

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)

MINUTES OF JUNE 15, 2012  
BOARD OF DIRECTORS REGULAR MEETING

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Donald Rudy, Chairman, at 9:00 a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were John Chaney, Mark Conkling, James Fahey, and Donald Rudy. Steve House was noted as absent. Charles Thomas, Executive Engineer, 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 Donald Rudy.

APPROVAL OF AGENDA.

A motion was made by Jim Fahey to approve the Agenda. It was seconded by Mark Conkling and passed unanimously.

ANNOUNCEMENTS.

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

STAFF REPORTS:

*Executive Engineer:*

1. RFP Issued for Improvements to the Harvey Jones Channel.

Mr. Thomas stated that staff has issued the requests for proposals for the improvements to Harvey Jones Channel which will increase the flow in the Channel at the 448/Corrales Road Bridge Structure. It advertised this past Sunday, through this week into the following Sunday. The pre-proposal meeting for the project will occur this Tuesday at 10:00 a.m. at the SSCAFCA offices. It is a mandatory pre-proposal which will define the engineering firms that

have chosen to have the option to submit on the project. This meeting will line out the details of the project and let the engineers know the restrictions they have to work with in developing the proposal and also letting them know what resources SSCAFCA has available for them to look at. The proposals are not due until July 12, 2012.

2. Action/Approval of Assignment of Contract from Experiential EE, LLC to Orilla Consulting, LLC.

Mr. Thomas stated that this is the contract for the educational services for the schools. The owner of Experiential EE was Katie Babushka, who has now moved on. There is an assignment of the contract and services to Orilla Consulting, LLC. The owner for this is Amelia White. She was involved with Experiential EE prior to this so she has experience with the work that was being done. There should be no drop in the services being provided. Mr. Metzgar stated that he has reviewed the assignment and it is fine.

A motion was made by John Chaney to approve the assignment of the contract from Experiential EE, LLC to Orilla Consulting, LLC as presented. It was seconded by Jim Fahey and passed unanimously.

3. Development Status Update.

Mr. Thomas stated that the City has received two projects at City Center, one that the City is moving forward with and one through private development. Both projects are expected to have a fairly lengthy time frame for proceeding to construction, along the lines of several years. One is an adult care facility that the City is proposing. The other is a combination residential/commercial development from a private development. Both are being proposed for the property just east of the new hospital.

He stated that another item of note is an article in the paper about the Mariposa Development, which is basically going under and calling it quits. One of the concerns that SSCAFCA has is that it has had a very good relationship with High Desert Investment Corporation. SSCAFCA has an easement with them to provide operation and maintenance of their drainage facilities in the Mariposa Development. One of the concerns is how that document will proceed and it has been submitted to legal counsel for review and possible action. The information available from the article is that the corporation was paying about \$400,000.00 per year as a share of the homeowners' association dues that were going toward payment to maintain the facilities and the office building that is up there. In essence, the building was approximately 50% vacant and the development itself had a fraction of the homes occupied. Once staff heard about this, they did verify that all of the construction elements and other obligations that Mariposa had to SSCAFCA have been completed. At this point, it will be to evaluate whether or not the easement needs to be restructured with a new partner, or if it will be part of the Mariposa community.

4. Presentation of the Willow Creek Watershed Management Plan Initial Investigation.

Mr. Thomas stated that some time ago staff discovered that there was a small remaining wedge watershed in the eastern boundary of SSCAFCA which had not been addressed, which was the unnamed watershed area. Since SSCAFCA already had the Unnamed Watershed, and didn't need an unnamed wash watershed, upon initial investigation it was found that it was bound by the Willow Creek Road and that captured both the northern and southern boundaries, so it has been named the Willow Creek Watershed area. They are trying to come up with a management plan that is acceptable to all parties. Since there is a lot of development and platting that has occurred in that area, it will be a matter of fitting the drainage needs into some of the existing restrictions that are there. This will probably be a little more lengthy process.

Gerhard Schoener had a video presentation of the area and stated that the Venada Arroyo is to the north, the Barranca is to the south, so it kind of looks like a triangle. They didn't analyze the smaller areas and to his knowledge, the drainage has been working. The City of Rio Rancho has prepared a development plan for the Red River area so SSCAFCA would defer to their recommendations. When this Plan is completed, it will encompass three basins which are named A, B and C. The total area is about one square mile. Development ranges from about 25% to 60%. There is some drainage infrastructure in the northernmost section, very little in Basins B and C. Many roads are not paved. On the other side of NM 528 is the River's Edge Development, which is fully developed.

To identify drainage problems, staff initially built two hydrologic models, one that reflects existing conditions and the second for future assumed development. The drainage deficiencies fall into two categories. One is capacity constraints. All three basins cross Willow Creek Road and most culverts are undersized. The second category relates to conveyance and erosion. All three basins have a stretch of arroyo that is downsized. In all three basins the lots are platted to the center line of the arroyo. There is very little drainage right-of-way. That will cause problems in the future with erosion and limits SSCAFCA with regard to what it can do with regard to drainage improvements.

He stated that since there is already a lot of development in the area and SSCAFCA's goal is to limit flow volume to limit some erosion problems, staff thought it might be an option to divert upstream flows to Basin B because there is more room there. The roadway is also at the low point of the basin which would lend itself to storm drain within the road right-of-way. Even if the flows from the upstream portion are cut off, there will still need to be some improvements on the lower end to deal with the capacity constraints at 528 and Willow Creek Road. The prime real estate is along Idalia and 528 so the City would like to avoid a big development along there. There is still

land available upstream in the watershed. There could be many alternatives in the public review process.

Mr. Thomas stated that this area of improvement of 528 under the NMDOT's schedule is many years distant. They are working on some areas of 528 near the Montoyas, widening the road heading north, and they are also working north of this area toward 550. But, right now, in this area, the NMDOT does not have any improvements scheduled in the near future. Staff is not proposing any improvements to the culverts under 528. What staff chose to do was to work within the restrictions and develop capacity options upstream.

Mr. Schoener stated that they used the methodologies in the DPN for the 100 year design storm. When they model ponds, they include at least one foot of freeboard, so there is extra capacity in them. If that assumption changes, though, it will change everything else. He does not have the volumes at the exact analysis points. The detention volumes on the proposed ponds are 12 acre feet, 7 acre feet, 11 acre feet, and the big regional facility is 21 acre feet. The actual flow volume in that point will be slightly bigger because, as the pond fills up, you have outflow at the same time so the entire flow does not have to be stored. The peak flow at the culvert at the corner of 528 and Idalia Road is 335 cfs, and existing conditions are about 300 cfs. Under fully developed conditions, it will be 402 cfs. In that scenario, it would overtop on the roadway. The same scenario holds true at Willow Creek Road. There is a capacity of slightly less than 300 cfs and existing conditions actually exceed that capacity.

Mr. Howard Stone, of Bohannon-Huston, asked if SSCAFCA had considered doing something about flow constraints on new development to try to address some of the problems with the ponds they are proposing. Mr. Schoener stated that they did. They played with different alternatives. The City has the entire area zoned as commercial or office building, so they told SSCAFCA right from the start that if they can avoid putting in a big regional pond, it would be preferable. One of the options they considered was to restrict the discharge from the basin to 90 cfs, which would make the culvert work. This could be accomplished with several different options. If there is no approved plan, or funding put away for a specific project, SSCAFCA has no way of knowing if it will be implemented by the City. The on-lot ponding could definitely be incorporated into the models, but there's no way of enforcing it at this point in time.

Mr. Thomas stated that a lot of the development that is being done now is on a smaller basis rather than the big developments that drove the development of Rio Rancho. A lot of the drainage work that is coming in now is much smaller. The plans are reviewed by staff on a regular basis to ensure they are up to date.

5. Annual reporting to EPA on stormwater management program activities is required as a condition of permit coverage under the current NPDES Phase II discharge permit. A draft annual report covering the activities conducted during July 1, 2011 through June 30, 2011 is available to the public for review at the SSCAFCA office or from the website [www.sscafca.com](http://www.sscafca.com). Public input on the report will be taken at the August 10, 2012 Board of Directors meeting and will be considered in preparation of the final report submitted to EPA.
  - Public Comments will also be taken at this time.

Mr. Thomas stated that this is the fifth year of SSCAFCA's NPDES permit and documents the activities SSCAFCA has taken from July 1, 2011 through June 30, 2012 to comply with requirements for its stormwater permit. The efforts are basically a continuation of the previous efforts, which include the education program. Even though the permit is completed, this is an ongoing process so SSCAFCA will continue with its efforts and roll them into the new permit when it comes out. The draft permit will be posted this week. Traditionally, a 30 day window coincides with Board meetings, he proposes that the public comment period be left open until August 10, 2012, which is slightly longer than 30 days, but which will provide for this requirement.

A motion was made by Mark Conkling to open the reporting period from now until August 10, 2012 for public comment. It was seconded by John Chaney and passed unanimously.

John Avila, Village of Corrales Administrator, stated that the Village appreciates the help that SSCAFCA staff has given with its efforts on MS4 and the statewide effort in rolling out the Watershed Plan.

*Fiscal Services Director:*

1. Recognition/Acknowledgment of the Fiscal Services Report for May 31, 2012.

Ms. Deborah Casaus presented the Fiscal Services Report for May 31, 2012. She stated that SSCAFCA is eleven months through its fiscal year. She stated that the property tax collections have remained steady. Operating property tax collections are still about 15.2% higher than projected and debt service is about 11.4% higher than last year. She has had some discussions with the Treasurer's office and it appears, based on their preliminary numbers for the end of the year, that SSCAFCA will end at about 8.1% higher on the operating side and about 7.5% on the debt service side. The property taxes are being assessed properly, but they may not be correctly reported under SSCAFCA's assessed valuation. She is trying to work with them to get the numbers straightened out. This will cause them to go back to look at the FY13 numbers to make sure they come up with a

closer number. The General Fund expenditures are about 60% of the total budget and SSCAFCA is currently 91% through the fiscal year.

The City of Rio Rancho issued 38 single family residential permits for the month of May, which has continued to stay positive and are about 31% higher than they were last year. Interest earned on the State Treasurer's local government program is about .1794% for the month of May, which is still higher than a U.S. Treasury Bill. SSCAFCA did receive preliminary approval of its budget from DFA as noted below. The next meeting she will give an update and bring the final budget and the resolutions for that budget. They are preparing for the bond sale right now as well.

2. RFP Issued for General Counsel/Legal Services.

Ms. Casaus stated that this is the fourth and final year of the existing contract with Mr. Metzgar. SSCAFCA is required to do a new RFP at this time and the documents are available on the website. The deadline for the proposals is June 28, 2012.

3. Action/Acceptance of Selection/Agreement for Real Estate Appraisal Services with Eugene N. Cavallo & Associates, Inc.

Ms. Casaus stated that staff did another RFP, but there were only two submissions and one was deemed non-responsive for not meeting some of the requirements. One more is brought to the Board for approval, which is to add Eugene Cavallo to the list of appraisers.

A motion was made by John Chaney to approve the selection as presented. It was seconded by Jim Fahey and passed unanimously.

CHAIRMAN'S REPORT.

Mr. Rudy stated that he has been attending the Council of Governments Board meetings, and it just submitted its budget for the next year and it is substantially reduced from last year. This makes him proud of SSCAFCA's financial responsibility.

BOARD OF DIRECTOR'S COMMENTS.

Mr. Chaney asked for an update on the replacement for Trevor Alsop. Mr. Thomas stated that they advertised the position to replace the Environmental Services Director. The position closed

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on June 8, 2012. When they did the advertisement, the original position called for registration as a professional engineer as a requirement; however, Mr. Alsop brought some unique qualities to the table and the MS4 permit process is one of the key elements that he satisfied individually and this is a key aspect in the person that SSCAFCA wanted to attract in the applicants. Trying to find the combination of the engineering experience and the permit experience was pretty difficult, so the position was opened up to a P.E. preferred position. This accomplished the goal and SSCAFCA received 18 applications. The resumes have been reviewed and staff has selected eight applicants with a mix of engineering backgrounds and non-engineering science based candidates for interviews. The interviews will begin the week of July 9, 2012 because of the July 4th holiday. A recommendation to the Personnel Committee will follow the final interviews with the idea to bring the top three candidates to the Personnel Committee.

COMMITTEE REPORTS.

None.

ACTION/APPROVAL OF THE MINUTES OF MAY 18, 2012.

A motion was made by John Chaney to approve the Minutes of May 18, 2012 as presented. It was seconded by Jim Fahey and passed unanimously.

ATTORNEY'S REPORT.

None.

PUBLIC FORUM.

None.

PROPERTY MATTERS.

FOR YOUR INFORMATION:

1. June 8, 2012 correspondence from Department of Finance and Administration granting approval of interim budget for Fiscal Year 2012-13.

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2. Albuquerque Journal Article, "Mariposa Calls it Quits" (06/12/12).

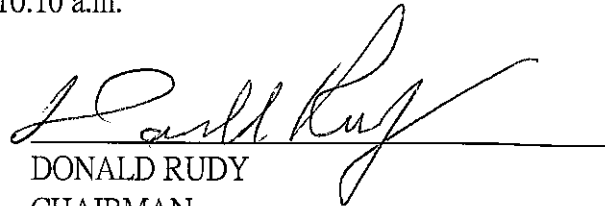
OTHER BUSINESS.

- Special Board Meeting on Wednesday, July 11, 2012 at 2:00 p.m.
- Regular Board Meeting on Friday, July 20, 2012 at 9:00 a.m. has been cancelled.
- Special Board Meeting on Friday, August 10, 2012 at 9:00 a.m.
- Regular Board Meeting on Friday, August 17, 201 at 9:00 a.m. has been cancelled.

ADJOURNMENT.

A motion was made by Jim Fahey and seconded by Mark Conkling to adjourn the meeting. It was carried unanimously. Meeting adjourned at 10:10 a.m.

  
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JIM FAHEY  
Acting Secretary

  
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DONALD RUDY  
CHAIRMAN

DATE APPROVED: 7/11/12

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