

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)  
MINUTES OF AUGUST 18, 2006  
BOARD OF DIRECTORS REGULAR MEETING**

**CALL TO ORDER.**

The regular meeting of the SSCAFCA Board of Directors was called to order by John Chaney, Chairman, at 9:10 a.m.

**ROLL CALL OF DIRECTORS.**

Directors in attendance were John Chaney, Mark Conkling, Steve House, Donald Rudy and Dub Yarbrough. David Stoliker, Executive Director, 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 Steve House to approve the Agenda as presented. It was seconded by Donald Rudy and passed unanimously.

**ANNOUNCEMENTS.**

Announcements were made by John Chaney that all electronic devices needed to be turned off during the meeting.

**EXECUTIVE DIRECTOR'S REPORT.**

1. **Action/Acceptance of Loma Colorado Unit 13 Drainage Management Plan.**

Mr. Stoliker stated that this subdivision is being done by Pulte adjacent to the dam site and is approximately 440 acres. Bohannon-Huston is the engineer of record and has done the drainage management plan. It has been reviewed by staff and looks fine. Staff is recommending that the Board accept this plan subject to the items identified on the Board Action Item and approval by the City of Rio Rancho. The City has not yet accepted the plan and could still come back with a few comments. Therefore, Staff is requesting that they authorize the executive director to review and approve any changes requested by the City.

Mr. Chris Sholtis, of Bohannon-Huston, stated that this project will be approximately 900 to 1,000 single family detached homes and the remaining 80 acres will be developed as mixed use and commercial. The pink area on his map is a mixed use area which will drain toward the north. They propose to have detention ponding of that site. The green area will drain to the existing Stapleton Pond, which is just west of the old Stapleton School. In the existing condition, there are a series of ponds along Northern Boulevard which drain one into the other and into the Stapleton Pond. They are proposing to remove those ponds on site and expand the Stapleton Pond to account for the additional drainage. The yellow area will discharge directly into the Montoyas Arroyo below the proposed Sportsplex Dam. There will also be water quality features in this area. The blue

area is also residential and will discharge directly into the Sportsplex Dam facility. The blue and yellow basin areas drainage schemes are allowed for in the Montoyas Sportsplex Dam design report, as well as the previously approved agreement between Pulte and SSCAFCA. Bohannon-Huston is working with DR Horton to make sure all the drainage around the school is taken care of. Mr. Shottis stated that this includes getting an easement from the school for the drainage easement that goes along that pond. They are restricting the outflow to existing flows so as to not overtax the system. Mr. Stoliker stated that the drainage will go into the school drainage system. Staff has asked Pulte and DR Horton to identify if there are any pipes underneath the school and, if there are, to re-route them.

A motion was made by Mark Conkling to approve David Stoliker's recommendation as set forth in the memorandum dated August 18, 2006 with regard to the Loma Colorado Unit 13 Drainage Management Plan. It was seconded by Steve House and passed unanimously.

## 2. Action/Acceptance of Quality of Life Flood Control Plan.

Mr. Stoliker stated that staff is looking for acceptance of the plan subject to approval by the City of Rio Rancho, authorization of the Chairman and Executive Director to sign the plan, and authorization of the Executive Director to approve future changes to the plan with periodic updates of those changes to the Board.

Mr. Rick Counts, of Community Science Corp., stated that since its last draft some of the strategic improvements have been made, in particular, emphasizing throughout the master plan the watershed park concept. In addition, they have added some design guidelines and legislative suggestions that lead into the implementation strategy. Watershed Park is a series of watershed parks, each one representing a different arroyo system. They did quite a bit of background research to make sure that development would be restricted from occurring. They studied soils, wildlife habitat, plant communities, and cultural resources for different preservation opportunities within the parks. This is a multi-use approach and actually picks up on SSCAFCA goal number 2, to recognize the value of land purchased or controlled for floodways as areas with multi-use potential. Flood protection is first, quality of life is a major addition that the Board has authorized.

Mr. Counts stated that joint uses can include transportation like connections, trails, bicycle and pedestrian opportunities; recreational aspects from parks and special interest venues; educational interpretive areas and nature trails; and integrating with businesses. There is a series of profiles, one for each of the major arroyos in the master plan that indicates some of the existing conditions within that particular watershed park. They have drawn from and tried to be compatible with the existing Watershed Management Plan.

He stated that there are a couple of older watershed management plans that might be appropriate for updating to indicate new development and possible wildlife features. Calabacillas at some point in time will have a watershed management plan. He stated that trails are the backbone of the Watershed Park system. They connect and allow for day trips on different routes for hiking, biking and equestrian trails. Some of the features are connections to tie the parks together, integrating both the interests of stakeholders (adjacent property owners and existing jurisdictions), cost savings that might be realized by a Parks and Rec department that could utilize some of the arroyo land, the value added aspect to adjacent properties, maintaining the natural assets and spaciousness of the entire system. Most important, a new aspect of regional image for this part of the world in which the largest urban park system in New Mexico may result.

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Mr. Counts stated that possible uses for recreation include trail designations and cross linkages, planning for different amenities, land acquisition, maintaining an advisory capacity with the stakeholders and users of the joint opportunities, perhaps creating a Watershed Park administrator and beginning to initiate marketing and legislative programs to implement the Watershed Park concept. There are a number of different priorities that have been recommended as trail systems, when parks and recreational venues are completed. The user manual is something that they have been working on all along. It is a workbook meant to be added to which includes examples of existing amenities and checklists for both the stakeholder and more technical aspects of the plan, and there are portraits. This is intended to show some of the projects that have been completed and is meant to suggest that as new amenities are added, they be added to the manual.

Mr. Cliff Spirock stated that the portraits that are assembled in the manual are divided into major facilities, both completed and in the process; natural facilities, both natural and naturalized and conveyances. The in place photos include examples, photographs, location maps and a brief description. The ones that are in the process kind of hinted what SCAFCA has approved for developers or municipalities but are still in the works. The conveyances have photos, as well as an estimate of their location and physical constraints. The natural arroyo portraits are just that and show good examples of a trail head in one. The purpose is to urge the use of this manual by building to these portraits.

Mr. Counts stated that the design techniques are intended to allow for the user to do some of his or her own sketches in the field and then they also have a number of checklist items that outline some of the more technical considerations that ought to be evaluated during the actual design of amenities and quality of life projects. The final answer is to make Watershed Park happen. The document is meant to inspire people to go out and find locations where they can collaborate and cooperate with SCAFCA to add some of the features in the Watershed Park Master Plan. There are plenty of opportunities for individuals and groups to take advantage of the offer that has been made by SCAFCA to help utilize arroyo lands.

Mr. Chaney stated that it has been brought to SCAFCA's attention that it might entertain some architectural zoning along the Watershed Park to ensure that the aesthetics of the buildings that come in the future blend into the overall concept of the Park. It is rather controversial, but if the Board would agree, or likes the idea, there could be suggestions made as to types of zoning that might be implemented by the City with its jurisdiction. Mr. Counts stated that toward that purpose, they have included some design and landscape guidelines in the workbook. It is true that architectural controls for single family residences are controversial, but in this instance, with the developer on board as a stakeholder, with the understanding of the appreciation of property value that can and will occur by integrating with Watershed Park, it seems that the regulatory aspect would be well received. Mr. Chaney stated that he discussed this with Pulte and they liked the idea as well, but there should be a meeting with the various developers and stakeholders to determine height, colors, fencing and all those issues.

A motion was made by Mark Conkling to accept the Quality of Life Flood Control Plan as presented and recommended by David Stoliker, and that SCAFCA seek cooperation from the City of Rio Rancho, the Village of Corrales, the Town of Bernalillo, the County of Sandoval, MRGCD, the State of New Mexico, the US Corps of Engineers, the US Department of Interior, AMAFCA, and the County of Bernalillo to become part of this vision. It was seconded by Donald Rudy.

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Mr. Rudy stated that the emphasis on the quality of life aspect of this Watershed Park enhances the safety issues. Using this land for quality of life makes the flood control more effective. The motion passed unanimously.

There was a general discussion about the possibility of changing SSCAFCA's name. Mr. Metzgar stated that SSCAFCA can only change its name through the Legislature.

### **3. Action/Acceptance of La Barranca Watershed Management Plan.**

Mr. Clint Dodge, of ASCG, stated that there are several reasons why this is an important watershed at this time. There is extensive data from the stakeholders. Within the watershed, the red parts show the ownership by SSCAFCA, which is extensive along the arroyos; however, there are some gaps that will need to be filled in. They looked at eight different options, including on-lot ponds as an option. He stated that they took a sample basin out of the La Barranca and did three analyses of on-lot ponds, existing and fully developed and compared the flow rates, volumes and cost. The magenta is fully developed, with no ponds; the green is with on-lot ponds; and the other one is the existing run-off. Halfway down the basin, the on-lot pond gets larger than existing because it has a larger volume. At the bottom of the watershed, the on-lot pond gets closer to the fully developed condition. What's happening is that the additional volume is causing the peak to go up. They then compared the costs for those three options and based it on LEE line property with drop structures and the same assumptions that they used throughout the Watershed Management Plan. At the bottom of the basin, they put in a detention basin to reduce the flow to the existing flow rates. The on-lot pond option does not include ongoing inspection and enforcement issues. The cost per acre for on-lot ponds turned out to be higher than no ponds at all. This is partly because there is not much difference in flow rates. As a result, they did not recommend on-lot ponds as a strategic management plan.

Mr. Dodge stated that Option 2 was their basic initial idea from doing the field work, which has several ponds and other conveyance factors. It had a couple of fatal flaws, which took them into Option 4, which is a minimum dam's option. They had to put a dam in to control the flow under 528. This option has three dams and lined arroyos. The dams along Paseo are hypothetical to restrict the flows. Most likely, the ponds will be further up in the development. Option 8 is the option that the Watershed Management Plan is based on and asks the question of what the maximum naturalistic conveyance they can get and how that affects everything. In this option, they end up with eight dams to control the flow at more points and there is less flow in the arroyo and, therefore, naturalistic arroyos can be used more. The eight dams are at Saratoga, the Badger Dam right below Idalia, at 40th intersection, at Paseo del Volcan, right at Progress, at the top end of Section 36 (which is state land), and the upper pond is on the east side of Unser. Mariposa is controlling their flow inside Mariposa and is discharging at the historic rate. Almost all of these ponds are being restricted to 5 cfs. As you go down, you pick up more and more drainage area, and you get to the point where it is not realistic to deal with it naturalistically. They did some rule of thumb estimates to figure out where the line should be, and it is not practical to have the arroyos more than 100 feet wide. He stated that there are some areas of the arroyo where it is hard-lined.

Mr. Dodge stated that the storm drain capacity isn't big enough to take the flow and a series of box culverts will be needed. Mr. Stoliker stated that all of these are basic assumptions made from

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experience. If you drop in another pond, you might be able to put it into a pipe, which could become a nice trail. Mr. Conkling stated that he would like to try to avoid hard-lining the arroyo. Mr. Stoliker stated that it can be done and the only thing that will change is the dollar amount. Mr. Rudy stated that some of the arroyo can be hard-lined and still be nice. Mr. Dodge stated that they have considered all options, including rip-rap, etc. One of the goals and criteria at the beginning of the Watershed Management Plan is to use naturalistic treatment where it can be used, unless it is not feasible. Mr. Stoliker stated that they are going to put in a statement that says that SSCAFCA is going to try to pursue naturalistic channels and other piping systems in order to promote the vision of Watershed Park and its aesthetic value.

Mr. Dodge stated that throughout the report when they come to recommendations and considerations, they have added the Watershed Park as one of the considerations for right-of-way, etc. Mr. Rudy stated that this generally looks good, but the Board would like to chip away at the 30% of the arroyo being hard-lined.

Mr. Dodge showed the budget summary for Option 8. They tried to prioritize the different items and based on recent experiences, they focused on right-of-way, especially in those areas where development was imminent. They are all dams, with the exception of two. The site by Progress Road has some right-of-way, but it's not adequate. The other area is between Paseo and 40th Street which has no right-of-way at all. The recommendations are included in each section of the report. The first items go hand in hand with Mr. Counts' Watershed Park concept and include education of the public. The next recommendations are to look at the right-of-way criteria and acquisition. They recommend doing a right-of-way action plan to get ahead of development. The Rio Rancho impact fees will have an impact on the overall funding and needs to be coordinated. They did look at alternatives if SSCAFCA is not able to put in a specific dam in a specific area and identified options for location. One of the items true in all watersheds is that the flood plain, existing right-of-way and arroyos aren't on top of each other. They are all separate, so there needs to be some new flood plain mapping done. Everything in the Watershed Plan is based on the idea of protecting the LEE line and using naturalistic controls to stay inside the LEE line. Mr. Dodge stated that design is under naturalistic standards. They proposed a plan to put utilities in the arroyo corridor. Storm water quality is included and they have some recommendations for sediment control as well.

A motion was made by Steve House to accept the La Barranca Watershed Management Plan as presented and based on David Stoliker's recommendations and that SSCAFCA will seek concurrence from the City of Rio Rancho. It was seconded by Donald Rudy and passed unanimously.

#### **4. Action/Acceptance of Resolution 2006-13 Infrastructure Capital Improvement Program.**

Mr. Stoliker stated that the Board has already approved this and just needs to pass the Resolution.

A motion was made by Steve House to adopt Resolution 2006-13 as presented. It was seconded by Donald Rudy. Roll call vote: John Chaney, yes; Mark Conkling, yes; Steve House, yes; Donald Rudy, yes; and Dub Yarbrough, yes. The motion carried 5-0.

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5. Action/Acceptance of Renewal of Janitorial Services Contract with a 10% Increase.

Mr. Stoliker stated that Connie's Cleaning Services is up for renewal with a 10% increase in cost.

A motion was made by Mark Conkling to renew the janitorial services contract with a 10% increase as presented. It was seconded by Donald Rudy and passed unanimously.

6. Action/Acceptance of Renewal of HVAC Contract.

Mr. Stoliker stated that the HVAC Contract is up for renewal without an increase in cost.

A motion was made by Donald Rudy to renew the HVAC contract as presented. It was seconded by Steve House and passed unanimously.

7. Update on Sandoval County Disaster Declarations of July 5-10, 2006 and July 25, 2006.

Mr. Stoliker stated that the County and the City have both prepared disaster declarations. SSCAFCA is going under the County's declaration in asking for money. There could be up to \$750,000.00 for the entire jurisdiction to get reimbursement for what they have had to do for maintenance based on the recent rains. Mr. Metzgar stated that there is money available and the proceeds will be distributed among the different agencies. Mr. Stoliker stated that SSCAFCA's clean-up costs are currently estimated to be between \$250,000.00 and \$300,000.00 and SSCAFCA is about half-way through with its clean-up efforts. It should be done by about the middle of next week, if the rain stops coming.

9. Status of Clean-Up Efforts in the Harvey Jones Channel.

Mr. Stoliker stated that the Harvey Jones bridge is open and SSCAFCA will be out of the channel either today or tomorrow. The excavator should be done with the outlet by Monday. There will be a little more work done next week to clean out some small items. Bill Joiner is working with an excavator and some big scrapers. They will be done next Tuesday. When Ajax gets done with the channel they're going to move to the Dulcelina Curtis Channel and spend two days working there. That will put SSCAFCA back to where it was before the rains. Mr. Chaney stated that there might be County funds available to help with this cleanup. Commissioner Leonard of the County has indicated that there are funds available to help with this. Mr. Chaney wanted to keep some money in reserve for emergency matters. Mr. Rudy stated that it might be a good idea to authorize the Executive Committee to pursue any action that might be needed if speed is an issue.

Mr. Stoliker stated that in an emergency situation, the Chairman has special powers. There was a special meeting called of the Executive Committee to discuss the issues. Due to that meeting, SSCAFCA went ahead and contracted with three separate private entities to get the work done. Because of SSCAFCA's relationship with some of these companies, they dropped other work to help SSCAFCA. Mr. Metzgar stated that under the Procurement Code SSCAFCA could not have done what it did in a normal situation, but because this was an emergency situation, SSCAFCA was able to enter into these contracts without putting the work out to bid. Since these

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three contractors were the only ones available, it is almost a sole source contract for the work. With regard to asking Sandoval County for assistance, the Board should authorize the Chairman to send a letter asking for the money now.

A motion was made by Donald Rudy to send a letter to the County of Sandoval or any other agency, if needed, to cost-share with them with regard to the emergency clean-up costs. It was seconded by Mark Conkling and passed unanimously.

**8. Action/Acceptance of Resolutions 2006-14 Fiscal Year 2007 Budget Adjustment.**

Mr. Baird stated that there is \$450,000.00 in reserve that was included in this year's budget that was approved by DFA. One/twelfth of SSCAFCA's annual appropriation, amounts to \$165,000.00 and this amount is required by DFA to be retained. Therefore, the entire \$450,000.00 cannot be appropriated. The resolution moves the money from the reserve account to general funds, operation and maintenance line item, so it could be spent, but it doesn't have to be. Mr. Stoliker stated that significant funds are being expended, so reserves need to be made available now, if possible.

Mr. Stoliker stated that SSCAFCA has received inquiries from people who want dirt. The idea would be for them to take the material at the inlet of the Harvey Jones Channel, which will save SSCAFCA the money that it has to pay to haul it out.

A motion was made by Steve House to adopt Resolution 2006-14 as presented. It was seconded by Donald Rudy. Roll call vote: John Chaney, yes; Mark Conkling, yes; Steve House, yes; Donald Rudy, yes; and Dub Yarbrough, yes. The motion carried 5-0.

**10. Discussion of Procedural and Structural Changes to Alleviate Flooding in Rio Rancho.**

Mayor Gasteyer, of the Village of Corrales, thanked SSCAFCA for the fast response once the emergency was recognized. It only took 11 days to get things cleared so the Department of Transportation could open the bridge yesterday afternoon. He sympathized with the tough choices SSCAFCA had to make with regard to what matters to address first. He stated that the \$750,000.00 available to the governmental entities could possibly be more. He stated that there has been some progress in the Village's processes to where certain issues that have come up in the past may be able to be solved. Mr. Stoliker suggested that cooperative effort plaques be presented to various entities that helped during the recent flooding. There was general consensus by the Board to proceed with making and distributing the recognition plaques.

**CONSENT AGENDA.**

**Action/Approval of the Minutes of July 21, 2006.**

Mr. Stoliker stated that he was unable to get the minutes completed for this meeting.

**CHAIRMAN'S REPORT.**

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Mr. Chaney stated that the Executive Committee had a discussion about how to alleviate some of the flooding problems in Rio Rancho that occurred in the minor arroyos. Realizing that SSCAFCA has delegated responsibility for those types of minor events to the various jurisdictions, the discussion centered around imposing regulations within a certain distance of SSCAFCA's major drainage pathways. For example, SSCAFCA could impose restrictions within 1,000 feet within a Watershed Park arroyo. Mr. Rudy stated that it can be done within the LEE line. Mr. Metzgar stated that the Executive Committee discussed helping Rio Rancho, but what is being considered right now is to get together and discuss the things that might possibly be done. The City has a lot of responsibilities that SSCAFCA has given to the City as its agent. The discussion was possibly to set up a committee of staff members and review all the things that might be recommended for future situations to avoid some of these real problems. Mr. Chaney stated that he would like to see the different entities' staffs working together.

It was the consensus of the Board to move forward to help with the flooding issues.

Mr. Chaney stated that one of the other issues that were discussed at the Executive Committee meeting was whether or not SSCAFCA wanted to expand its jurisdiction to include Bernalillo. This was a contentious issue because it would include adding the reservation and Placitas. The Executive Committee's consensus was that a study should be initiated by Bernalillo and possibly funded by the Legislature, but that it should be a study of the entire watershed. As far as he knows, Bernalillo does not have the money to do the study itself. Once the study is done, it can be brought to the Board for review. Mr. Metzgar stated that the County of Sandoval had also offered some assistance to them for the study. If Bernalillo needs more money, it will try to get it from the Legislature.

Mr. Conkling stated that there was an approval in the County of Sandoval of a new development called Rio West. This means that developers can begin looking at the entire drainage with some substance. Rio West lies in the Rio Puerco area. The gist of the conversation was that they wanted SSCAFCA to handle the drainage.

### **Action/Acceptance of Executive Director's Contract.**

A motion was made by John Chaney to accept the Executive Director's Contract as presented. It was seconded by Donald Rudy.

Mr. Metzgar stated that the Personnel Committee had recommended that the only changes in Mr. Stoliker's contract be that the salary would increase by 4.5%, which would be rounded to \$87,300.00 yearly salary and would be effective as of yesterday. The second change in the contract would be to incorporate the provisions that the Board approved for Mr. Stoliker to get his master's degree.

The motion passed unanimously.

### **BOARD OF DIRECTOR'S COMMENTS.**

None.



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**ATTORNEY' S REPORT.**

None.

**PUBLIC FORUM.**

Todd Hawthorne, the Planning and Zoning Commissioner of Sandoval County, stated that they appreciate SSCAFCA' s willingness to entertain new ideas. He stated that the Planning and Zoning Department had been working really hard to address some of the issues that SSCAFCA deals with every day. He appreciates Mr. Stoliker' s attention to some of the issues going on outside of SSCAFCA' s jurisdiction. Placitas has been a very difficult problem for them to deal with.

The County has stretched its resources with regard to its responsibilities. The drainage issue has become more and more important. Every time subdivisions come to them from the Placitas area they struggle because of the questions of drainage. They typically don' t see drainage reports when it comes to drainage issues and it' s becoming denser in the area and future development is becoming more difficult to manage. He encouraged SSCAFCA to take a more active role in Placitas as long as someone else takes the lead. He knows the jurisdictional issues, but he is encouraged by SSCAFCA' s willingness to discuss issues. The real issue is the impact that SSCAFCA can have economically over the course of time with regard to requirements SSCAFCA has with regard to the quality of water matter. He stated that the Rio West developer is very interested in discussing how to do different things with regard to water quality and control.

Mr. Chaney stated that one of the problems with dealing with Placitas is the fact that it is unincorporated and the residents might have some problems with somebody coming in to try to tell them what to do. Mr. Hawthorne stated that there is a politically opposed vocal minority that can be extremely difficult to deal with. Placitas is not built out with regard to developable land. They are seeing a lot of discussions with regard to new building. Placitas can be the new Corrales with regard to poor development and problems with flooding. Rio West is one of the rare opportunities to get it right the first time.

Mr. House stated that Sandoval County and the Town of Bernalillo should possibly go together to the Legislature to request SSCAFCA' s help. Mr. Chaney stated that it would have to be after the study. SSCAFCA cannot use its taxpayer base to fund a study. Mr. House stated it would be better for another entity to do the study rather than have SSCAFCA do the study. Mr. Hawthorne stated that he would like to see all three entities go to the Legislature. If the County can help SSCAFCA with funding some of the studies, it can speed the process along to buy the right-of-way before the price becomes an issue.

Mr. Yarbrough stated that Mr. Stoliker should draft a letter for Mr. Chaney' s signature to the Village of Corrales telling them that a drainage study is already in place. Mr. Stoliker stated that every time the Village gets a new planning and zoning administrator, SSCAFCA gives the Village a copy of the drainage study. Mr. Yarbrough suggested giving a copy directly to the Mayor. Mr. Metzgar stated that the Mayor does have a copy at this point.

**FOR YOUR INFORMATION.**

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Mr. Stoliker stated that the following was for Board information only and/or contained in the Board's packets:

1. June 3, 2004 Letter Regarding an Underground Dry Utility Crossing of the Encantado Channel West of Newfoundland Drive.
2. August 2, 2006 E-mail from Al Sena Regarding Enchanted Hills Elementary School.
3. Task Order from CSC for Reformatting Graphics, Final Revisions and Production for Quality of Life Flood Control Plan.
4. The following infrastructure plans were signed by the Executive Director:
  - a. Living Word Church, located at the southwest corner of Unser Blvd and the Montoyas Arroyo, the Executive Director signed the mylars on July 20, 2006;
  - b. Mariposa-Academy Road Streetscape, the Executive Director signed the mylars on August 2, 2006.
5. Communication from Citizens Regarding Flood Damage.

**OTHER BUSINESS.**

None.

**ADJOURNMENT.**

A motion was made by Steve House and seconded by Donald Rudy to adjourn. It was carried unanimously. Meeting adjourned at 11:25 a.m.

  
STEVE HOUSE  
Secretary

JOHN CHANEY  
Chairman



9/15/06  
DATE APPROVED: