

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF JANUARY 27, 2004
BOARD OF DIRECTORS SPECIAL MEETING**

CALL TO ORDER.

The special meeting of the SSCAFCA Board of Directors was called to order by John Chaney, Chairman Pro Tem, at 1:05 p.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were John Chaney, Mark Conkling, Richard Deubel, and Donald Rudy. Chairman Yarbrough had a family emergency and was out of town. David Stoliker, Executive Director, and Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by John Chaney.

APPROVAL OF AGENDA.

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

ANNOUNCEMENTS.

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

ACTION/ACCEPTANCE OF CABEZON DEVELOPMENT DRAINAGE CONCEPTS.

Mr. Stoliker stated that the Cabezon development is located in Unit 16 which is located in the Black Arroyo Watershed and covered by the Black Arroyo Watershed Management Plan approved by the Board in August 2002. In March 2003, the Cabezon plan was presented and conceptual approval was given by the Board. Since that time, additional engineering and development work has been done. Refinements to the Black Arroyo Watershed Management Plan are being requested by Curb, Inc. These issues affect the Black Arroyo Watershed Management Plan, which is approved by three affected local governments: Rio Rancho, AMAFCA and SSCAFCA. A meeting was held on January 13, 2004 with Curb, Inc., the City of Rio Rancho and the Executive Committee of SSCAFCA in which the final issues were resolved pending approval by the SSCAFCA Board, the City of Rio Rancho and AMAFCA. The development is being split into two phases to allow Phase I to proceed while remaining issues, such as land treatment and others are worked out over the next several months on Phase II. Staff has reviewed the request and agrees with the findings as shown in the Executive Board Meeting Minutes and is recommending approval for the concept with the following understandings:

1. Wilson & Company will remodel the watershed drainage affecting Phase I and resubmit it to SSCAFCA, City of Rio Rancho and AMAFCA as an amendment to the Black Arroyo Watershed Management Plan. The technical review and plan

amendment can be handled by staff with the assistance of Clint Dodge and the staff at ASCG.

2. Wilson & Company will provide justification and technical information for the watershed drainage area affecting Phase II and resubmit it to SSCAFCA, City of Rio Rancho and AMAFCA as an amendment to the Black Arroyo Watershed Management Plan.

Mr. Stoliker stated that one of the issues is water quality volume; seven acre feet in Phase I and 44 acre feet total with the remainder in the AMAFCA Black Dam or Cabezon. Cabezon will write a letter to AMAFCA to work that out with them. The second issue is land treatments. Staff wants to keep the approved Black Arroyo Watershed Management Plan land treatments for Phase I as approved, with the following changes to be agreed upon by all parties: 1) removal of double counting of roadways (which was an error in the original model); and 2) decreasing the sediment bulking in Cabezon from 18% to 6% due to the development of the Cabezon area. Mr. Stoliker stated that this is standard for SSCAFCA when an area goes from undeveloped to developed.

Mr. Stoliker stated that Cabezon also agreed to write a letter to the SSCAFCA Board, City of Rio Rancho and AMAFCA requesting the following:

1. Existing ponding on existing commercial areas in the Phase I watershed will be included in the model; however, Cabezon will accept free discharge from the undeveloped commercial areas south of Southern Boulevard.

The thought is, if they have a pond today, they will keep the pond. If the ponds are not built out right now, they should be allowed to free discharge. This is a request from the City of Rio Rancho.

2. Wilson & Company will submit proposed Phase II land treatments with justifications to all three entities for review as an amendment to the Watershed Management Plan within sixty (60) days.
3. Cabezon will work with AMAFCA to locate the additional volume needed to meet the 44 acre feet total in Black Dam or in Cabezon.

Mr. Stoliker stated that when the Board last met, conceptual approval was given to the engineer and the developer as previously mentioned. It included the fact that the 44 acre feet would be provided for this development, along with the land treatments, and that Cabezon would accept the Black Arroyo Watershed Management Plan as it stated at that time. He stated that after a more careful evaluation by the engineer, they realized that there was an error in the model and some things that were a little onerous, but the developer wants to move forward with Phase I so that they can start moving dirt. A bulk plat has previously been approved by the Board which included some of the phasing, and has been signed by the Chairman.

Mr. Stoliker stated that the 44 acre feet requirement services the entire watershed and the developer felt that SSCAFCA was being onerous by requiring that. However, when this was brought to SSCAFCA in March for the conceptual approval, the developer agreed to it. The 44 acre feet was included in the Black Arroyo Watershed Management Plan and "meet the 44 acre feet" means that they are complying with that plan.

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Dan Aguirre, of Wilson & Company, stated that the developer has agreed to these conditions. He stated that they have received a modified model from ASCG and agree with that model. They are going to proceed with putting in the ponds on the existing commercial sites. They are looking at the water quality treatment as treating the water for floatables and sediment and will do the best they can in terms of fecal coliform. He stated that they would still need an approval on the Phase I drainage management plan. He stated that if they meet all of the agreed to criteria, they want the Board to approve the drainage report so that the Developer/Engineer and SSCAFCA staff can move forward on Phase I. He stated that staff did not anticipate them doing any fecal coliform treatments at this time because they think that removing the sediment will take out some fecal coliform. Staff is also looking for trash removal. Mr. Aguirre stated that right now they are looking for approval of Phase I only. With the revised model, they are going to do a drainage report for the rest of the site and will submit that later. If there are changes to the requirements of the Black Arroyo Watershed Management Plan, they will come back to the SSCAFCA Board with those changes and recommendations. They are going to try to do this as one package instead of piece by piece.

Bo Johnson, of Curb, Inc., stated that even though the drainage basin is much larger than the Cabezon project, he believes they can find room for the 44 acre feet and takes that responsibility. The land treatments which has to do with existing ponds becomes an issue between the City's policy and SSCAFCA's policy and he was caught in the middle; however, that has been worked out and he feels comfortable that Wilson & Company and SSCAFCA staff and the City can work out those details. He does request that the Board consider his time constraints to have staff approve this and help the project move along.

A motion was made by Mark Conkling to approve the Cabezon Phase I drainage management plan as presented and as contained in the Board's packet. It was seconded by Richard Deubel and passed unanimously.

OTHER BUSINESS.

Alonzo Clayton, District 6 City of Rio Rancho Councilor, stated that he is pleased to see that SSCAFCA has agreed to move forward on this project. He stated that he is concerned with the failure of the bond issue. District 6 has several areas in which SSCAFCA was going to be working on and he is wondering what the status is on any of the projects that had been slated in District 6. Mr. Stoliker stated that a review committee is meeting on February 17, 2004 to discuss this very issue. All of the projects that were slated to be done in District 6 have been taken off of SSCAFCA's budget for this year. The money for the cleaning up of the Bosque area had been set aside and that will continue. Mr. Conkling stated that he was most disappointed to have to remove the Enchanted Hills School project. Mr. Deubel stated that these projects need to be done and, hopefully, they can be done with a future bond passage. Mr. Chaney stated that, as the community grows, and the tax base increases, SSCAFCA's revenue stream increases as well. Over time, SSCAFCA should have more revenue and should be able to selectively attack some of these projects. He stated that it is possible that SSCAFCA will go out for another bond issue in the fall.

ADJOURNMENT.

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A motion was made by Mark Conkling and seconded by Donald Rudy to adjourn the meeting. It was carried unanimously. Meeting adjourned at 1:30 p.m.

Richard Deubel

~~RICHARD DEUBEL~~

Acruo Secretary

William C. Yarbrough Chair
~~JOHN CHANEY~~ *Wm. C. Yarbrough*
Chairman, Pro Tem

DATE APPROVED:

2/17/04

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