated that Mariposa is going to reduce all the flows to historic or, in some cases, reduce it to zero. General consensus was to proceed with the property exchange/agreement and the property donation, as presented.

3. Action/Acceptance of Northern Meadows Phase 2 - DMP.

Mr. Stoliker stated that SSCAFCA has been reviewing this issue for about six years. It's a project that SSCAFCA initially had a Phase I report that was south of the Montoyas Arroyo and west of the Ponta de Leon. This is the phase that takes care of the next land holdings, which is north of the Montoyas, west of the Ponta de Leon, and another part that is east of the Ponta de Leon. This fully meets all of SSCAFCA's requirements and staff is very pleased with the report.

A motion was made by Richard Deubel to accept the Northern Meadows Phase 2 - DMP as presented. It was seconded by Donald Rudy and passed unanimously.

4. Action/Acceptance of Drainage Policy Amendment 2004-1 Regarding Storm Water Quality.

Mr. Conkling stated that there have been some word changes to the drainage policy. SSCAFCA wanted to make sure that it wasn't capturing the five acre and under flow in this amendment. SSCAFCA wanted to make sure that it conformed to SSCAFCA policies. Mr. Stoliker stated that, on page 49 of the Agenda material, it should not say, "for all development." It should say, "for major subdivisions." He would like to defer this matter for a few minutes until Laura can get the correct copy. A corrected copy was provided.

A motion was made by Donald Rudy to accept the drainage policy amendment 2004-1 regarding storm water quality. It was seconded by Richard Deubel. Roll call vote: Mark Conkling, yes; Richard Deubel, yes; and Donald Rudy, yes. The motion passed 3-0.

5. Review/Discussion of Drainage Policy Amendment 2004-2 Accepting all Drainage Ponds/Dams for O & M.

Mr. Stoliker stated that this policy has to do with the issue of public safety, flooding, maintenance, etc. Item one states that SSCAFCA will acquire fee simple or easement rights-of-way ownership of all storm water retention/detention facilities within major subdivisions meeting SSCAFCA's criteria. The issue is, if SSCAFCA can obtain control over the smaller ponds, SSCAFCA can also do maintenance on them. This is not for approval today; it is only for review and discussion. He stated that some of the subdivisions that are coming in are being turned over to the City. The City maintains them; but the City is going to be looking for funds to help maintain those. SSCAFCA is currently collecting money from those same developments that should pay for the maintenance of the pond. SSCAFCA should not maintain any of the road crossings; rather it should be maintaining the flood control facilities that affect SSCAFCA's facilities. In this particular case, all staff is looking at is just the ponding, not the channels from the ponds to the facility. He stated that almost all of these ponds have street flow that goes into a concrete chute directly into the pond. He stated that, rather than have two groups going out and getting their own separate funding, this amendment looks at using SSCAFCA's funding, which it collects now, to maintain these facilities.

Mr. Deubel stated that the amendment does not specifically state what SSCAFCA would and would not be responsible for. He is concerned about taking on possible liability. Mr. Stoliker stated that "major subdivisions" as defined in SSCAFCA's policy are "five lots or five acres or more." Mr. Conkling stated that once something comes in front of SSCAFCA that is approved and has ponds on it, SSCAFCA would automatically take on the maintenance so that SSCAFCA would have the opportunity to address all the issues with the subdivisions. He asked if this would apply to new subdivisions or if SSCAFCA should look retroactively at what's been built. Mr. Stoliker stated that this resolution only addresses new development, but he thinks that SSCAFCA should go back and look at all of them at some time in the future.

Mr. Conkling stated that the City of Rio Rancho is looking at putting in a storm water utility fee to pay for what SSCAFCA can take care of. Mr. Metzgar asked if the amendment is saying that SSCAFCA will maintain storm water flood control ponds that are located on public property. Mr. Stoliker stated yes and Mr. Metzgar stated that this should be put in there. Mr. Conkling stated that by doing this it would avoid a new fee to the public. This will be brought back to the Board next month for more discussion.

6. Review/Discussion of Resolution 2004-8 Concerning the Board of Directors Election.

Mr. Stoliker stated that a synopsis of different dates and what has to happen has been put together for the Board of Directors Election. SSCAFCA needs to publish by May

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2004 in order to meet its obligations. There may be corrections in certain areas, such as polling places. Staff is asking that the Board be flexible on these because the Bureau of Elections for Sandoval County actually sets those up and they may change.

A motion was made by Richard Deubel to approve Resolution 2004-8 as presented. It was seconded by Donald Rudy. Roll call vote: Mark Conkling, yes; Richard Deubel, yes; and Donald Rudy, yes. The motion passed 3-0.

**FOR BOARD INFORMATION:**

- a. Mariposa East Drainage Implementation Plan. The Mariposa East Drainage Implementation Plan (DIP) was received on February 18, 2004. This plan lists the sequence of construction for every drainage structure that was identified in the Mariposa East Drainage Management Plan (DMP), which was approved by the Board on January 6, 2004. Staff has reviewed this plan and is in agreement. The Executive Director will accept this plan and the related construction plans on behalf of SSCAFCA with the following stipulation: If there are any discrepancies between the DIP and the DMP, the DMP will override the DIP.

Mr. Stoliker stated that the Board has approved the Drainage Management Plan. This is something the City and SSCAFCA are looking at because the bigger projects are so complicated, and there are concerns about how to implement the DMP. This matter tracks the construction process and is contained here for Board information.

- b. Lot 1-A, Unit 13 (Dam 4) has been Appraised for Sale as Requested.

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

- c. February 20, 2004 Copy of Signed Contract for Appraisal of Lot 1-A.

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

- d. RFP for Appraisal Services.

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

- e. RFP for General Counsel Services.

Mr. Stoliker stated that this is contained in the Board's packets and will be going out soon.

- f. Fischer Task Order for Surveying Outfall of Tree Farm Ponds and Surveying Task Order for Block 164, Unit 17, Rio Rancho Estates, for the Dulcelina Curtis Channel.

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

g. Renewal of Domain Names.

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

h. Staff Job Descriptions.

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

i. Final Copy of the Annual Report.

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

j. February 25, 2004 Executive Committee Meeting Minutes.

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

k. Staff Members will be Taking Advanced Computer Training over the Course of the Next Year.

Mr. Stoliker stated that he would like to send Laura and Erika to a year ' s worth of computer training. There is a system set up where SSCAFCA can get \$12,000.00 to \$13,000.00 worth of computer training for \$1,400.00. It will teach them all the systems SSCAFCA uses.

l. March 9, 2004 Lower Venada Survey Review Meeting Synopsis.

Mr. Stoliker stated that this is contained in the Board ' s packets. The idea is to get the property so this matter can be closed out and everybody can be made whole. Mr. Deubel asked what the use of this land would be to SSCAFCA. Mr. Stoliker stated that when they built it, they built the outside berm walls too steep and it can ' t vegetate properly. One, SSCAFCA wants to have it to protect its facility and, two; it provides what SSCAFCA needs so that it can extend the berm slope to allow re-vegetation in the future.

m. The Hawk Site Drainage Implementation Plan (DIP) was Received on February 24, 2004. This plan lists the sequence of construction for every drainage structure that was identified in the Hawk Site Drainage Management Plan (DMP), which was approved by the Board on January 6, 2004. Staff has reviewed this plan and is in agreement. The Executive Director will accept this plan and the related construction plans on behalf of SSCAFCA with the following stipulation: If there are any discrepancies between the DIP and the DMP, the DMP will override the DIP.

**BOARD OF DIRECTORS REGULAR MEETING**

**MARCH 16, 2004**

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

- n. The Following Developments Have been Received for Comment/Review from the City of Rio Rancho Planning Division:  
Cabezon Tract 4: 69 acres, 326 dwelling units, approximately 368 cfs discharge  
Corrales South, Tract A: 3.4 acres, 44 dwelling units, approximately 12 cfs discharge  
Lot 2-A-2, Enchanted Hills: 1.03 acres, 7 commercial shops, approximately 4 cfs discharge

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

- o. The Chairman of the Board Signed the Bulk Plats for Cabezon on March 11, 2004.

Mr. Stoliker stated that the Chairman has signed the bulk plats for Cabezon, which turned out to be two bulk plats because of a difference between the Cabezon people and Mr. Porsche.

- p. The Annual READS Breakfast will be held on Saturday, March 27, 2004 at 9:00 a.m. at the SSCAFCA Office.

Mr. Stoliker stated that the annual READS breakfast will be held on March 27, 2004 at 9:00 a.m. He encouraged the Board to attend.

- q. Staff is Currently Obtaining Quotes for a New Copier.

Mr. Stoliker stated that this is contained in the Board ' s packets. SSCAFCA ' s copier is to the point where it is just not working anymore and is causing staff problems. It is in SSCAFCA ' s budget to purchase a new copier and staff would like to do that.

- r. Board Members Should Leave Their Shirt Size with the Administrative Assistant Before Leaving Today. We will be ordering casual shirts bearing the SSCAFCA logo, to be worn at special events.

Mr. Stoliker stated that he would like the Board members and staff to wear shirts with the SSCAFCA logo on them at certain public events. They will cost \$20.00 - \$25.00 and include the logo. There is sufficient money in the budget to buy these shirts.

**OTHER BUSINESS.**

**BOARD OF DIRECTORS REGULAR MEETING**

**MARCH 16, 2004**

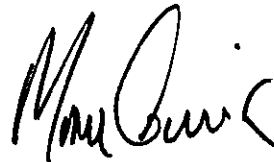
None.

**ADJOURNMENT.**

A motion was made by Donald Rudy and seconded by Richard Deubel to adjourn the meeting. It was carried unanimously. Meeting adjourned at 3:05 p.m.



RICHARD DEUBEL  
Secretary



MARK CONKLING  
Acting Chairman

DATE APPROVED:

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