

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF APRIL 16, 2002
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 1:15 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 Mark Conkling, Richard Deubel, Guy McDowell, and Dub Yarbrough. John Chaney was noted as absent. 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 Mark Conkling to approve the Agenda. It was seconded by Richard Deubel and passed unanimously.

CONSENT AGENDA.

a. Action/Approval of Minutes of March 19, 2002.

A motion was made by Richard Deubel to approve the minutes of March 19, 2002, as presented. It was seconded by Mark Conkling and passed unanimously.

b. Action/Approval for Treasurer's Report for March 31, 2002.

A motion was made by Richard Deubel to approve the Treasurer's Report dated 03/31/02 as presented. It was seconded by Mark Conkling and passed unanimously.

Action/Approval of Engineering Project Assignments, Criteria and Process Using Current Funding.

Mr. Conkling stated that the staff has prepared a multi-colored chart which sets out the drainage needs list, schedule and funding allocation and is a correction and amplification of a chart that had previously been considered by the Board. It lays out the general fund versus current funding versus the first new bond issue versus the second new bond issue and projects to the year 2007. It also itemizes categories of projects and unique projects.

Action/Approval of FY 2003 Budget.

Mr. Conkling stated that when the Board approves the budget items today, it is also approving a plan that is the best that could be done as of today. However, it is possible the plan might change.

Mr. Conkling stated that on the general fund, the estimate is based on not changing the mil rate and increasing SSCAFCA's income by 5% over last year, with the understanding that SSCAFCA would have the same collection rate. He stated that all employees would have a COLA of 2.8%, but the administrative assistant's pay would increase by 2.9% in addition to the 2.8% COLA because the job requirements were bumped to a higher level. Mr. Baird stated that the COLA increase goes into effect on July 1st for the fiscal year and the additional duties for the administrative assistant will go into effect in January 2003. The general fund reserve is continued and is increased in this budget by \$10,000.00.

A motion was made by Richard Deubel to approve the Engineering Project Assignments and the FY 2003 Budget as presented. It was seconded by Guy McDowell.

Mr. Pineda, a member of the public, suggested that SSCAFCA should not raise taxes. He questioned whether there was enough leeway in SSCAFCA's Budget to provide for any unforeseen events. Mr. Conkling stated that every project that is managed out of the office is managed with charting, project numbers, tasks and work orders, such that SSCAFCA normally knows in advance if there are problems that will be encountered. He stated that there is also a half million

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dollars in unallocated funds in SSCAFCA's budget and that SSCAFCA is not going to raise taxes.

Mr. Yarbrough stated that the items in the second issue on the Montoya's Watershed can be construed as a commitment to build the dam. He wanted to know how much of that is engineering. Mr. Stoliker stated that this project does not have a firm represented at the meeting today. When he spoke with Mr. Stone about it, that was only enough money (approximately, \$125,000.00) just to do sufficient design work to get SSCAFCA into right of way acquisition. The original estimate by the engineer on the dam site was \$5 million. Mr. Yarbrough stated that the Corps of Engineers did a study of building a dam at the exact location, but gave up on it because the cost-benefit ratio did not justify the cost. Mr. Stoliker stated that when the Corps did that, it was before they found a deficiency in the Harvey Jones Channel. With the extra development in the area, something needs to be done.

Mr. Stoliker stated that SSCAFCA is going to go "twin track." Track one includes proceeding with the planning, predesign and ROW acquisition for the dam site. This will allow for SSCAFCA to reserve the ROW now to construct the dam across from the Rio Rancho Sports Plex some time in the future. This dam site is common to all alternatives for the Montoya's Watershed Management Plan. At approximately the same time, SSCAFCA will look at raising the bridge and the impacts of doing that. If the Board decides that raising the bridge is the better alternative, they can look at shifting money at that point or wait for a future bond election. The decision should not be made today. It will take at least six months to get a foot print from an engineering standpoint once the task order is issued. Mr. Deubel stated that he was concerned with spending money on the issue of raising the bridge without involving the Highway Department or knowing whether the Highway Department has that in its plans. Mr. Stoliker stated that this issue should be budgeted and then, before a dollar is spent, they go to the Highway Department to have those conversations.

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Mr. McDowell stated that some of the Village officials are adamantly opposed to raising the bridge. It might be more prudent to stop the water upstream rather than raising the bridge. Mr. Yarbrough stated that was one of the reasons for the study. Mr. Stoliker stated that even if the bridge is raised, there is still a need for two or three dams upstream.

If the bridge is not raised, there will need to be seven dams upstream. Mr. Conkling stated that just how much does it hold and how deep does it have to be is the question. It may be that SSCAFCA will raise the bridge and build it, or it may be that catchments are put upstream. The common thing is that SSCAFCA builds it and that is why it's in the budget.

Mr. McDowell stated that he would rather see a series of smaller dams than a big dam site. It would be less intrusive to the neighborhood in general. It would be easier to get right-of-way for the land and that necessary purchase of the land.

Mr. Baird stated that the Board's approval today is a voice vote on permission for staff to submit this budget to the state. The state has to receive it by June 1, 2002. The state will then have to approve it. It will then come back to the Board for a full resolution for the budget, for the operating mil levy and for the debt service mil levy to be passed in July. SSCAFCA will then need to receive final state approval at the end of July.

Upon advice of legal counsel, the motion was withdrawn to be restated.

A motion was made by Richard Deubel that the Fiscal Year 2003 Budget be approved as presented. It was seconded by Guy McDowell and passed unanimously.

A motion was made by Richard Deubel that the Engineering Project Assignments, Criteria and Process Using Current Funding be approved as presented. It was seconded by Guy McDowell and passed unanimously.

Mr. Conkling stated that he is very pleased with the presentation of the materials of the SSCAFCA staff.

PUBLIC FORUM.

None.

CHAIRMAN'S REPORT.

1. Employee Selection Process.

Mr. Yarbrough stated that he and David Stoliker discussed the Employee Selection Process. Mr. Metzgar stated that under David's contract, he has sole responsibility for hiring and firing of personnel. It does not indicate that he has to go through any particular policy or Personnel Committee or to the Board. In doing this, Mr. Stoliker was following a policy much like the printout in the Board's packets. Mr. Yarbrough felt that there should be some kind of possible Board input into the hiring of managerial or supervisory personnel. Mr. Stoliker had indicated that he would like to put down his policy in writing and gave Mr. Metzgar the general indications of what he had been following. Mr. Metzgar drafted the Hiring Policy, but it is not a Board policy, rather it is the policy of the Executive Director on how he hires managerial and supervisory personnel. Mr. Stoliker wanted to bring the policy to the Board to show how he intends to hire personnel in the future or to allow the Board to review and critique the policy.

Mr. Yarbrough stated that the Personnel Committee should look at the policy to see if any changes need to be made to it. Mr. McDowell stated that he thinks it would be prudent for the Board to be able to review any potential employee before hiring. Mr. Metzgar stated that under Mr. Stoliker's contract, he has the authority for hiring and firing employees. If the Board is going to change that authority, then the time that it would be changed would be upon renewal of his contract. Until that happens, this is the policy that Mr. Stoliker is following unless the Board wants input into this policy.

2. Discussion of Corrales Northwest Sector Bridging of the Harvey Jones Channel & Dulcelina Curtis Channel for Access.

Mr. Yarbrough stated that he and Mr. Chaney concurred that the Board has been left out of the discussions of the Sector Plan regarding crossings of the Channels. He stated that the SSCAFCA Board has final approval on anything that crosses the channel. No engineering on the Northwest Sector has been done yet. Mr. Stoliker stated that a letter has been sent to the Village letting them know that SSCAFCA wants to be involved in the Northwest Sector and that SSCAFCA gets all the plans. He stated that Mayor Kanin called him today regarding this and he desires SSCAFCA's input in the project and will get a copy of the approved Northwest Sector Plan to SSCAFCA shortly.

Mr. Stoliker stated that, since the Board has strong feelings in regard to this matter, he would like to have the Chair designate a committee to work on it. He believes that this is a Board issue rather than his alone. Mr. Metzgar stated that it may not be too critical at this point since anything that crosses the channel must be approved by the SSCAFCA Board and NRCS.

3. ACEC/NM 2002 Awards Banquet.

Mr. Yarbrough stated that there is an awards banquet scheduled for April 25, 2002 at 6:15 p.m. The banquet is to honor Mr. Dodge's firm for the engineering and design of the wetlands and park at Haynes Park. Mr. Dodge stated that his firm, SSCAFCA, and the City of Rio Rancho will all receive plaques for their involvement in this project.

BOARD OF DIRECTORS' COMMENTS.

1. Master Planning for Multi-Use of Trails and Arroyos.

Mr. Conkling stated that big cities spend multi-millions of dollars to prepare trails for public use. SSCAFCA has an opportunity to acquire all the arroyos within a municipality.

He would like to look into the possibility of working on a joint project with the City of Rio Rancho on how a master plan of a trails network might be designed throughout the entire city. This would be based on the cooperation of SSCAFCA's drainage management, acquiring in some fashion the arroyos, and Parks and Recreation's help in the design so that prior to the time of development, a drainage master plan and a trails master plan can be developed that would be in place rather than having to acquire right of way 20 years down the road. He is not asking for money at this point but, rather, for approval to get started on looking into this matter.

Mr. McDowell stated that since this will be public land, it is also public liability. He is concerned about liability if people get hurt on the arroyos and ditches. Mr. Pineda stated that he is concerned about the cost of acquiring the land and the cost of maintenance of these trails. He is concerned that SSCAFCA is in the water drainage business, not the open space business. Mr. Conkling stated that he doesn't see why it is such a problem with all the entities working together to create a trails network that would enhance the City of Rio Rancho forever. Mr. Metzgar stated that it is the Board's policy that Board members not go to other entities and state that they are representing SSCAFCA unless the Board itself had given them approval to do that. Mr. Deubel stated that joint projects such as Haynes Park only help SSCAFCA and the community.

Mr. Conkling was given approval to represent SSCAFCA to other entities on this matter.

ATTORNEY'S REPORT.

Mr. Metzgar stated that there is no attorney report this month.

EXECUTIVE DIRECTOR'S REPORT.

1. Action/Approval for Board Meetings to Temporarily be Held in the Council Chambers at Rio Rancho City Hall.

Mr. Stoliker stated that the golf course has been sold and staff has been informed that the current meeting space for SSCAFCA will be unavailable for July, August and September 2002 and possibly for October also. Staff would like to get approval on a change of venue. They suggest having the meetings at Rio Rancho City Hall. Mr. Metzgar stated that a public notice would have to be posted for each month.

A motion was made by Richard Deubel to change the meeting place to the Rio Rancho City Hall for the required months. It was seconded by Guy McDowell and passed unanimously.

2. Venada Arroyo Watershed Management Plan (VEWMP) Update & Action/Approval to Solicit Public Comments.

Mr. Stoliker stated that Mr. Foglesong is the project manager for SSCAFCA on this project. Mr. Foglesong stated that ASCG has been working very hard on the VEWMP. Mr. Dodge, of ASCG, stated that the Board's packets contain a summary of the data for alternates and three maps.

Mr. Dodge stated that within this watershed there are four developments besides the Enchanted Hills Subdivision. One is The Orchards; the second is Enchanted Hills South; the third is a state land parcel and the state is in a planning process for a development which is a mixed use industrial, residential and commercial; and the last is Mariposa Ranch. They are at the point where they have alternates for the arroyo and would like to get approval to take these to the public and to the City of Rio Rancho. He stated that the basis for the analysis of this project is because at 528 there is a constriction where there is an existing box culvert bridge. It is adequate today, but as the area continues to develop, it will get overloaded. The existing capacity is about 3,100 cfs, but with development, it will be about 8,000 cfs.

Mr. Dodge stated that the downstream channel and upstream channel improvements are in place based on the capacity of the culvert. The master plan at this time considers that a constraint. He stated that some of the flow into the area comes from Santa Ana and they are considering that at its

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historic rate. Enchanted Hills does have a drainage plan and they have checked that and it seems to be okay.

Mr. Pineda questioned whether SSCAFCA would be responsible for flows from Santa Ana. Mr. Stoliker stated that SSCAFCA allowed for historic flow when it approved the Enchanted Hills development, but that SSCAFCA does not have statutory responsibility within the Santa Ana jurisdiction. Mr. Dodge stated that the rest of the area is already platted and is currently mostly undeveloped. In that area, they assumed that it would have the same density. That information is based on a meeting with the City of Rio Rancho Planning Department. They will establish in the Master Plan a corridor along the drainage ways that they recommend development not occur in unless the arroyo is stabilized.

Mr. Dodge stated that the storm water quality allowance is very similar to the Black Arroyo. They are proposing to include an allowance to capture and treat the first quarter inch of runoff. One of the options for the Venada is a naturalistic channel treatment with recreational trails. The other critical item is a stable conveyance for the entire system. Other items for the master plan are that it allow for multiple use, an interim plan, phased implementation and financial plans. The design flow of the Venada Arroyo below 528 is 3,100 cfs. Mr. Stoliker stated that the restriction is being imposed throughout the watershed. Mr. Dodge stated they have come up with three alternates to detain the flow.

Mr. Pierce Runnels, of ASCG, stated that the first two alternates are numbered 1A and 1B and they both have large dams on the Venada Watershed main arroyo. The third alternate is called the tributary dam alternate and it has dams on the two main tributaries before they come into the arroyo. Alternate 1A has the dam near NM 528 and alternate 1B has the dam near Paseo del Volcan near the confluence of where the tributary comes into the main stem. In these two alternates, the water quality features are near the dam sites. Both of these alternates also have a dam at Unser Boulevard. Mr. Yarbrough stated that between 528 and Paseo del Volcan, AMREP has put in a dam that dumps directly into the Venada. The dam will be separate from the AMREP dam, and it may back up water past the drop structure that comes out from Enchanted Hills.

Most likely, they would reroute the outfall from Dam 1 past this dam anyway.

Mr. Runnels stated that in the third alternate, a dam will be constructed on each of the tributaries before they come into the Venada Arroyo. The water quality features are a little more spread out through the watershed, but there is no dam on the lower portion of the Venada on the main line. As far as dams go, all three alternatives end up with the same amount of total detention, but the flow rates are different. The first alternative, with the dam at 528, the flows are collected all the way down the watershed and by that dam, the flows are at 6,000 cfs. Where the dam is moved up to Paseo del Volcan, the flows are 5,600 cfs into the dam, but between Paseo del Volcan and 528, the flows are reduced to around 2,000 to 3,000 cfs. The third alternative with the tributary dams, the flow is cut off before it gets into the main stem, so the flows are 2,000 to 3,000 cfs all the way from the top to the bottom.

Mr. Runnels stated that the flows are important because that's what will drive the cost in the amount of land required and it is a safety issue, both for the dam and the conveyance. The alternative with the dam farthest down the watershed requires the most land, mostly due in increase in land required for the conveyances. As you move the dams upstream, less land is needed. As the flows are reduced in the Venada, the costs go down. The total cost for 1A is \$68 million, for 1B is \$44 million and for alternate 2 is \$36 million.

Mr. Runnels stated that with Alternates 1A and 1B you have a large centrally located facility. It costs more and the costs for the channel lining are more. With Alternate 2, there is less conveyance of right of way, less cost and, because the flows are lower, the channel treatments can be more naturalistic. You also end up with smaller emergency spillways on the tributary dams. Because the flows are smaller, there might be more opportunity to put the flows in pipes. One of the reasons the site for Alternate 1B was chosen was because it may be an opportunity to do some cost sharing with AMREP in Enchanted Hills South. Mariposa Ranch's current plan is to release their historic rate and do ponding

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within their subdivisions before they release into the Venada.

There is possible cost sharing with Mariposa Ranch by putting in the dam at Unser.

Mr. Dodge stated that they will have a public meeting and present it to the Rio Rancho Parks & Recreation, the Rio Rancho City Council, the Town of Bernalillo, etc. and get the input from those people with regard to the impacts of the project regarding their operation. ASCG is proposing in the master plan to identify the water quality treatment as an allowance because regulations are in the works. However, nobody knows what the treatment will be. At this point in time, the requirements are loose and they are attempting to follow the best management practices approach. Mr. Dodge stated that AMAFCA is primarily focusing on removal of floating debris.

Mr. Conkling stated that the form is fine to go to the public for input, with one exception. He recommends assessing the safety of the three alternatives in addition to what has been done so far. ASCG is looking for the Board's input on the alternatives, permission to hold a public meeting and to present this information to the City of Rio Rancho and the Town of Bernalillo. They would like to get comments back from the Board, incorporate those comments and develop a preferred alternative that they could then present to the Board at the June meeting. Mr. Yarbrough stated that the Santa Ana Reservation land is being rapidly developed and the Reservations answers to nobody. Nobody knows if the Santa Ana Reservation will keep the flows to historic flows or if the flows will increase. Mr. Dodge stated that the entire system, after it crosses Highway 550 is designed based on historic runoff from the Reservation. Mr. Stoliker stated that they have tried to communicate with the Reservation in writing to present the Drainage Management Plan for the Enchanted Hills Subdivision. The second thing they have done is to meet with the State Highway Department. The crossing at Highway 550 was sized using historic flow rates by the State Highway and SSCAFCA used historic flow rates in order to size the channel. The third thing is that staff has been told by the State Highway Department that they are not going to increase the size of that crossing. If there is additional flow caused by

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extra development on the Santa Ana Reservation, the extra overflow will go into the bar ditches along 550 and carry down to the unnamed arroyo or all the way down to the river.

Mr. Runnels stated that if a dam was needed just south of where the arroyo crosses 550, it would alleviate any non-historic flow on the watershed. Mr. Deubel stated that it is a given that sometime in the future, there will be more than historic flows in that area. The crossing at 550 would have to be upgraded first. Mr. Yarbrough stated that the property has already been developed by AMREP and is full of houses.

Mr. Conkling stated that he would also like to see a category on these alternatives which indicates the degree to which they accommodate trails, parks, and multiple use.

A motion was made by Richard Deubel to approve the Venada Arroyo Watershed Management Plan Update with the changes as suggested and to take this information to the public. It was seconded by Mark Conkling and passed unanimously.

3. Action/Approval of Annette Hise Jones Urban Pond Plaque.

Mr. Stoliker stated that the packets contain a proposed plaque for the Annette Jones monument. This proposed plaque only contains the technical information. The other side will contain the personal information for Annette Jones. He is looking for approval of the proposed plaque.

A motion was made by Mark Conkling to approve the Annette Hise Jones Urban Pond plaque with a key table. It was seconded by Richard Deubel and passed unanimously.

FOR BOARD INFORMATION:

1. Task Order 2002-5 Dated March 7, 2002 in the Amount of \$3,200.00 to BHI for Technical Assistance with the Preparation of a Bond Brochure.

Mr. Stoliker stated that this is contained in the Board's packets for preparation of a bond brochure.

2. New Mexico State Highway Department Letter Dated 01/26/02 Regarding Minimum Pipe Specifications for Construction of Drainage Infrastructure on the NM 528 Project.

Mr. Stoliker stated that this letter is contained in the Board's packets. SSCAFCA had originally approved a contract with the State Highway Department and Rio Rancho. Part of the contract was that they would meet SSCAFCA's specifications and they would put in reinforced concrete pipe. The Highway Department now wants to change the pipe type and keep the contract agreement on maintenance. Mr. Stoliker is very concerned about changing the pipe type. The way it is set up in the agreement is that SSCAFCA is set as the lead on the operation and maintenance of the project. The second part is that SSCAFCA will assist in the structural maintenance, which means that if there is a problem with damage to the pipe, SSCAFCA will assist but the Highway Department will take the lead. If the State goes forward with the metal pipe, they may release SSCAFCA from the agreement. Mr. Dodge has recommended that they do lean fill, which is a concrete encasement material.

3. Memorandum to the Record Regarding the March 25, 2002 Presentation About Ditch Safety Made to Stapleton Elementary School Students.

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

4. Task Orders to ASCG, Parsons, W&C and Stantec in the Amount of \$5,000 Each, Transmitted on March 28, 2002 to Assist with the Development of SSCAFCA's NPDES and Storm water Quality Program.

Mr. Stoliker stated that these are contained in the Board's packets.

5. April 3, 2002 Letter to Calvin Cross Referencing Enchanted Hills Drainage Issues.

Mr. Stoliker stated that this is contained in the Board's packets. There is a meeting set for May 6, 2002 on this matter. Mr. Yarbrough stated that this should have been taken care of by the developer. Mr. Stoliker stated that the City of Rio Rancho is indicating that the problem is theirs and SSCAFCA is supporting the City, not the developer.

6. March 20, 2002 SSCAFCA Dam Inspections Comments to the Record.

Mr. Stoliker stated that these are contained in the Board's packets. There is some slight erosion at Urban Ponds in all of the rundowns.

7. March 18, 2002 Executive Standing Committee Meeting Minutes.

Mr. Stoliker stated that these are contained in the Board's packets.

8. Signed Contract Dated March 22, 2002 for New Employee, James Service, Field Operations Coordinator.

Mr. Stoliker introduced James Service, SSCAFCA's new Field Operations Coordinator.

9. Copy of Impact Fee Invoice as well as all Charges for Permitting.

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

10. Construction of SSCAFCA's new Office Building Began on April 1, 2002.

Mr. Stoliker stated that this is contained in the Board's packets. The estimated time for completion is 225 days.

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11. April 4, 2002 Letters Sent to Property Owners informing them of the Construction Schedule for the Tierra Encantada Drainage Improvements.

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

12. April 16, 2002 Memorandum Regarding the Construction of Mosquito Control Structures. This Initiates the BATS (Biological Alternative to Spraying) Program.

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

13. READS Brochure.

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

14. Roskos Field Brochure.

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

OTHER BUSINESS.

None.

ADJOURNMENT.

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

WM. C. YARBROUGH

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Chairman

Wm. C. Farber

Richard Deubel

RICHARD DEUBEL
Secretary

DATE APPROVED: 21MAY02

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