

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)  
MINUTES OF MAY 18, 2007  
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 9:02 a.m.

**ROLL CALL OF DIRECTORS.**

Directors in attendance were John Chaney, Steve House, Donald Rudy, and Dub Yarbrough. Mark Conkling was noted as absent. 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.**

Mr. Chaney stated that he had been requested to move items J, K & L to the beginning of the Agenda. A motion was made by Steve House to approve the Agenda as amended. 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.

**CHAIRMAN'S REPORT.**

**Discussion of Presbyterian Hospital.**

Mr. Chaney asked the public for any comments on this matter.

Mr. Dave Bencey, County Commissioner of Sandoval County, stated that he can't speak specifically to financing issues at this time, but he thinks the County would be interested in helping out in any way possible.

Howard Balmer, of the Rio Rancho City Council, stated that they had several meetings with regard to the location of the hospital. He can't speak for the Council, but early discussions have indicated that the City would assist SSCAFCA in putting a moratorium on any kind of building, etc., taking place in any lots that are identified by SSCAFCA as needed for the detention ponds in the upper basin, once SSCAFCA gets the legal descriptions to the City. The Council has also committed into looking into getting SSCAFCA the money needed for its bonds.

Mike Williams, of the Rio Rancho City Council, Deputy Mayor of the City of Rio Rancho, stated that at the initial meetings he stated that he would do everything he could do in his control to assist in funds of up to \$1 million for this project.

Kim Hedrick, of Presbyterian Healthcare Services, stated that Presbyterian wants to be the first hospital in the City of Rio Rancho and would like to begin construction next year if at all possible. The partnership between the County, the City, SSCAFCA and Presbyterian is phenomenal and she appreciates State Representative Tom Swisstack helping to facilitate this matter.

Mr. Chaney stated that the Executive Committee of SSCAFCA is going to recommend that SSCAFCA juggle its budget to help come up with \$1 million to help with the flood control issues with regard to this issue.

#### Harvey Jones Channel.

Mr. Chaney stated that work had been halted on the Harvey Jones Channel for environmental reasons and it looks like SSCAFCA won't be able to clean the sediment out of the Harvey Jones Channel until fall unless there is some movement from the state environmental authorities.

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

6. Action/Acceptance of Alternative "Y" in the Barrancas Arroyo at a unit price estimated cost of \$173,100 (w/o NMGRT) and Alternative "X" for sediment disposal at Waste Management Landfill at a unit price estimated cost of \$384,338.00 (w/o NMGRT) to Quick Bros. Excavating and a fee of \$1.25 per ton disposal cost to Waste Management.

Mr. Stoliker stated that there is a stand of willows in the Corrales Bosque and on each side of those willows are cottonwoods. This is the perfect habitat for the Willow Fly Catcher. SSCAFCA's permit allowed it to do work in the Harvey Jones and all of the sediment from the channel was shoved out of the channel and SSCAFCA had until the 16th to get the sediment out. The contractor was out there on the 15th and some citizens called SSCAFCA and complained about it. Adjacent property owners requested that SSCAFCA shut down. Paul Knight, with Marin & Associates, is the biologist of record on this and he has contacted Fish & Wildlife. Lyle Lewis, of Fish & Wildlife, has indicated that it is okay if SSCAFCA can get another biological survey done and do a continuous survey until the material is removed. This is the same 5,000 cubic yards that will be put in the Barrancas Arroyo. The way the new regulations are written, there is a risk that the neighbors can still complain. He believes SSCAFCA has done everything it needs to do in order to continue to work for the next two weeks. The remainder won't be able to be removed until the fall after the nesting period. Mr. Stoliker stated that the complaint received from neighbors by the Harvey Jones Channel was not one of noise, but rather that SSCAFCA was disturbing the environment and the animals that live there. These are the same people who almost got flooded out in the rains last year.

Mr. Chaney suggested tabling this matter until a decision is received from Fish & Wildlife. Mr. Stoliker stated that he needs approval to allow SSCAFCA to take the material to Waste Management. All of the testing has been done and Waste Management has agreed to take the material at \$1.50 per ton. Alternate X will do this. He also wants Alternate Y, which will allow SSCAFCA to do lean fill on the Barrancas. This is \$176,000.00. This bid was at a relatively low cost, the other bids received were three times the cost.

A motion was made by Steve House for approval of the bids for Alternate X and Alternate Y as presented.

**BOARD OF DIRECTORS REGULAR MEETING**

**MAY 18, 2007**

Mr. Stoliker stated that Alternate X is to take all of the material from the outlet and the inlet of the Harvey Jones. There is about 70,000 cubic yards, to Waste Management Landfill, at a cost of \$384,338.00, plus the cost of disposal (about another \$135,000.00). Alternate Y is to put lean fill on the Barrancas, which is \$173,100.00 and take 5,000 cubic yards from that spot and put it into the Barrancas to bolster that lean fill.

The motion was seconded by Donald Rudy and passed unanimously.

Discussion of sewer lines in arroyos.

This matter was deferred to a later date.

**BOARD OF DIRECTOR'S COMMENTS.**

Discussion/Approval of Dulcelina Curtis Memorial.

Mr. Yarbrough stated that they have settled on the picture to be used for the memorial. The next thing to do is to take Ms. Losack around to the three sites that have been chosen so she can pick the final site. The memorial itself can be ordered now so that SSCAFCA has it when the final site has been decided.

A motion was made by Donald Rudy to order the memorial now and use the time between now and when it comes in to decide where the memorial will be put. It was seconded by Steve House and passed unanimously.

**PUBLIC FORUM.**

Susan Barton, a member of the public, stated that she represents Chamisa Estates Neighborhood Association. Last summer, Unit 17 suffered major damage from the floods. They are sponsoring an erosion control workshop on June 2, 2007 at Enchanted Hills Elementary School. Jim Brooks will lead the workshop. She invited all of the Board to the workshop.

Ron Myer, a member of the public, stated that in just a few short weeks it will be monsoon season again. The ditch on their property has grown into a canyon. Mr. Chaney suggested that the Executive Committee take another look at this issue.

**EXECUTIVE DIRECTOR'S REPORT.**

1. Action/Acceptance of Drainage Report for Loma Larga Phase V.

Mr. Stoliker stated that the Village has done a Drainage Management Plan for the last phase of Loma Larga. It has been reviewed by staff and there was only one outstanding condition that staff had asked. SSCAFCA vacated property in that area and staff was concerned if the Village was going to put drainage ponds in the area to address runoff. It has done that. The second requirement was the Village constructing the drainage ponds north of the Harvey Jones Channel. It

**BOARD OF DIRECTORS REGULAR MEETING**

**MAY 18, 2007**

is doing that. When those are completed, the Village will give SSCAFCA a call or let us know in writing.

A motion was made by Steve House to accept the drainage report as presented. It was seconded by Donald Rudy.

Mr. Yarbrough asked if SSCAFCA was going to do any construction work in the area. Mr. Stoliker stated that it was all going to be done by the Village as part of the project.

The motion passed unanimously.

2. Action/Acceptance of Grant of Easements for Wallen Park.

Mr. Stoliker stated that staff is asking for approval to accept an easement on three parcels in Wallen Park. The Board has approved the Drainage Management Plan, but before the Board accepts any land it is brought to the Board again.

Cliff Spirock, of Community Science Corporation, stated that Wallen Park is dedicating one half acre of land to the Sugar Dam. Mr. Yarbrough stated that the subdivision will drain the water onto the road and asked where it would go after that. Mr. Stoliker stated that eventually it will go onto Sunset, but right now it drains onto Aldaba, which right now is an unimproved roadway and they'll have to work with the City on improving that and putting in a storm pipe as soon as possible. Mr. Yarbrough stated that by accepting this, it seems like it will shift the burden of improvements for the storm line onto SSCAFCA's shoulders. Mr. Stoliker stated that is true. Mr. Yarbrough asked why SSCAFCA is not requiring the subdivision to accept this responsibility. Mr. Stoliker stated that all of the area had been graded before SSCAFCA knew about it, and then it came to SSCAFCA for approval of the Drainage Management Plan. If it got too onerous, the developer could not complete the development and he would have walked away. SSCAFCA would then have ended up with an area that was graded without any improvements around it, which would have caused SSCAFCA a lot of grief in a 100 year event and possibly hurt adjacent property owners. He stated that in exchange for this, SSCAFCA has a development that accepts upstream flows, discharges at historic rates, provides some improvements, and provides an off-site half acre for an extra pond. The developer has agreed to take out 5,500 cubic yards of material which will make the ponds in the area work hydrologically. It will require increased maintenance because they are dumping the flows onto Aldaba. The City has agreed to accept that maintenance until SSCAFCA can get it paved or a pipe is put in.

Mr. Stoliker stated that the Board has already accepted the Drainage Management Plan, all staff is looking for today is acceptance of the easement on these parcels. Without the development proceeding, Aldaba would turn into something like Rio Oso if an extreme event were to occur. With the development that the Board has approved, there will be some damage, but it won't be near as much.

Mr. Chaney suggested that this matter be tabled until further discussion at the Executive Committee level because of the way the issue was described in that the mass grading came in and SSCAFCA had a severe environmental problem and basically was forced to approve a Drainage Management Plan because of issues that weren't under its control. Mr. Stoliker stated, once again,

**BOARD OF DIRECTORS REGULAR MEETING**

**MAY 18, 2007**

that the Board has already approved the Drainage Management Plan which says that SSCAFCA was going to do this. He knows the Board had concerns back then, but if a development does not come in, SSCAFCA won't have the improvements that are being proposed.

A motion was made by Donald Rudy to accept the grant of easements for Wallen Park as presented. It was seconded by Steve House. The motion carried, 2-1, with one abstention.

3. Action/Acceptance of task order for \$156,440.59 for SSCAFCA/AHYMO/HEC-HMS Calibration, Comparison Guidelines, Policy and Training.

Mr. Stoliker stated that the current model that is used to figure out the hydrology is AHYMO. That is a privately owned model developed by an individual who no longer lives in the state. Staff wants to switch from this model to one that is operated and owned publicly, such as the Army Corps of Engineer model, with is the HMS system. Staff is asking for approval of this task order. Mr. Stoliker stated that SSCAFCA could adopt another agency's model, but you have to calibrate the model. Part of this task order is to write the guidelines, etc. that fit into the model.

John Wise, P.E., stated that adopting a public domain model is a good way to go because it's always being updated and maintained by another agency; but to simply take that model and apply it and use it anywhere, it must be calibrated and you have to make sure that the parameters and the methods that you're utilizing are acceptable and reasonable when applied to SSCAFCA's particular watersheds and hydrological characteristics. The main part of this study is basically to go through the current drainage manual, which will be incorporated into the new development process manual, and make sure that the parameters, the rainfall, the basins, the watershed characteristics all match up and are able to yield similar types of results as SSCAFCA is getting now. Also as part of this contract, they will be developing and updating the current drainage section to include everything, along with training for local jurisdictions.

Mr. Fred Aguirre stated that this will be a design manual so engineers can come in and design the flow characteristics, the developed conditions for that particular subdivision or building, and it will reflect what SSCAFCA is presently doing today with its system, but it will be publicly owned.

Mr. Howard Stone stated that the calibration that has been mentioned is vital and is valid for SSCAFCA's own purposes, but also for FEMA's purposes. The second is, AHYMO has been around for a long time and is an old program owned by one person who has not updated the program. This would allow SSCAFCA to get a much more current and advanced model.

A motion was made by Steve House to accept the task order as presented. It was seconded by Donald Rudy and passed unanimously.

4. Action/Acceptance of NPDES Permit Application.

Trevor Alsop stated that SSCAFCA has developed a storm water management plan as part of its permit application for coverage under the NPDES Phase II as an operator for its municipal storm sewer system. Staff has set forth some best management practices within the required six minimum control measures in order to accomplish compliance with the conditions and compliance

**BOARD OF DIRECTORS REGULAR MEETING**

**MAY 18, 2007**

with the permit. That plan, in its current form, has been available for public review for about three months, and SSCAFCA has solicited public comments on that plan. In that time, SSCAFCA has received comments from the public and has taken those comments and revised the plan in order to address the comments.

Mr. Alsop stated that the first comment was to coordinate noxious weed control with the City. The second was to investigate and address fecal coliform in the arroyo soils. The third was to investigate land conservation programs. Those have been incorporated into the existing best management practices of the plan. These three were all of the public comments received to date. Staff requests approval of the plan in its final form as presented.

No comments were made by the public.

A motion was made by Steve House to accept the NPDES Permit Application as presented. It was seconded by Donald Rudy and passed unanimously.

5. Discussion of Sportsplex Dam Ribbon Cutting.

Mr. Stoliker stated that staff wants to allow the Board time to think about a ribbon cutting. If it goes the way he thinks it will go, the roadway will be done by July 4th. He asked if the Board would like staff to look at getting something done on that date, or if it preferred that it wait until the entire project was done. The entire project will be done in October or November. General direction was to wait until the project is complete to having a ribbon cutting.

7. Action/Acceptance of Final Adjusting Change Order for Northern Blvd. Sedimentation Pond.

Ms. Karen Manne-Jacobson, of ASCG, stated that they received the survey yesterday from the contractor and it has been put into their system and the quantities are fine. They are recommending approval. The final amount is \$76,737.12, including gross receipts tax. The original estimate, before any construction was started, including gross receipts tax, was \$67,483.04.

A motion was made by Steve House to accept the final adjusting change order for Northern Blvd. Sedimentation pond as presented. It was seconded by Donald Rudy and passed unanimously.

8. Action/Acceptance of the selection of Hughes & Strumor for bond counsel.

Mr. Chaney stated that this is the bond counsel that SSCAFCA has used for many years. Mr. Stoliker stated that SSCAFCA received four proposals. Director Rudy, Perry Baird and himself reviewed them and they recommend approval of Hughes & Strumor. Mr. Rudy stated that any one of the applicants were capable of doing it, but SSCAFCA has dealt really well with Hughes & Strumor in the past and they recommend approval. Mr. Metzgar stated that he has reviewed the contract and it is ready to be signed.

A motion was made by Donald Rudy to keep Hughes & Strumor as SSCAFCA's bond counsel. It was seconded by Steve House and passed unanimously.

**BOARD OF DIRECTORS REGULAR MEETING**

**MAY 18, 2007**

**ACTION/APPROVAL OF THE MINUTES OF APRIL 20, 2007.**

A motion was made by Donald Rudy to approve the minutes of April 20, 2007 as presented. It was seconded by Steve House and passed unanimously.

**RECOGNITION/ACKNOWLEDGMENT OF THE TREASURER'S REPORT FOR APRIL 30, 2007.**

Mr. Rudy stated that the Treasurer's Report is available for review by the Board members. There were no questions on the report and it was acknowledged by the Board.

**ATTORNEY'S REPORT.**

**Update on Water Quality for Santiago's.**

Mr. Metzgar stated that he checked with Steve Jerge of the City and he attempted to call one of the principals to see if they were simply refusing to do the work. He did not get a return call. Mr. Metzgar then called the attorney asking him if his clients are just refusing to build the pond and he did not get a return call. The Board has already asked him to go forward with the lawsuit. The reason he made these phone calls is because he wanted to be able to put in the lawsuit that they have been asked and they have refused to comply.

**FOR YOUR INFORMATION.**

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

1. April 25, 2007 letter to Louis Martinez of the Chamisa Greens Homeowners' Association regarding the detention pond near St. Andrews and Troon Drive.
2. April 24, 2007 letter from the City of Rio Rancho thanking SSCAFCA for our participation in the Water Wise Garden Re-Dedication Ceremony located at Veterans Memorial Park.
3. May 1, 2007 correspondence from the Office of the State Engineer regarding proposed modifications to Enchanted Hills Detention Dam No. 1.
4. On May 5, 2007, SSCAFCA participated in the Earth Festival held at Loma Colorado Park.
5. The following infrastructure plans were signed by the Executive Director:
  - a. Mariposa-East Commons Streetscape, the Executive Director signed the mylars on April 23, 2007;
  - b. Jade Court & Holt Court Infrastructure Improvements, the Executive Director signed by mylars on April 25, 2007;
  - c. Loma Colorado Unit 7A (10.85 acres, 60 dwelling units), the Executive Director signed the mylars on April 25, 2007;
  - d. Loma Colorado-Montoyas Arroyo Outfall Sanitary Sewer, the Executive Director signed the mylars on April 25, 2007;

**BOARD OF DIRECTORS REGULAR MEETING**

**MAY 18, 2007**

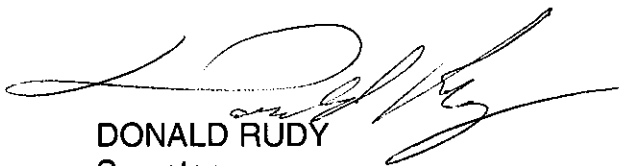
- e. La Plazuela (Sandoval County Justice Center) Infrastructure Plans, the Executive Director signed the mylars on April 25, 2007;
- f. Montoyas Arroyo Sanitary Sewer Interceptor, the Executive Director signed the mylars on May 3, 2007.
  
- 6. May 9, 2007 correspondence with Lynn Siverts, Village of Corrales Parks and Recreation Director regarding 500 cubic yards of sediment from the Venada Arroyo.
  
- 7. Office of the State Engineer and Bohannon-Huston released access to the dam to Pulte May 11, 2007.
  
- 8. Letter dated May 2, 2007 from La Verne & Janet Pollat requesting SSCAFCA's help in conveying the storm water runoff from Huron Dr. To the Lomitas Negras arroyo.
  
- 9. A temporary detention pond for Tracts 27 & 28 of the Hawksite development, in accordance with the approved drainage implementation plan (DIP) has been submitted. Pending review and incorporation of any comments SSCAFCA may have, the plan will be approved next week.
  
- 10. On May 16, 2007, we received an information request from Deborah E. Hoagland.
  
- 11. Request to FEMA for time limit extension for completing work.

**OTHER BUSINESS.**

None.

**ADJOURNMENT.**

A motion was made by Donald Rudy and seconded by Steve House to adjourn the meeting. It was carried unanimously. Meeting adjourned at 10:25 a.m.



DONALD RUDY  
Secretary



JOHN CHANEY  
Chairman

DATE APPROVED: