

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF DECEMBER 18, 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 1:23 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 Dub Yarbrough, Mark Conkling and Richard Deubel. Staff members present were David Stoliker, Executive Director, Bob Foglesong, Perry Baird and Laura Davis. Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

APPROVAL OF AGENDA.

A motion was made by Richard Deubel to approve the final Agenda as presented. It was seconded by Mark Conkling and passed unanimously.

CONSENT AGENDA.

- a. Action/Approval for Minutes of November 20, 2001.

A motion was made by Richard Deubel to approve the minutes of November 20, 2001. It was seconded by Mark Conkling and passed unanimously.

- b. Action/Approval for Treasurer's Report for November 30, 2001.

A motion was made by Mark Conkling to approve the Treasurer's Report dated 11/30/01 as presented. It was seconded by Richard Deubel and passed unanimously.

- c. Action/Approval for Audit Report.

A motion was made by Mark Conkling to approve the Audit Report as presented. It was seconded by Richard Deubel and passed unanimously.

PUBLIC FORUM.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTORS COMMENTS.

a. Building.

Mr. Yarbrough stated that he and David Stoliker have reviewed the plans on the new building and instructed the architects to go back and re-evaluate everything because some things were found that needed to be changed in order to save money. He also felt that it would be best to have a commercial builder examine the plans and see if there was anything else showing excessive costs. Mr. Yarbrough directed Mr. Stoliker to contact John Campbell to do this and make a report to him.

b. Arroyo Bottomland Offered by AMREP.

Mr. Yarbrough stated that he, John Chaney, David Stoliker and Bernie Metzgar had a meeting with Attorney Matthew Spangler and Mike Castillo, of AMREP, to discuss SSCAFCA acquiring the arroyo lands from AMREP. The meeting was for discussion only. Mr. Conkling stated that he has some public input on this matter, and about making these lands a parks and trails network for all of Rio Rancho. A parks and trails system could be created between SSCAFCA and the City and the public likes the idea of acquiring the arroyos in that context. Mr. Yarbrough stated that Mayor Jennings endorses that idea also.

ATTORNEY'S REPORT.

Mr. Metzgar stated that all of the appraisals have been completed on the Middle Venada. It appears that all of the residential acquisitions have been settled so far with no lawsuits having to be filed. One residential is still pending, but it most likely is going to be settled also.

EXECUTIVE DIRECTOR'S REPORT.

- a. Discussion/Action on the Wilson & Co. Lomitas Negras Arroyo, Idalia to NM 528, Hydrology & Design Analysis Report.

Mr. Stoliker introduced Mr. Dan Aguirre, of Wilson & Company, who was here to make a presentation on the Lomitas Negras Arroyo project. Mr. Stoliker provided a brief background, as follows: The 8th and 9th grade academy had asked the city to provide a sewer line extension to take waste water from the school and the City approached SSCAFCA about running the line on the arroyo bottom of the Lomitas Negras. In order to jointly plan for the storm water and sewer line, the study was being performed.

Mr. Aguirre stated that Wilson and Company looked at the alignments, vertically and horizontally, as well as coming up with some alternatives for treatments. They didn't re-do the hydrology. Rather, they took the hydrology from Bohannon-Huston's report in order to analyze the channel and the alignment sections. The area was divided into seven reaches, with the first reach being under the culverts at Idalia. They then looked at a section from Idalia to the portion approximately where the sewer line will come in off the road into the arroyo right of way. The next section was from that portion to Saratoga Road and then from Saratoga to the culverts at 528 and then a section east of 528 between the completed project and the highway.

Mr. Aguirre stated that the flows do pass through 528, although if the area were to get a 100-year event, the flow would be to the top of the road. The recommendation at this point is to coordinate with the Highway Department on the expansion of 528, have those culverts re-analyzed, and possibly add another culvert or upsize the present structure. Mr. Stoliker stated that the Highway Department is looking at widening that particular spot to get a right turn into Corrales Road, but it is a different project than the 528 widening. He stated that the Highway Department's standards are different from SSCAFCA's in that they design for 50-year existing flow and SSCAFCA designs for a 100-year developed flow. If it is widened by the Highway Department, it will be done to SSCAFCA's standards as long as SSCAFCA has an approved plan transmitted to the State Highway Department prior to the environmental study adoption.

Mr. Aguirre stated that each reach was looked at for no treatment (as is), hard lining the sides and leaving the bottom soft, and hard lining the whole channel. At this time, they are not recommending any improvements and the culverts that exist are sufficient for the 900 cfs that flow in the area. In the upper reach, there is an opportunity to get property from the schools and there is not a whole lot of encroachment at this time. On Reach Number 2, they are recommending that it be left natural, but that SSCAFCA keep an eye on it. At the same time, SSCAFCA and the City should work together to come up with a policy for development and where people can put structures so they don't encroach on the prudent line. With the final plans, Wilson & Company will identify a prudent line. He stated that in Reach 3, a grade control structure should be put in because the flows are starting to get in

BOARD OF DIRECTORS REGULAR MEETING

DECEMBER 18, 2001

the high velocities and there are already encroachments of residences into the right-of-way, so Wilson & Company is recommending that the area be hard lined all the way to 528.

Mr. Aguirre stated that hard lining could consist of different materials such as soil cement or concrete. If you used soil cement it would be more natural looking than other treatments. At this point, they are not recommending the exact treatment. This will be done in final design.

Mr. Stoliker stated that the hard lining does not go from 528 to Idalia. Mr. Aguirre stated that it goes to the end of Reach 3. The rest is left natural. Mr. Aguirre stated that priority one in the report is to work on right-of-way acquisition. The school has agreed to give SSCAFCA the right-of-way, but it needs to be told what SSCAFCA needs from them.

Mr. Aguirre stated that the report does not look at slowing down the flow. The flows will be faster than they are existing now simply because of the hard lining of the arroyo. The report is looking at hard lining approximately 6,000 feet of the arroyo.

Mr. Aguirre stated that the sewer line is going to go in and that they were concerned that the sewer line not impede SSCAFCA from doing this project in the future. The hard lining may not happen for some time, which is okay. They are recommending that some of the right of way negotiations take place right away and that the crossing at Saratoga be looked at soon. They recommend that the school do a temporary stabilization immediately. Mr. Aguirre agreed that a non-asphalt dirt trail could be done on top of the sewer without spending any money, outside of providing signage. The maintenance road will be dirt. Mr. Aguirre stated that they show the trail as an amenity that doesn't have to be installed immediately. It can be put in as the project develops.

Mr. Aguirre stated that if the trail is the same as the maintenance road, it does not decrease the need for acquisition of land because the channel is moving. If the channel is left in its natural state, it will continue to move and be dynamic. A prudent line area needs to be established for the arroyo to meander. Mr. Aguirre stated that the total cost for the whole project is \$4.5 to \$5 million dollars. He stated that they did not cost out the trail itself. Mr. Stoliker stated that it is staff's understanding that the City would obtain the property and SSCAFCA obtain an easement. SSCAFCA does not expect to build the trail, it is an option for the City when SSCAFCA builds the maintenance road.

Mr. Aguirre stated that the report states that there is no construction required in Reach 1 (Idalia Road and the culverts) and no money involved in that. Reach 1 is sufficient for the 900 cfs in the hydrology report. In Reach 2, there is no channel required, but there is some

right-of-way acquisition required in order to get a prudent line in that area. Mr. Stoliker stated that he would like approval from the Board to approach the school to get an easement on the south side because it will preserve the arroyo bottom for a drainage facility. He stated that AMREP owns the arroyo bottom in Reach 2 and AMREP is donating the land to SSCAFCA. He stated that if SSCAFCA defines a prudent line, he would like to work with the City to do an overlay zone so people cannot build in the area. The building department from the City could then keep an eye on that.

Mr. Aguirre stated that Reach 3 would need to be hard lined so that it stays within the existing right of way. For that reach alone, it would cost about \$2.7 million. It can be stepped soil cement or it can be concrete. He is leaving that open for the final design process.

Mr. Aguirre stated that the recommendation on Reach 4 is that when the channel goes in, a clear span bridge be put in. They are fairly easy to do. The bridge would cost the City approximately \$200,000.00. The temporary riprap lining for the school would cost the school approximately \$50,000.00 and is an immediate recommendation. Mr. Conkling stated that SSCAFCA told the school that it would help with the study, but did not promise any money to the school. Mr. Stoliker stated that SSCAFCA has not budgeted any funds for this project.

Mr. Aguirre stated that the permanent feature, because of the limited right-of-way, is to line the channel to 528 at a cost of approximately \$1.6 million. The recommendation on Reach 6, under 528, is that the Highway Department increase the structures when improvements are made to 528. The property in Reach 7 is owned by AMREP and Wilson recommends that SSCAFCA negotiate with AMREP to get the property. Mr. Stoliker stated that the facilities would be programmed to be built in the future. He stated that when this report is accepted, they would look at getting the right-of-way from the school as soon as possible; doing an overlay zone in Reach 2; and getting the right-of-way from AMREP. AMREP is donating the right-of-way from Idalia to 528. That easement is 150 feet wide. Mr. Aguirre stated that the sewer line is lower than the bottom of the arroyo. He would recommend that, for protection, it be below scour depth until the channel is built. The sewer line is currently designed to be eight feet below the bottom of the existing arroyo. It has also been pushed as far to the southeast as possible. The intent is to use the sewer line as an interceptor with collector lines to homes.

A motion was made by Mark Conkling to accept the report as presented and that the necessary right-of-way be acquired as soon as possible and to pursue overlay zoning for the larger lots in Reach 2. It was seconded by Richard Deubel and passed unanimously.

b. Discussion/Action on the ASCG Lomas Negras Arroyo Soil Cement Investigation.

Mr. Stoliker stated that Clint Dodge, of ASCG, is here to discuss the Lomas Negras Arroyo Soil Cement Investigation.

Mr. Dodge stated that the findings are that the design was for two nine inch lifts of soil cement, but it was actually installed with one nine inch lift on the bottom and two four and one-half inch lifts on top. The purpose of that was to better control the grade. Mr. Yarbrough stated that at the time this was done, SSCAFCA had a different Executive Engineer, and there was something wrong with the composition of the soil cement and instead of making the contractor correct the composition, the engineer okayed it. Mr. Dodge stated that he discovered two variances in the construction records from the plans. The first was the thickness as mentioned. The other was that there were two or three blocks of soil cement that did not meet the strength requirement of seven days of over 1,000-cfs. Those blocks were left in place. However, the problem is primarily due to the four and one-half inch lift as opposed to the strength requirement.

Mr. Dodge stated that the water is getting underneath the four and one-half inch lift and popping up. The blocks have not broken free, but rather are lifted up. The debris is most likely reducing the velocity of the channel. The conclusion is that the soil cement remaining, which is 13 or 14 inches thick, does not appear to have any problems. On the slopes, where the two nine inch lifts were put in, there does not appear to be any problem. There is probably no chance of an imminent failure if the area gets another large rainfall event. It may peel more, but it will not completely fail.

Mr. Dodge stated that part of his recommendation is to go in and clean up the areas. All the debris causes more erosion in the channel bottom as it tumbles down the channel. He is concerned at another point where the slab is still connected to the wall and could break off and damage the joint between the wall and the floor. The second recommendation is to mark and cut off areas that are loose and haul it off.

Mr. Stoliker stated that this matter is SSCAFCA's responsibility because the records show that it was accepted from the contractor by the prior Executive Engineer. He stated that he is asking that SSCAFCA's landscape contractor remove the debris, get it saw cut (which will be bid separately because the landscape contractor does not know how to do that), have it inspected by ASCG to make sure it is done right and that a survey be done to insure that there is no surface erosion and establish monuments to ensure there is no problem in the future.

A motion was made by Mark Conkling to approve the report as presented and that Heads Up remove the delaminated debris and approve the task order as presented. It was seconded by Richard Deubel.

Mr. Deubel questioned the necessity for removal of the debris. Mr. Dodge stated that the debris reduces velocity, but increases depth, which reduces SSCAFCA's freeboard. The real problem with the debris is that it is quite large and when it breaks down it is still in big chunks, which significantly accelerates the deterioration of the existing channel bottom. Mr. Stoliker stated that his concern is it collecting underneath the Corrales Road Bridge.

The motion passed unanimously.

c. Discussion/Action on Black's Arroyo Watershed Drainage Management Plan.

Mr. Stoliker stated that on March 28, 1998, the board gave approval to do the master plan for the Black Arroyo Watershed. The Black Arroyo and Montoyas Arroyo were done about the same time and encompass about 90% of the Rio Rancho urban area. SSCAFCA started doing that project with ASCG, but because of other priority work requested by SSCAFCA; he could not complete it. However, he has been able to focus on this project now.

Mr. Clint Dodge, of ASCG, stated that the drainage management plan is going to be in two phases. Volume I of the report is where they tried to summarize the results of the hydrology in the initial investigation. The purpose is to document the hydrology for the watershed and to identify areas where there are problems. The next phase of the project is to identify potential alternatives for those problems, explore them and come up with a recommended overall plan that, when implemented, would take care of any drainage problems in the Black watershed.

He stated that they did existing conditions hydrology based on the 1996 FEMA study to see if the existing facilities were adequate to carry the flows. They then did a hydrology with fully developed watershed, but with existing facilities in place to see if those would work with fully developed conditions. The yellow on the map in the report is arroyos or major drainage ways that have right of way problems, or no right of way. Unit 16 is the blighted area and if it is replatted, it might be possible to get those easements as part of the replatting. He stated that in another area, people are building right up to the arroyo. Mr. Yarbrough stated that the City should come in and prohibit construction in the lots that are at risk. Mr. Dodge stated that is a policy issue that should be addressed with the City.

Mr. Dodge stated that a lot of the problems are smaller flows than 500 cfs. Those are being included in the report as they come across them. The green dots on the map represent crossing structures and/or culverts that are undersized primarily for existing conditions. Mr. Conkling stated that the new building permits require that a property owner contain all but historical flow on the property. Mr. Dodge stated that the area between Tulip and Southern is almost all covered by houses. North of Tulip it is essentially undeveloped. There is runoff that comes into the Lisbon Channel from that area. He stated that the red lines are unstable arroyos that have potential to cause damage. Their next task is to identify what to do overall in the system to help solve the problems. The first part of the solution is to reduce flows by putting in some regional ponds. He is requesting that the Board authorize staff to send the report to the City and AMAFCA for their review. There is a meeting set for January 3, 2002 with AMAFCA and the City to go over the details of the report. They have not addressed water quality in the report. There is also a question of whether to combine this with what happens at Black Dam or do you desire to see other water quality features in the watershed before it gets to Black Dam. Those are items that will be addressed in the next phase.

Mr. Dodge stated that the next phase is fully developed flows, what facilities to build, what options, what are the costs, and what are the pros and cons.

A motion was made by Mark Conkling to accept the report as presented and move to the next phase. It was seconded by Richard Deubel and passed unanimously.

d. Discussion/Action on the 528 Agreement with NMSH&TD.

Mr. Metzgar stated that this is a cooperative agreement between SSCAFCA, NMSH&TD and the City of Rio Rancho, under which all have certain obligations. The NMSH&TD incorporated every change that SSCAFCA recommended. However, one item was missed that was not contained in the original agreement, which is that the City provide SSCAFCA with a perpetual easement on the Library drainage and the Eastlake pond. The agreement is before the Board for approval, but he is asking that the Board approve it subject to the addition of the language that the City provide SSCAFCA with a perpetual easement to perform maintenance on the ponds.

A motion was made by Richard Deubel to approve the agreement, with the change as suggested by Mr. Metzgar. It was seconded by Mark Conkling and passed unanimously.

- e. Discussion/Action on the Bond Election Process; Whether to use Voting Machines or a Mail Out Ballot.

Mr. Yarbrough stated that, through staff research, it has been determined that SSCAFCA cannot use the mail out ballots. Mr. Metzgar stated that cities and counties are allowed to use mail out ballots by statute, however, other political subdivisions and governmental units cannot under the election statute.

- f. Discussion/Action on the Retiree Health Care Act.

Mr. Yarbrough referred this matter to the Personnel Committee for review.

- g. Discussion/Action on the Structural Evaluation of the HJC and DCC.

Mr. Stoliker stated that he had been asked by the Board to look at the traffic flow by and proximity to the Harvey Jones Channel. NRCS told him that there is supposed to be a minimum of two feet separation on a static load of up to 19,000 pounds. There are vibratory moving loads that are in excess of that, closer than two feet. He is asking for approval to have Bohannon-Huston do the structural evaluation of the Harvey Jones Channel.

Mr. Yarbrough stated that regular automobile traffic should not affect the channel. Mr. Stoliker stated that regular traffic is not as much concern as the larger dump trucks. He believes that load limits cannot be placed on the road without having a study done first. Mr. Stoliker stated that the cost of the study is approximately \$21,000.00 plus taxes. He stated that you could have impact damage to the facility if nothing is done. SSCAFCA has liability for the structure now and Mr. Stoliker wants to ensure it is safe for the public. Mr. Yarbrough stated that CWD originally owned the road. The decision was made to dedicate those roadways to the Village of Corrales because a big portion of the land in Corrales was landlocked.

Mr. Metzgar stated that those roadways were originally going to be for O & M. The building of the channels did not landlock any land because they were landlocked when MRGCD built its drainage ditches. When SSCAFCA did the channels, it was an opportunity to allow people who owned land to obtain public access. SCS agreed to allow SSCAFCA to make the roads public. CWD didn't want the roads because of the liability and offered them to the Village and the Village took the roads by agreement. SSCAFCA cannot close the roads because they are now public roads. However, SSCAFCA is obligated to protect the Harvey Jones and Dulcelina Curtis channels.

BOARD OF DIRECTORS REGULAR MEETING

DECEMBER 18, 2001

Mr. Stoliker stated that the road is on both sides of the channels and runs the entire length of both channels. If improvements are needed, Mr. Stoliker stated that the money for the improvements would then have to be programmed into the budget.

A motion was made by Mark Conkling to approve a study of the road by Bohannon-Huston. It was seconded by Dub Yarbrough. Roll call vote: Mark Conkling, yes; Dub Yarbrough, yes; Richard Deubel, no. The motion passed 2-1.

h. Review/Comment on the Draft Annual Report.

Mr. Stoliker stated that the draft annual report is being sent out for comment and will be brought back to the Board in January.

i. Discussion/Action of the Cost Proposal and Scope for the Web Site.

Mr. Stoliker stated that SSCAFCA can use the City or the County's GIS people and system to create a web page in the future, which could be less costly, but he doesn't have the time to work on it right now and he would like this matter tabled until SSCAFCA is in its own building. Mr. Conkling stated that he does not want to put this matter off much longer. Mr. Stoliker stated that a web page could be created for \$500.00. The problem is meeting the public expectation for presentation and upkeep. To have it look good, a quote was obtained from BHI showing the cost of \$15,000.00. That cost includes the start-up, training, domain name, etc. To keep it up on an annual basis would be approximately \$2,000.00 - \$3,000.00.

Mr. Conkling stated that he would like the web page up and running before the election. Mr. Conkling will work with the web designers in this regard.

FOR BOARD INFORMATION:

a. The Meeting for Presentation to the Village Council of Corrales for the Montoyas Arroyo DMP.

Mr. Stoliker stated that the public meeting with the Village had to be rescheduled because they didn't have a quorum. It looks like the meeting will now be held on January 8, 2002.

BOARD OF DIRECTORS REGULAR MEETING

DECEMBER 18, 2001

b. SSCAFCA Office Building Bidding/Construction Schedule.

Mr. Stoliker stated that the schedule for the construction on the SSCAFCA office building is contained in the Board's packets. He stated that he feels very comfortable with the changes that were made in the information packets that the Architect has assured him that the bids won't all come in over budget like last time. General consensus was given for the changes and to proceed to advertise that project.

c. November 28, 2001 Correspondence from EDI with Value Engineering Recommendations, Services and Fees.

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

d. Next Board Meeting is January 15, 2002 at 1:00 p.m. in the Rio Rancho Country Club.

Mr. Stoliker stated that the next board meeting is January 15, 2002 at 1:00 p.m. at the Rio Rancho Country Club.


OTHER BUSINESS.

None.

ADJOURNMENT.

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


WILLIAM C. YARBROUGH
Chairman


RICHARD DEUBEL
Secretary

DATE APPROVED: 15 JAN 02
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