

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)  
MINUTES OF FEBRUARY 18, 2003  
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 1:05 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, Donald Rudy and Dub Yarbrough. John Chaney was noted as absent. David Stoliker, Executive Director, Bernard Metzgar, SSCAFCA's attorney, and members of the staff and public were also present.

Mr. Yarbrough stated that a change needed to be made in the Agenda to move Kevin Powers' presentation above Item VI, Public Forum.

**APPROVAL OF AGENDA.**

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

**ANNOUNCEMENTS.**

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

**CONSENT AGENDA.**

1. Minutes of December 17, 2002 Regular Meeting.

A motion was made by Richard Deubel to approve the minutes of the December 17, 2002 regular meeting as presented. It was seconded by Mark Conkling and passed unanimously.

2. Minutes of January 2, 2003 Special Meeting.

A motion was made by Richard Deubel to approve the minutes of the January 2, 2003 special meeting as presented. It was seconded by Mark Conkling and passed unanimously.

3. Treasurer's Report for January 31, 2003.

A motion was made by Mark Conkling to accept the Treasurer's Report for January 31, 2003 as presented. It was seconded by Richard Deubel and passed unanimously.

**BOARD OF DIRECTOR'S COMMENTS**

1. Budget Committee Report
  - a. Financial Report from Dain Rauscher.

Mr. Kevin Powers, of Dain Rauscher, stated that they have information on the bonding capacity and a recommended plan for SSCAFCA for approximately the next 20 years. SSCAFCA has two separate tax rates; one being the operating levy and the other being the debt service levy. They are focusing on the debt service portion of the finances of SSCAFCA. The debt service levy that has been in place since 1997 has been .87 mills (or .87 cents per \$1,000.00 of taxable assessed valuations). The total rate for SSCAFCA represents roughly between 5% and 6% of the total tax rate in the County.

Mr. Powers stated that they have outlined the assessed valuation of SSCAFCA and since 1991; SSCAFCA's assessed valuation has grown from \$376 million to \$1 billion. The average growth over that period of time for reappraisal years has averaged slightly under 15% and the average growth for non-reappraisal years has averaged about 6%. In the last few years, growth has slowed considerably in the reappraisal years and is now at 5% and growth in the non-reappraisal years is at 4.77%. SSCAFCA's assessed valuation per capita is \$16,465; the assessed valuation for AMAFCA is \$19,960. The main difference is that SSCAFCA has a more residential tax base.

Mr. Powers stated that they have met with staff members and the finance committee and have been working to establish an amended finance plan for GO bonding purposes. Some of the considerations that they have been exploring are frequency of elections, timing of elections, type of elections, the long-term capital needs of SSCAFCA, and the tax rate. They have come up with a recommended capital financing program which would have elections every four years. The plan that is most popular calls for an election of \$6 million in 2003; it would have approximately \$15 million worth of elections over the next 12 years. The plan would call for elections to be held either with the general election in November or at a special election in late summer or early fall. Bond sales would occur roughly every two years within those four year election cycles. The basic cycle is \$5 million every election; \$2.5 million every sale.

Mr. Powers stated that the bond sales every two years would have 12 year maturities. They would conduct an ongoing review to look at what is actually occurring with

the assessed valuation growth and what was planned for. A lot of this plan would be amended on a regular basis to reflect what the actual numbers are versus what was planned, but also to take into account SSCAFCA 's capital needs. This can all be done within the current debt service tax rate of .87 mills. They have planned a \$6 million election in 2003, but they would then drop down the 2007 election to \$4 million. This would still generate \$10 million over that time frame, but they are trying to "front load" it to try to get some projects done a little more quickly.

Mr. Powers stated that these scenarios are based on growth rates that are justified from previous experience. They used growth rates of 7.5% growth in reappraisal years and 5% growth in non-reappraisal years. This plan would get SSCAFCA onto a predictable path where it has regularly scheduled elections and sales and regular infusion of cash from bond sales to fund projects. Mr. Conkling stated that in the meetings on this issue they were driven by a combination of prudence in their forecast, the capacity of SSCAFCA 's staff and outsourcing, and the need for safety and promises that SSCAFCA has made to the community, together with a vision for multi-use and cooperative activities with other municipalities. He stated that SSCAFCA 's vision drove the long-range plans and that this recommendation has nothing to do with what SSCAFCA will spend the money for, rather it is the framework for projects according to the needs and evaluation of the issues. Mr. Donald Rudy stated that he would like to emphasize that SSCAFCA 's choice of projects is dominated by the needs for public safety and that projects are matched to bond capability.

A motion was made by Mark Conkling to approve the bonding long range plan as presented. It was seconded by Donald Rudy and passed unanimously.

**PUBLIC FORUM.**

None.

**CHAIRMAN ' S REPORT.**

1. Action/Acceptance of the Final Selection of a Public Relations Firm.

Mr. Yarbrough stated that he met with David Stoliker, Bernie Metzgar and Richard Deubel for selection of the public relations firm. Mr. Stoliker stated that there were two firms who submitted proposals. One was Xtramark which is a single person firm and, although she had very good advertising skills, did not have any experience in doing bond elections. The other firm was Hirst Cordova Public Relations. It is a larger firm and has been doing this type of work for many years. It does have bonding experience and the committee selected Hirst Cordova with a vote of 4-0. They are now bringing it before the Board to approve the selection. The contract amount is for a maximum of \$20,000.00 with a one year term to assist in the next bond election. The Executive Committee is recommending approval of the choice of Hirst Cordova.

A motion was made by Dub Yarbrough to approve the final selection of Hirst Cordova Public Relations as SSCAFCA's public relations firm. It was seconded by Richard Deubel and passed unanimously.

2. Appointment of Board Member Donald Rudy to Represent SSCAFCA on the Mid-Region Council of Governments (MR-COG) Executive Board.

Mr. Yarbrough stated Mr. Donald Rudy has stated that he will accept the appointment to the Mid-Region Council of Governments to represent SSCAFCA on its Executive Board and therefore he has appointed him.

3. Action/Approval of Budget Adjustment for Venada Vision Project.

Mr. Yarbrough stated that at the last meeting, the Board approved a budget adjustment for the Venada Vision Project, but that he is not sure that everybody was clear that they were shifting money in the budget. He stated that this is entirely acceptable, but he has asked, in the future, if the Board is going to shift money to do a project, that the action on the budget be separate from approval of the project.

Mr. Metzgar stated that at the Board's last meeting, the Board approved the task order but, because there was going to be a budget line item change, he suggested that the Board approve that line item change by motion. Mr. Stoliker stated that the amount is for \$45,000.00; \$40,000.00 from the 19th Street project and, \$5,000.00 from NPDES. \$50,000.00 had already been appropriated. The total was \$90,000.00 for the Venada Arroyo Preliminary Facility Design and \$5,000.00 for the printing, which is outside of the contract. The total budget change was \$45,000.00.

A motion was made by Richard Deubel to approve the budget adjustment for \$45,000.00 for the Venada Vision Project. It was seconded by Dub Yarbrough and passed unanimously.

4. Excess Land.

Mr. Yarbrough stated that SSCAFCA owns Lot 1-A by the Dam 4 site which is .5 acres. He has been approached by a developer who wants that land. The lot has previously been declared excess by the SSCAFCA Board. SSCAFCA had an appraisal done on it and tried to sell it, but did not receive any bids on it. In order to sell it now, SSCAFCA would most likely have to have an updated appraisal done. The original appraisal was for approximately \$23,000.00.

Mr. Metzgar stated that the normal process that SSCAFCA has used is that when there is excess property declared, it puts it out for closed bids and then asks for DFA

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approval. In this case, no bids were received. If SSCAFCA is going to try to sell land by another method, SSCAFCA should attempt to get prior approval by DFA.

Mr. Yarbrough stated that the last appraisal on the property may have expired. Mr. Metzgar stated that Taxation and Revenue will usually not accept an appraisal that is older than six months. However, that doesn't mean that a new appraisal must be done. You can do an update of the appraisal, which will most likely be acceptable to Taxation and Revenue. It was the consensus of the Board to attempt to go through a realtor to sell this property and see if DFA would approve this method.

**BOARD OF DIRECTOR ' S COMMENTS.**

1. Budget Committee Report
  - b. Action/Approval of the Bond Amount and Project Selection.

Mr. Donald Rudy stated that, with regard to project selection, the Finance Committee feels that the entire Board needs to discuss the projects in detail. Therefore, a special meeting should be held.

A motion was made by Donald Rudy to table this item and defer it to a special meeting of the Board on this item only. It was seconded by Mark Conkling and passed unanimously.

A special meeting on this item was scheduled for two hours on February 25, 2003 at 1:00 p.m.

- c. Board Discussion to set a Date for the Election.
- d. Budget Committee Meeting Minutes of January 30, 2003 and February 6, 2003 - contained in Board ' s packets.

Mr. Mark Conkling stated that he has some recommendations for a date to hold the election, but they are contingent upon the Bill that is in the Legislature right now on the mail-in ballot. If SSCAFCA has a mail-in ballot, it would affect his recommendation.

Mr. Metzgar stated that just this morning, he, Representative Tom Swisstack, and David Stoliker were at a committee meeting (Urban Affairs) on the two bills that Representative Swisstack introduced affecting SSCAFCA's bond elections. The committee approved the mail-in ballot amendment to the SSCAFCA statute unanimously. There was also a second bill that was introduced. Right now, SSCAFCA has to pass its resolutions for bond elections 180 days before the election, which is extremely difficult. Representative Swisstack introduced a bill to change the 180 day requirement to a 50 day requirement. That also went to the same committee this morning, which also approved it unanimously. The Bills were assigned to one other committee and, if passed there, will go

to the House itself. If passed there, they will then go to the Senate. He stated that it does not look like SSCAFCA will get any opposition on these bills, since they only affect SSCAFCA. Mr. Metzgar stated that House Bill 369 is the mail-in ballot bill and House Bill 368 is the election resolution Bill.

Mr. Conkling stated that they had discussed recommending an election in August 2003. Mr. Metzgar stated that he does not believe an August 2003 election could be held, unless the resolution was approved today.

Mr. Stoliker stated that an August bond election may not be good because people could still be away on vacation. Mr. Conkling stated then that the Board should look at October and sell bonds in December. Mr. Metzgar stated that this issue could be re-addressed at the March meeting and the Board might know if the mail-in ballot bill has passed at that time.

**ATTORNEY ' S REPORT.**

1. Action/Approval of Paseo Cesar Chavez Ponding Location and Maintenance.

Mr. Metzgar stated that next to the Main Canal in Corrales, there is a 140 foot strip of land that Corrales Watershed District originally transferred to the Village of Corrales. The Middle Rio Grande Conservancy District already had an easement on the first 40 feet next to the Main Canal. That easement didn ' t change when CWD transferred the property to the Village. SSCAFCA reserved another 40 foot easement for spoils next to the MRGCD easement. The Village then had 60 feet unencumbered on which to put a road. They moved forward with the road, but it crosses part of SSCAFCA ' s easement and MRGCD ' s easement. The Village asked SSCAFCA to move its easement to the furthest point west on the 140 foot strip so that the road would not be crossing the easement of SSCAFCA. There were also going to be some ponds built on the west part of the 140 feet to catch some drainage from a playa that is between that 140 feet and some development further west. A developer was going to build the ponds on the first 600 feet and the County had also agreed to possibly build the remaining ponds on the entire strip. A meeting was held to discuss this matter with the Village. The Village felt that it could do the maintenance if SSCAFCA abandons its easement north of the Harvey Jones Channel. The recommendation by staff and Mr. Yarbrough is that SSCAFCA abandon that easement after the ponds are built and that the Village maintains them.

Ms. Smith, of the Village of Corrales, stated that it was her understanding that some of the roadside ponding would be put in by developers as they develop the vacant lands by the roadway. The Village would prefer to have some of the construction taken on by the developers. However, the Village would like the abandonment of the easement to happen prior to all of the ponds being built.

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Mr. Metzgar stated that a way of settling this matter would be to have an MOU with the Village that states that SSCAFCA will abandon the easement and, in consideration of that abandonment, the Village will have the ponds built (whether by the Village or somebody else) within some certain period of time and that the Village will maintain the ponds. That will assure SSCAFCA that ponding will be done and that the Village will maintain them. SSCAFCA can then abandon the easement in order to give the Village the flexibility to shift the road. Mr. Stoliker stated that the total length from the Harvey Jones Channel to Corrales Road is approximately 3,600 feet. The first developer has already committed to do the first 600 feet of ponds.

A motion was made by Mark Conkling to approve an MOU to allow SSCAFCA to abandon its easement now and to ensure that the Village build and maintain the ponds. It was seconded by Donald Rudy and passed unanimously.

2. Update on Bridge Study.

Mr. Yarbrough stated that in various meetings with the Village, he has indicated that SSCAFCA will probably do a task order with Mr. Stone to do a feasibility study to look at raising the bridge. He stated that Mayor Kanin told him he would be willing to discuss raising the bridge once a study was done. He asked that Mr. Stoliker get with Mr. Stone to get a task order done for this matter. Mr. Stoliker stated that he has already spoken with Mr. Stone and Mr. Stone has indicated it would cost approximately \$30,000.00.

Mr. Stone stated that one of the options when they did the Drainage Management Plan was to raise the bridge and to look at the upstream ponding. They have that information in hand and it is available in the Master Plan. Mr. Deubel stated that there is no need for the task order, since the information is readily available. Mr. Stone stated that they have identified a cost in the Management Plan to raise the bridge, but it is very rough cost. They would need to do a more defined cost estimate to know what the impacts would be.

3. Discussion of House Bill Relating to Mail-in Ballots for Bond Elections.

See discussion held above.

**EXECUTIVE DIRECTOR ' S REPORT.**

1. Action/Approval of Annual On-Call Contracts.  
Renewals Without Change:
  - a. Engineering
  - b. Surveying
  - c. Appraisal Service

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- d. Accounting and Financial Services
- e. Computer Maintenance

Mr. Stoliker stated that they have split the annual contracts approvals into two groups. One is for renewals without any changes in costs and the other is with changes in costs. For renewals without changes, there are six engineering firms; seven surveying firms; three appraisal firms; one accountant; and one computer maintenance firm. Staff is recommending approval of all of these contracts.

A motion was made by Mark Conkling to approve the renewal of the annual on-call contracts as listed. It was seconded by Richard Deubel and passed unanimously.

**Renewal With Changes: Legal Services**

Mr. Stoliker stated that legal counsel, Lamb, Metzgar, Lines & Dahl, is asking to go from \$120.00 per hour to \$125.00. He stated that this rate is very reasonable for legal services. Attorneys generally cost \$165.00 to \$175.00 per hour. Staff recommends approval of the increase for legal services and renewal of the contract.

A motion was made by Mark Conkling to approve the renewal of the legal services contract with the increase requested. It was seconded by Donald Rudy and passed unanimously.

**2. Presentation of Cabezon Development (Unit 16 West, Rio Rancho).**

Mr. Stoliker stated that Brad Sumrall from Wilson & Company will make a presentation on Cabezon Development, which is what SSCAFCA used to consider the blighted area.

Brad Sumrall stated that the Cabezon Development is the existing Unit 16 West area that is between Golf Course, Unser, West Side Boulevard and a variable line on the north side. Their client is Curb, Inc. and they are in the process of trying to develop a master plan to support the financial aspects of developing this area. They have partnered with the City of Rio Rancho and have developed master plans specifically for water systems, sewer systems, transportation network and drainage. All of those master plan documents in their draft form are currently in review by City staff. The drainage portions of the plan have been submitted to SSCAFCA staff and AMAFCA staff, given that a major portion of this area is part of the Black Arroyo Watershed Master Plan.

Mr. Conkling stated that the Composite Channel Section shows that the trail on one side was optional and suggested that the trail on the other side is either a maintenance road and a trail or a maintenance road only. He asked about the controlling factor on whether trails would be on both sides. Mr. Sumrall stated that there is nothing that would



prevent them from having a trail on both sides, other than the fact that they are looking at a variable width for the channel section, so space dictates whether they will have the room or not to have trails on both sides. In addition, they are looking at co-locating some utilities within the drainage corridors, namely water and sewer lines. Access to those utilities would also dictate that need. At this point, they are purely in the conceptual stage and are entertaining input.

Mr. Conkling stated that the plan also calls for native and xeriscaping with green pocket parks, including water quality features. Mr. Sumrall stated that they are looking at satisfying the requirements of the Black Arroyo Watershed Master Plan, which requires them to install water quality facilities in order to be in compliance with the latest phase of the NPDES requirements. In addition, they are also looking to make this development a showcase for the City of Rio Rancho. The idea is to make the drainage corridor network very user friendly and recreation oriented. They are in detailed discussions with the City to put in a proposed waste-water treatment plant to serve an extremely large service area of the City of Rio Rancho. As part of those discussions, they are looking at the opportunity to use reclaimed water for irrigating landscaped amenities.

Mr. Sumrall stated that the approach to flood control on this channel section is to hard line the ten year flow depth portion of the channel and then stabilize the 100 year over bank areas, very similar to the Journal Center, with the exception of acres of Kentucky Blue Grass. That would warrant the use of some irrigation to stabilize the over bank areas. They have looked at using soil cement, concrete, and shot Crete as the lining for the ten year flow depth.

Mr. Sumrall stated that geo-reinforced turf is a reinforcing type of material which is a three dimensional matrix of a plastic type of material that is laid down before the grass grows. When the grass starts to grow, it would serve as an anchor to hold the grass in place. The reinforcement is typically made out of poly-propylene and remains fairly intact over the long term. Xeriscaping means adopting a landscape scenario to low water use. They have to separate the concept of grass from golf course greens and they would use adapted species where the plan calls for grass. It is a 900 acre piece of property. They have initially 800 to 1,200 lots slated for development within the first two years and are looking at starting in the northwest quadrant of the development area. Market demand after that will determine how long it will take. They have envisioned five to seven years for complete build out.

Mr. Sumrall stated that they have capacity, in the existing infrastructure in the City, to handle 1,100 lots of additional flow. Mr. Bo Johnson stated that they hope to be well along and well toward the latter phase of this project in five years if the market continues as it has been. There is some land being reserved for commercial use at the south end of this project. Mr. Johnson stated that they have a deadline of March 31, 2003, but they would like to get everything taken care of as best as they can before that time. They will continue

to present information as to phasing and development schedules in time for adequate review.

Mr. Sumrall stated that the most critical issue at this point is the review of their drainage master plan to ensure that it is consistent with the Black Arroyo Watershed Master Plan. They are not asking for approval of anything at this time.

Mr. Chuck Easterling, the project manager for this project, stated that the City's approval of their drainage management plan would probably be conditioned on SSCAFCA approval of their concepts. He would like this matter to be on the agenda for next month for approval of the concept of the plan, however, not the details of the plan. At this point in time, they are not asking for any cost-sharing. Mr. Stoliker stated that SSCAFCA has a small task order with ASCG to review this plan with staff.

3. Re-Authorization of the Panta de Leon Management Plan.

Mr. Stoliker stated that this is a previously approved project. When it was approved in 2000, one of the conditions that was placed on this project was that "approval will remain in effect for one year. If the facilities are not completed within the time frame, further consideration by the Board will be required." They are not asking for any changes or conditions. Mr. Easterling is now ready to go forward with this project and he is asking for re-authorization/time extension with respect to the time frame previously approved.

Mr. Chuck Easterling stated that Northern Meadows is located north of North Hills, which is north of Northern. This project is at the confluence of the Panta de Leon and Montoyas Arroyos and includes approximately 1,000 lots, with homes on most of them. This project was begun in 1995/1996. At that time, they did an overall drainage management plan and Arroyo Management Plan for Northern Meadows. The Arroyo Management Plan was for the Montoyas Arroyo through the project. A naturalized arroyo system has been constructed and has been operating for a couple of years. At this point, where the confluence exists, there is about 32 square miles of drainage area in the Montoyas. About 16 square miles of that is the Panta de Leon and about 16 square miles is Montoyas Arroyo. They looked at the Panta de Leon and determined that the best thing to do with it is to leave it alone. The Arroyo Management Plan envisions dedicating the 100 year flood plain.

Mr. Easterling stated that the steps to implementing the Plan are 1) to dedicate the 100 year flood plain and protect it; and 2) they need one road crossing that needs to be designed such that it impacts the arroyo the least. The only other improvements required are tied to the subdivisions. The arroyo itself doesn't need any help. As development comes in, there is potential for scour during the passage of a storm. When the subdivisions or road crossings come in, some improvements at the edges of the arroyo will be required. Anything that would discharge directly to the arroyo would run through a water

quality enhancement feature and a detention basin. The existing three basins all have water quality features built into them.

Mr. Easterling stated that what he would like from the Board today is to take the condition off which says that the Plan is only good for another year unless all the improvements are built. The Plan is a guidance document since nothing is going to be built from the Plan. As long as the Plan is in place, anything that comes in needs to conform to the Plan. Having to come back every year to continue getting extensions until they have implemented the Plan will be burdensome. This plan is a little more refined than the Montoyas Plan and they would like to see it preserved over time. If the Montoyas Master Plan were to change in a significant way, then this would need to be looked at to see if it needs to be updated, but he does not feel that a yearly review is necessary.

Mr. Easterling stated that if the Plan is already approved, they would still be asked by the City to run their plans by SSCAFCA and then SSCAFCA would then use the Plan to see if it is being followed. If they do anything that affects this arroyo, they will have to come back in front of SSCAFCA anyway, however, it just might not be every year.

Mr. Metzgar stated that, in order to grant their request, and go along with Mr. Easterling's suggestion, the Board should re-approve the Plan and remove condition number 12, which requires them to come back each year.

A motion was made by Mark Conkling to re-approve the Panta de Leon Management Plan as presented, with the removal of condition number 12. It was seconded by Richard Deubel and passed unanimously.

4. Action/Approval of Venada Arroyo Preliminary Facility Design - Design Criteria and Design Scope Revisions.

Mr. Stoliker stated that on January 2, 2003, the Board approved a task order for Clint Dodge and approved the financial adjustment today to prepare a preliminary facility design for the Venada Arroyo between 528 and Paseo del Volcan. The criteria is to establish a design flow for this project and is based on the downstream capacity of the existing facilities in the Watershed Management Plan. He stated that they have changed the design criteria by adding an additional two alternatives, and they are also asking for a change in the scope of work, with no change in the contract amount. Staff is recommending approval of this matter.

Mr. Clint Dodge stated that they now have five alternates in the plan. One alternate that was added was the existing Enchanted Hills South boundary impacts on the LEE in some locations. One of the policy allowances is for the developer to improve the arroyo in the local areas and narrow the LEE line. AMREP is looking at how the LEE line impacts their subdivision and how that would work out. The other alternate was the concrete

channel that was added as a point of comparison against the other alternates. He stated that the master plan was approved with the downstream constraint at 528. The unconstrained runoff if there were no constraints upstream would ultimately be about 6,000 cfs at 528. The existing facility has a capacity of about 3,300 cfs. The channels, both upstream of 528, the rip-rap channel, and the Middle Venada property, as well as the downstream channel to the Rio Grande are all based on 3,100 cfs. The reason this has come up again is because the LEE line is based on the unconstrained runoff of 6,000 cfs; however, they had already committed to restraining the run-off to 3,100. SSCAFCA's policy is to use upstream fully developed run-off. They are following the adopted Venada Watershed Management Plan as the guiding criteria, which is based on downstream constraint. The SSCAFCA policy accounts for limiting the flow to the downstream constraint. The confusion was caused by committing to doing something upstream.

Mr. Dodge stated that there are some minor scope modifications also. The LEE as shown in the Watershed Management Plan is about 700 feet wide without using the downstream constraint. With the downstream constraint, it is about 550 feet wide. The proposal on the scope change is to use the downstream constraint.

Mr. Stoliker stated that they have had a meeting with AMREP to discuss getting the dam sites available to SSCAFCA. Mr. Stoliker stated that he had been approached about locking in the land for dam sites to ensure development and protection of the width of the arroyo. AMREP is going to do an investigation in cooperation with SSCAFCA to see if those can be locked in. SSCAFCA has budgeted some money to purchase the middle Venada. That money would be transferred to acquire the Unser dam site right-of-way now. It appears that AMREP owns about 40% of one of the other dam sites and about 60% of the third dam site. They have discussed the possibility of getting options from AMREP for a period of time to preserve the land for SSCAFCA. Mr. Conkling stated that he would like to acquire all the arroyo bottoms and dam sites at once.

Mike Castillo, of AMREP, stated that AMREP is working on defining the areas more specifically. AMREP has not changed its position with regard to the arroyo bottoms. Mr. Stoliker stated that they are looking for approval of the design criteria and scope revisions.

A motion was made by Donald Rudy to accept the design criteria and scope revisions. It was seconded by Mark Conkling and passed unanimously.

5. Presentation of Santa Fe Vistas.

Cliff Spirock stated that his presentation is a follow-up to the Indian Bend Wash presentation in 2002. One of the things that they did not spend much time on before was a portion of the watershed management concepts that apply to the jurisdiction of Paradise Valley, the City of Phoenix, or the Maricopa Flood Control District. From the policies of the Maricopa County Flood Control District, underscoring that their policy revisions have less

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reliance on structural solutions, within the flood plain, they have adopted looking at minimizing increased storm water flows with non structural solutions through the use of retention and detention basins. They are not asking for action today, but are exploring their work in process from the Zia and Venada watersheds. Ultimately, they will be asking for concurrence of the City of Rio Rancho, SSCAFCA and the New Mexico Environmental Department. The purpose is to reduce downstream design costs and to begin the management of watershed practice over time.

Mr. Spirock stated that the biggest concern driving this is what does the existing scattered lot development look like, and what could it look like. There are some areas in Rio Rancho where the area is very grid-ironed and he is trying to envision what that will look like and what techniques are at their disposal. One opportunity is continued single lot build-out, which includes the inability to capture water adjacent to premature platting. It is a problem that with the platting configurations to contain any water on the rear lots. The City cannot look at drainage ponds and maintenance facilities on the rear of these individually owned lots and consider them as part of the reduction in the watershed contribution. They cannot be maintained and are questionably accessible. One of the development options of that existing platting is to go ahead and come up with multiple driveways and culverts adjacent to the street.

Mr. Spirock stated that the plan that is before the Board today, Santa Fe Vista, is adopting some of the North Albuquerque Acre techniques. It is a partial redevelopment plan. AMREP is hoping that they can provide some land easements that are more accessible and more doable using the existing platting as a base. The plat that is currently in front of the City of Rio Rancho creates an easement on the rear lot lines as opposed to presuming that all development will take excess off the streets. As long as the easements are created, they do not feel that they breach the 1984 requirement on those lots that would obviate the ability to utilize a septic tank and a drain field. By utilizing techniques that are currently in the City of Rio Rancho's zoning code, they can create building envelopes for structures and then create easements in the back yards of the property facing outward for drainage management, as well as utility and other purposes. Most of the houses and lots in this development take access off the interior streets. North Albuquerque Acres prototypes include retention ponds, but also include areas for joint use. The Santa Fe Vistas plan that has been proposed to go in front of the City has been in front of the Homeowners Association, Juniper Hills, for better than a year. The plan does require partnering with the City of Rio Rancho and addressing NMED issues.

Mr. Spirock stated that the watershed management is very large and encompasses two watersheds; the Zia Watershed, which flows northeasterly toward the Hawk site and the Sandia Indian Reservation; and the southwest portion, which flows toward the Venada. Some of the prototype examples taken from the existing platting demonstrate that if the existing densities were not changed this is a workable development with drainage management along the perimeters. If it is developed with the current zoning allowances

provisions for drainage management could be obtained. The Santa Fe Vistas plan includes not only reserving the land areas that are identified in the Venada Arroyo, but also the down zoning of some property, some potential development in the patterns suggested on the map, and some areas which are candidates for redevelopment. They have attempted a definition for watershed mitigation and will be submitted to the Board for a policy decision at a later time. However, it is essentially the management, by the alleviation or reduction of physical occurrences, over time. The adopted Venada Arroyo Watershed Master Plan is a time continuum, along with the LEE line. It is over time that some of the upper watershed management issues have to evolve. They are complex and costly.

Mr. Spirock stated that they have included his perception of the costs that ASCG consultants presented in their Venada cost estimates. He suggests that the portion of right-of-way is about half and the reductions that could be achieved if there was a way of acquiring that right-of-way as part of the watershed management program, as opposed to a project's specific bases, could greatly relieve those overall costs. His map shows approximately 187 acres within the Venada Watershed Master Plan that includes the upper dam, the conveyances, the land SSCAFCA already owns in the middle, Tributary X and Tributary Y. They are working with AMREP and will be working with SSCAFCA to identify those as part of a non-project specific contribution to the watershed. In SSCAFCA's Venada Watershed Drainage Master Plan, the words "over time" include many types of funding for the implementation of that plan. They include rights-of-way for conveyance, rights-of-way for dams, rights-of-way for storm water quality ponds, construction of the conveyances, construction of the storm water facilities, and there is included a local small pond concept. They are suggesting that if they can get conceptual approval from this Board and direction, they will pursue the Santa Fe Vistas concept and the additional concepts that would go along with it, such as the productivity of the conveyances. They would present that to the City of Rio Rancho for its input. He stated that it would affect the Zia Watershed and Venada. In the Hawk site, it would affect the Zia Watershed to a great extent.

Mr. Spirock stated that the issue of "over time" has to do with the costs. There must be a way to credit the land, and any construction on that land, on a non-project specific basis that SSCAFCA can account for. If that can be done, it is an easier sell to AMREP to come up with a donation or reduced price for the land, including the physical improvements. His suggestion is for SSCAFCA to go further, look upstream, help find the "over time" element, support the Santa Fe Vistas concept and look at the management principal within the watershed as possibly a future policy revision. Mr. Spirock stated that Santa Fe Vistas is by all means not a panacea, but it is a start. If they are successful, people who do it this way are going to make more money off their real estate, have a better contribution to the quality of the watershed, as well as the quantity of runoff, and it is beneficial to people downstream.

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Mr. Conkling stated that this creates a model for a solution that aims towards SSCAFCA's objectives of controlling drainage with upstream strategies and non-invasive, non-concrete patterns of parks and recreation opportunities. He stated that this is a step in the right direction. Mr. Spirock stated that the New Mexico ED has stated that, if they create an easement on the rear of the lots, the fact that they created the easement affects the septic tank absorption field potential of the lot. They disagree with that. If they can get a septic tank and a water system extension, there is a considerable amount of Santa Fe Vistas that will work just fine. Regarding the sewer, once you bring that in, you are looking more for traditional patterns and there are portions of Santa Fe Vista that would qualify for partial redevelopment, elimination of the lot lines, and replatting. However, by that time, you would have a pretty good handle on drainage management on that type of thing.

Mr. Stoliker stated that staff has looked at this and it is an alternative to the very costly capitalization of large storm drainage structures. It is a possible way to do a micro-park system as desired by the Board. Staff believes that this type of project may save the taxpayers money if the purchasers of the lots would move the back lot to the front, open it up so there is some access, and put in some drainage facilities similar to an open space easement. The downside to this project is that this may be contrary to SSCAFCA's current drainage policy. This will need to be looked at. There are also a great many technical issues that need to be looked at. He likes the idea, however, because it is in compliance with the vision that this Board has come up with. Staff would like to proceed with the study of this concept, if the Board wishes.

Mr. Donald Rudy stated that if this were implemented on a limited number of developments, it would be great within the developments, but it wouldn't help SSCAFCA a great deal. Concepts of this sort are really only effective if they are implemented in a majority of developments. Mr. Stoliker stated that the Hawk site seems to be the best place to try this as it has a small watershed. It also has a huge playa in the middle of it that will be preserved as a fall back. Mr. Conkling stated that a way to define this project would be more as "drainage neighborhoods" rather than subdivisions because they are creating neighborhoods with internal features that account for more than one house. Mr. Spirock stated that is why it is so important that the right-of-way negotiations for the watershed conveyances, the big dams that have already been identified, and the issues need to be incorporated into SSCAFCA's policy as a watershed management objective and not a specific project objective. If you don't affect the buildability of a lot, you would, in essence, get a free easement.

Mr. Edward Pineda, from the audience, stated that an improvement in the terminology might be necessary. This is not so much a model, rather it is a potential solution. It is a concept that may be beneficial, and is worth a try. Mr. Castillo stated that AMREP owns about 40% of Santa Fe Vistas. Mr. Everett Ingram, a resident, stated that he has 11 lots and is looking to buy more lots. When he and his wife built their house, they had to combine three lots. There was a miniature playa when they initially built and it is

now a driveway with asphalt. He has re-routed the water into two different ponds, one small and one large, before it goes into the arroyo. When Mr. Spirock showed him this project he was very interested. The only solution you have with regard to the 80' width lots is to buy two. This 'solution' is working for him so far.

A motion was made by Mark Conkling to encourage Mr. Spirock's innovative potential solutions to this issue. There was no second.

Mr. Donald Rudy stated that this is worthwhile for SSCAFCA staff to review. Mr. Deubel stated that there is a City policy for owners to contain their flows. Mr. Stoliker stated that SSCAFCA gives no credits in its watershed management plan for on-site ponding because the City has a tough time enforcing the on-site ponds. If this project goes the way it is supposed to go, the City and SSCAFCA will have an easement on the lots for drainage control to make sure that the City policy is enforced. Mr. Spirock stated that if the Zia Watershed gets built out, SSCAFCA will have to spend \$5 million to \$6 million to maintain concrete lined channels, or big dams. Rather than maintain concrete channels and large dam sites, this vision calls for 200 acres of open space, small, shallow ponding that could be used by the public, with a smaller dam site, a playa area, and possibly no concrete channels. Mr. Spirock again stated that 40% to 45% of the land is owned by AMREP. Mr. Conkling stated that if AMREP brought in 10 contiguous lots and one lot downstream with a pond on it, it would be a self-contained drainage neighborhood.

The Board gave general consensus to pursue this concept.

6. Presentation of Preliminary Design/ROW Identification for the Sports Plex Arroyo Dam Site.

Mr. Stoliker introduced Mr. Stone, BHI, to present an update on the Sports Plex Dam site project. Mr. Stone briefed the Board on the projects progress and showed the Board the possible land acquisition needed to support the dam construction and provide the multi-use amenities desired by the Board and the public. Mr. Stone stated that the title searches are in process and are expected to be back by the beginning of March. No action was taken by the Board.

7. Action/Approval of the NPDES Phase II Storm Water Management Plan 'Notice of Intent' Submittal. Receipt of Public Input of the Plan.

Mr. Stoliker stated that staff is asking for public input on the NPDES storm water permit. He stated that staff is looking for acceptance of the notice of intent submittal. Mr. Metzgar stated that he has gone through the draft and is making some comments about what might be appropriate in terms of time frames, language changes, etc. His comments should be completed within the next couple of days. Mr. Stoliker stated that the Notice of Intent (NOI) and the permit must be at EPA by March 10, 2003. Mr. Deubel stated that



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David Stoliker and staff have done a tremendous job with regard to this matter and congratulated staff for their hard work. The public was asked for comments.

Mr. Edward Pineda, from the audience, stated that the first page of the proposed management program lists six minimum control measures that will be used by SSCAFCA. He would like to know why these six have been selected; if SSCAFCA has the money in the budget to implement the measures; and who will be the controller of the program. Mr. Deubel stated that this is an unfunded mandate from the federal government. Mr. Stoliker stated that the six items identified were what EPA required in the law and were actually given to SSCAFCA by EPA. Mr. Deubel stated that partial funding of the mandate might be by passage of the bonds. Mr. Stoliker stated that staff recognizes that this submittal is the minimal program that could be put together. He also stated that he has met with Sandoval County and plans on meeting with the Village of Corrales and Bernalillo County to inform them of this and provide them with a copy and encourage them to submit their own plans. Mr. Metzgar stated that there are some issues in the submittal that will require cooperation from other entities, such as enforcement. The probable thing is that even if SSCAFCA has the money, it will not be the enforcing agency, but rather the reporting agency to someone who will enforce. The other entities within the jurisdiction will have to respond. Mr. Stoliker stated that the EPA uses the ED to enforce some of their rules in the state, so the ED could be the enforcing agency. Mr. Metzgar stated that EPA won't do the actual enforcement against a party who is not cooperating, but that EPA will expect SSCAFCA to have an enforcement policy. The EPA will require reports to show that enforcement is being done. Mr. Pineda was satisfied with these answers. No other public comments were offered and the public comments period was ended.

A motion was made by Donald Rudy to approve the NPDES Phase II Storm Water Management Plan Notice of Intent Submittal and authorize the chairman to sign it once it is in final form. It was seconded by Richard Deubel and passed unanimously.

8. Action/Approval of the Final Adjusting Change Order #10 for Cheyenne Builders on the SSCAFCA Building.

Mr. Stoliker stated that the final change order for Cheyenne Builders increases the total project cost for SSCAFCA by \$885.00 to a total of \$891,564.00. It increases the contract time by an additional 14 days. They have approximately two to three weeks worth of work to clean up items around the building.

A motion was made by Mark Conkling to approve the final adjusting change order for Cheyenne Builders as presented. It was seconded by Richard Deubel and passed unanimously.

**FOR BOARD INFORMATION:**

1. Task Order NM 03 E A 12 NM 528 Design - Build Drainage Review - Trunk Line H & H Second Extension.

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

2. Task Order from ASCG for Technical Assistance for Unit 16/Cabezon Drainage Facility Development.

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

3. January 15, 2003 Letter to Chris Allen Regarding El Dorado de Corrales Subdivision.

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

4. Executive Committee Meeting Minutes for January 6, 2003; January 14, 2003 and January 21, 2003.

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

5. Employee Work Schedule.

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

6. January 7, 2003 Letter to Elected Officials Requesting Legislative Changes to SSCAFCA Statute.

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

7. Job Description for Administrative Assistant.

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

8. Revised Draft OSE Dam Safety Design and Operation Criteria.

Mr. Stoliker stated that this is contained in the Board ' s packets. He stated that the State Engineer is coming up with possible revisions to dam safety and operation criteria. This has been in the works for many years and is now coming to fruition. If it happens, it means two things for SSCAFCA. One, SSCAFCA needs to have emergency action plans in case there is a major problem. Staff is attempting to work on that through a hazard

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mitigation plan being prepared by the County. There is a grant right now for Sandoval County to do a hazard mitigation plan. Staff is trying to inject SSCAFCA's parts of the plan into that plan at no cost to SSCAFCA and it will go through the process. He is having problems because the hazard mitigation people are not talking to the State Engineer. Staff is trying to get them together so that one will accept the report of the other. Second, SSCAFCA needs to improve its reporting on maintenance operations. That has been in the works for a while, and Mr. Service is working on that.

9. IFB for Fencing and Fence Repair is Scheduled for Publication.

Mr. Stoliker stated that this is contained in the Board's packets. Staff was unable to renegotiate this contract and has chosen to re-bid it.

10. FEMA Hazard Mitigation Plan for Sandoval County.

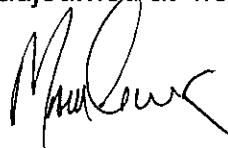
Mr. Stoliker stated that this is contained in the Board's packets.

**OTHER BUSINESS.**


Mr. Stoliker stated that staff has received two submittals on the web page. One is by MIS, Inc. for just under \$10,000.00 to do the web page. The other was by Web Galleries that provided a proposal, but did not have any prices in it. He and Mr. Deubel agreed to go with MIS, Inc. Once the web page is set up, staff will maintain the page. If technical changes need to be made in the structure of it, MIS will be available to help.

**ADJOURNMENT.**

A motion was made by Donald Rudy and seconded by Mark Conkling to adjourn the meeting. It was carried unanimously. Meeting adjourned at 4:05 p.m.



WM. C. YARBROUGH  
Chairman



RICHARD DEUBEL  
Secretary

DATE APPROVED: 18MAR03