

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)  
MINUTES OF MARCH 18, 2003  
BOARD OF DIRECTORS REGULAR MEETING**

**CALL TO ORDER.**

The regular meeting of the SSCAFCA Board of Directors was called to order by Richard Deubel, Secretary, at 1:05 p.m.

**PLEDGE OF ALLEGIANCE.**

The Board was led in the Pledge of Allegiance by Richard Deubel.

Mr. Deubel stated that Dub Yarbrough was recovering from open heart surgery and will not be here today. Mr. Deubel made a motion to nominate Mark Conkling to chair today's meeting. It was seconded by Donald Rudy and passed unanimously.

**ROLL CALL OF DIRECTORS.**

Directors in attendance were Mark Conkling, Richard Deubel and Donald Rudy. John Chaney and Dub Yarbrough were noted as absent. David Stoliker, Executive Director, and other staff were present. Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

Richard Deubel nominated Mark Conkling to Chair the meeting. Donald Rudy seconded the nomination and the nomination was approved 2 to 0.

**APPROVAL OF AGENDA.**

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

**ANNOUNCEMENTS.**

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

**CONSENT AGENDA.**

1. Minutes of February 18, 2003 Regular Meeting.

A motion was made by Richard Deubel to approve the minutes of the February 18, 2003 regular meeting as presented. It was seconded by Donald Rudy and passed unanimously.

2. Minutes of February 25, 2003 Special Meeting.

A motion was made by Richard Deubel to approve the minutes of the February 25, 2003 special meeting as presented. It was seconded by Donald Rudy and passed unanimously.

3. Treasurer's Report for February 28, 2003.

Mr. Metzgar stated that Robert's Rules of Order indicate that a board does not approve a treasurer's report; rather, you approve the audit whenever that happens. All the board needs to do is receive it for informational purposes and ask any questions concerning the report. Mr. Conkling asked if there were any questions or comments regarding the Treasurer's Report. There were none.

**PUBLIC FORUM.**

None.

**CHAIRMAN'S REPORT.**

None.

**BOARD OF DIRECTOR'S COMMENTS.**

None.

**ATTORNEY'S REPORT.**

1. Action/Approval of an Amendment to the MOU with the Village of Corrales Regarding Paseo Cesar Chavez.

Mr. Metzgar stated that he has drawn up an MOU regarding Paseo Cesar Chavez in accordance with previous approvals by the Board. It is his understanding that it was approved by the Village Council and it is merely a question now of obtaining signatures by the proper parties.

Mr. Stoliker stated that Ms. Smith, Planning & Zoning Administrator for the Village of Corrales, is here and she brought the original for signature and copies are being made.

(Attorney's report continued below.)

**EXECUTIVE DIRECTOR'S REPORT.**

2. Hawk Site Progress Report.

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Mr. Stoliker introduced Mike Castillo, of AMREP, and Kim Kemper, of Huitt-Zollars. Mr. Kemper stated that they have been working with AMREP, Mr. Spirock and the SSCAFCA staff to further develop a concept on watershed management with some different alternatives for managing drainage. He stated that they are presently required to discharge at or below a pre-developed flow rate. SSCAFCA policy requires run-off from upstream watersheds to be based on (a) fully developed conditions with no retention or detention. The downstream infrastructure capacities must be, and have been, considered in the final analysis. As an example, the Montoyas recognized downstream capacities and the plan on the Venada was essentially worked around the restrictions that existed downstream.

He stated that for a demonstration project, they are looking at the Zia Watershed for several reasons. The entire watershed leaves the site onto the Pueblo into the Jemez basin. If you run the numbers based on the total watershed, the historic flow rate is roughly 1,600 cfs. However, if you go out there and walk the ground, there is no incised arroyo and at the boundary of the watershed and the Pueblo, there is little or no evidence of flow. On the Hawk Site itself, which is the AMREP portion of the property, there is a natural playa there which is approximately 20 to 30 acre feet in size and stores a great deal of water. It also does not appear that the playa has been breached.

Mr. Kemper stated the Battalion site was most likely developed with consideration of upstream historical conditions because that was the generally accepted practice at the time. The demonstration basin is roughly 118 acres in size, and is roughly 213 cfs in a pre-developed condition and a little over  $5 \frac{1}{2}$  acre feet of volume. In a fully developed condition, those numbers jump to 373 cfs and 13.3 acre feet, almost doubling the flow rate and a little less than  $2 \frac{1}{2}$  times the volume. They are looking at existing platting to come up with these figures. The increase is due to rooftops and hard surfaces having to do with single family construction, and by not enforcing the City's ordinance for ponding on each lot. The land treatments they used were the ones that were developed for the Montoyas Watershed to project the developed condition.

Mr. Kemper stated that if they utilize some watershed management in this area, the run-off figures can be reduced substantially below historic. Mr. Kemper stated that in certain areas, vegetative swells and ponds would be a viable solution. These are more viable in areas with flatter terrain. There are many options available when you get into the basins and decide how to restrict flows. They are planning on getting secondary use like recreation facilities out of the neighborhood ponding areas.

Mr. Kemper stated that their proposal is to utilize the Zia Watershed as a demonstration for watershed management. They want to catch every drop where it falls, manage the watershed upstream with detention and retention, and downstream facilities sized at or below free developed flow rates.

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Mr. Kemper stated that their request is to incorporate the following parameters into the Drainage Management Plan: 1) that the infrastructure required be sized at pre-developed flow rates and volumes; 2) utilize the natural ponding areas to the extent possible; 3) minimize, to the extent possible, the discharge into Santa Ana Pueblo; 4) and that SSCAFCA and the City of Rio Rancho help with the implementation of the plan.

He stated that if this is done, the benefits are that it incorporates the best management practices for the Pueblos; it incorporates the best management practices for the Battalion site; it anticipates a reduction in overall infrastructure costs; it anticipates a reduction in overall O & M costs; and they see it as a pilot demonstration project for flood control that can be used in other watersheds.

Mr. Rudy asked if there were any other sites from which water flows onto this site. Mr. Kemper stated that there are no development events that would impact their test site, other than the test site.

Mr. Conkling stated that he likes what he hears, like the lower cost to the taxpayers because of reduction in O & M costs; the lower cost for the development and management of the water; and less hardened facilities; fewer ugly things out there; and a greater likelihood of common use facilities. That also lowers the cost to the developer and lowers the cost of land to the consumer. Mr. Rudy stated that large numbers of small, on-site management does have a greater degree of protection than one major dam downstream.

Mr. Deubel asked if the homes that will be built out there will be designed with infiltration trenches. Mr. Kemper stated that that is one concept that can be developed in the plan. They are trying to get concurrence that this is the direction that the Board would like to see this go. Mr. Rudy stated that he is interested in finding out how they are going to implement and enforce this plan when the area begins to develop. Mr. Kemper stated that this is the problem with scattered ownership. In this area, there are pockets of common ownership where a neighborhood pond would work.

Mr. Conkling stated that the City of Rio Rancho has current requirements under the permit process for retention of more than historical flows on the lot. He stated that it is going to take SSCAFCA, the development community, the City of Rio Rancho and any county concerns on drainage management to work together to make this happen.

Mr. Kemper stated that they would like to minimize the discharge onto the Pueblo and that is mostly a political reason. The historical runoff for this watershed calculates to be approximately 1,600 cfs and approximately 100 acre feet of water. If you go out and stand on the ground, there is no evidence of any flow that leaves this site onto the Pueblo rather than little rivulets from localized flow. With the natural playa that exists out there, it does not appear, physically, that there has ever been any flow that has breached it. Mr. Rudy stated that this is a demonstration project and, if it works here, there are other areas

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where they could apply the same concept where the downstream neighbors are much more susceptible to high outflows and they could make the downstream people feel much safer about the development.

Mr. Kemper stated that what has to be done initially to accommodate this site and the construction of the new facilities is to get a piece of the infrastructure installed. He stated that they are asking for approval on the flow rate today so that they don't go down the wrong path in developing the DMP.

Mr. Stoliker stated that he is concerned about reducing the flow rate without proper investigation, because once that is done, they are locked in. Although he has no problem with the concepts, he would like the Board to look into some of the issues. If the Board wants to proceed it will require a change in policy and it will require some enforcement capability between SSCAFCA and the City, which could require some additional staffing.

Mr. Conkling asked if Mr. Curtis could make his presentation on single lot drainage right now so that a decision might possibly be made today.

Mr. Ken Curtis, of the City of Rio Rancho, stated that they are getting to land parcels where this is getting critical. They deal with the flow rates that are generated in the upstream watersheds in three ways: 1) either reduce the flow (big ponds/small ponds); 2) improve the downstream conveyance (make a big concrete channel and get the water downstream faster and safer); or 3) land use management. They have historically done regional ponding, which is what SSCAFCA was created to do. Today, new subdivisions come in (150-300 homes), including the Hawk Site, and retain/detain it and then release it at the historic rates and patterns.

He stated that the City has no ordinance regarding on-lot ponding. The City does act on single family residential lots, but there is no ordinance for the City to enforce. They have ordinances that do give the City some control over drainage. That primarily comes through the platting process. When undeveloped land has never been subdivided, they break it up into small individual lots and they create regional ponds that control the off-site drainage. However, the City of Rio Rancho has 83 square miles of 65,000 buildable lots. Approximately 20,000 of those are built on today. That means that 45,000 are available to pull building permits at the City office. Right now, a landowner has a duty toward adjoining land owners with reference to surface waters. If you're upstream, you have to release at historic rates and patterns, otherwise a downstream person can sue you.

Mr. Curtis stated that when someone comes in for a building permit, they do recommend, or require, that the landowners put a pond on their lot. The bottom line is that there are 45,000 lots just in the City, with more to the west of the City, and the City recommends that they all put a pond on their lot. Public Works has one field individual overseeing all the subdivision construction. The City recognizes public control ponding,

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which is why they take most of the larger facilities under either the City's or SSCAFCA's control.

Mr. Conkling stated that if SSCAFCA could find a drainage management solution that honored pre-development flow rates as the lynchpin, then that would end the City's enforcement issue because every lot would come under one of the potential plans. Mr. Curtis stated that since the platting predates the City, the landowners have a right to build on those lots and the City doesn't have any authority on the individual lots. He stated that some sort of management plan needs to be put in place, be it localized neighborhood ponding, or even increased enforcement, anything that will work to control the drainage.

Mr. Conkling stated that SSCAFCA's policy change on this matter would be that design would begin with pre-developed flow rates, rather than fully developed flow rates. Mr. Conkling stated that as long as whatever strategy is chosen is enforceable and SSCAFCA does the maintenance, that creativity should prevail and that SSCAFCA's policy should promote that creativity.

Mr. Kemper stated that he looks at off-site basins in a historical fashion as opposed to developed fashion, but he is looking at the basin in a developed condition and managing it there. It is a deviation from what the policy says, but they still are taking care of the developed condition. The developer has a substantial holding in those off-site basins, which will make it a lot easier to make everybody comfortable on how this will be pulled together.

Mr. Rudy stated that it would be very easy for SSCAFCA to allow the development of this particular site to go on pre-development flow rates, providing SSCAFCA had the ability to control the areas that are going to deliver the water to the area. If the areas that are going to deliver the water to the subdivision are out of SSCAFCA's jurisdiction, then SSCAFCA can't allow them to design everything with pre-development flow rates if the areas outside are going to over-develop and deliver uncontrolled full development flow rates.

Mr. Mike Castillo, of AMREP, stated that they have carefully chosen this particular test case. AMREP owns the land to the west where they can make a significant impact on the run-offs that come off of it. They feel very comfortable that they can succeed with this project. AMREP is willing to fund the lead in doing this study. The biggest risk in his mind is that SSCAFCA won't be pleased when they are done. However, he feels very comfortable that they will have a much better project. Mr. Rudy asked if they were working in an area where they don't have the level of control of the areas delivering water to them, if AMREP would be willing to accept undeveloped flows with a safety margin. Mr. Castillo stated that would have to be looked at with each individual project.

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A motion was made by Donald Rudy to allow the study to proceed at AMREP's risk subject to further evaluation and that SSCAFCA honor AMREP's request to go forward with this work based upon their assumptions. It was seconded by Richard Deubel and passed unanimously.

**ATTORNEY'S REPORT (continued).**

1. Action/Approval of an Amendment to the MOU with the Village of Corrales Regarding Paseo Cesar Chavez.

Mr. Conkling stated that he would like to further discuss the Memorandum of Agreement with the Village of Corrales at this time. Mr. Metzgar stated that at the last meeting, this matter was discussed and the motion was made to approve an MOU to allow SSCAFCA to abandon its easement with the condition that the Village build and maintain the ponds. After that, he drew up the MOU based on what had already been approved by this Board. The Village Council did not change any of the wording in the MOU and approved it. The only question that SSCAFCA did not decide at the last meeting was how long it would allow the Village to put in all the ponds. Based on his understanding of what the Village wanted, he put in a period of sixty (60) months. The reason was that the Village was probably going to have some future developers putting in some of the ponds.

A motion was made by Donald Rudy to approve the MOU with the Village of Corrales regarding Paseo Cesar Chavez as presented. It was seconded by Richard Deubel.

Mr. Deubel asked what happens if the ponds are not built within 60 months. Mr. Metzgar stated that it is contractual and if it is not done within that 60 month period of time, SSCAFCA would then attempt to enforce the contract. He stated that, if the Board approves the final agreement, he will then draw up an abandonment document that abandons that portion of the easement north of the Harvey Jones Channel.

The motion passed unanimously.

Bob Borman, a resident of the Village of Corrales, stated that at the council meeting he spoke in opposition to this revision of the MOU and he appreciates the directors' comments about this. As a resident of the Village, it was reassuring to know that SSCAFCA was the final line of defense between all of the development that would occur to the west of the Corrales Main Canal. He is disappointed that SSCAFCA has stepped out of the picture and that the road and development will now go right up to the MRGCD easement. He feels that the prior arrangement was better than this arrangement.

Mr. Metzgar stated that the original MOU only gave SSCAFCA a 40 feet easement for storage of sediment taken from the Harvey Jones Channel; there was no flood control

easement. SSCAFCA is not giving up a flood control easement. SSCAFCA traded a storage easement for some ponds for flood control.

**EXECUTIVE DIRECTOR ' S REPORT (continued).**

1. AMREP Arroyo Land Acquisition Update.

Mike Castillo stated that at the last meeting, Mr. Conkling asked the he meet with members of SSCAFCA ' s staff to look at the possibility of the transfer of several of the arroyos in the Venada Arroyo from AMREP to SSCAFCA. They had to identify these arroyos and look at potential sites for dam sites. The request was made for them to look at the arroyo from bottom to top. He met with David Stoliker and engineering staff and planners several times on this issue. AMREP is still reviewing design, surveys, etc. to determine actual acreage. He stated that AMREP now has a proposal for the transfer of these lands from private to public hands.

Mr. Castillo stated that the proposal is that AMREP will donate, at no charge, to SSCAFCA the platted arroyos that are basically designated by the red lines on the diagram presented. AMREP proposes to sell the land that AMREP owns, which is designated by the blue areas, for ponding based on final engineering studies and fair market value as determined by an appraisal. He has put these items in writing and would like to present them to the Chair. Mr. Conkling stated that he would like him to present them to the Executive Director.

Mr. Conkling stated that the arroyo bottoms mean the land that would be called remainder land from the actual platted properties. Mr. Castillo stated that most of the land that he is speaking of is actually shown on the old plats as arroyos, but they are identifiable tracts. He stated that there is a physical arroyo there, but they propose to transfer that on a floating easement subject to platting. AMREP is asking SSCAFCA to bear the cost of engineering and surveying and pay for the land needed for ponds.

Mr. Conkling stated that SSCAFCA will take AMREP ' s offer under advisement for the next 30 days. Mr. Rudy stated that the Board will need a detailed evaluation from its staff.

3. Montoyas Arroyo Update.

Mr. Howard Stone stated that in the details of doing the pond analysis of Dam #4, they discovered that one of the analyses could be modified to reflect a change in the Watershed Management Plan. They had previously asked that the Board look at three options: one being all ponds or dams; two and three being combinations of dams along with the raising of the Corrales Bridge. They re-ran the model and discovered that it makes a lot more sense to include a Dam at the entrance to the Lomitas Negras. Essentially, they



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would be getting rid of two proposed dams and add one proposed dam on the Lomitas Negras right at the entrance of the Dulcelina Curtis Channel. When they originally looked at the dam sites and did the analysis, Dam #1 was one of the first selected. With the hydrographs coming down the Montoyas and the Lomitas Negras, under existing conditions, 200 cfs comes down to join at the Harvey Jones Channel. The peaks of those 200 cfs are fairly close in terms of time. When they're close in terms of time, the amount of volume that is held back in this pond is rather small compared to the total volume of the Montoyas. When they put the detention ponds in the model, the hydrograph for the Montoyas went back in time, so you have one small peak on the Lomitas and one large peak for the Montoyas. The ponds do not affect the small peak in the Lomitas Negras. The small pond would reduce the small peak by itself. With that combination, it makes it a much more efficient way to handle the drainage in terms of the flow peaking in the Harvey Jones Channel.

Mr. Stone stated that the City's Rio Rancho Sportsplex is located just downstream, along High Desert Boulevard, from the proposed facility. Within the area of the proposed detention dam are some properties that will need to be acquired. Three of the properties are fully owned by the City of Rio Rancho. The dam site is currently being used for the flows from the subdivision. The detention dam could be converted by the City for another use with the detention pond being built. There is another piece of land that is platted as an arroyo in the area that goes from 528 to Northern Boulevard. It is about 75 acres and covers a sizable portion of the dam site. Based on SSCAFCA's investigation, that piece of property is owned by the Rio Rancho Soccer Club. There are three pieces of property that are shown in the area and owned by AMREP. The last piece of property is owned by Mr. Zolinski. If this dam site is chosen, SSCAFCA will potentially have to acquire or somehow transfer four pieces of property. He stated that he discussed exchanging property with the Soccer Club in return for soccer fields. He was told that the Soccer Club already has discussions going on with SSCAFCA about some transfer of property.

Mr. Stone stated that it would be hard to incorporate the existing detention pond into this facility. However, if this facility was built, the City would no longer need the existing detention pond. Mr. Stoliker stated that he was informed that the Soccer Club is looking to donate the property to the City. The City is looking at a possible benefit to them if they could remove the drainage restrictions on two ponds in the area. SSCAFCA staff would like to approach the City in an official way to start working jointly with the City to provide SSCAFCA with the land needed for SSCAFCA to build the facility.

Mr. Stone stated that there are two potential opportunities to incorporate SSCAFCA's needs for the detention facility along with the needs of the City. They are concepts, but not formalized. One of the fundamental opportunities is to have a track around the entire facility about 3/4 mile in length, which would also provide a connection to Rio Rancho High School, along with connections back to the High Resort Boulevard and to the Sportsplex itself. They could also possibly put in a soccer field on the property. The

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City is also looking at getting funding to put in a concession stand next to the parking lot. There are also some other opportunities for other facilities to be put in like possibly some basketball courts, a volleyball court, and a possible shade structure. The size of the detention pond is about 50 acres in size. It would hold 280 acre feet. Mr. Stone stated that another way of looking at the site is to not make the path around quite as long or about 1/10 mile shorter. The soccer field would then be outside the detention pond. The capacity is the same in both scenarios.

Mr. Stoliker stated that he is asking the Board to allow staff to proceed with obtaining the dam site. This would include approaching the City and the Soccer Club and prepare the necessary paperwork to gain use of this property for this purpose; and to purchase the private properties, both from Mr. Zolinski and AMREP. Approval would include setting aside money for this purpose. He stated that this property would be a high hazard area and that the bottom of the facility and the berm itself should be owned by SSCAFCA and allows easements for recreation over the top of it for the City. The AMREP pieces are estimated to be 11 acres and 2.7 acres. No appraisals have been done on the properties. Mr. Stoliker stated that, with the shuffling of some funds, there is sufficient funding that would have been carry-over into next year's budget to purchase these properties.

The consensus of the Board was for Mr. Stoliker to move ahead rapidly on all fronts.

4. Action/Approval of Cabezon Development Concept (Unit 16 West, Rio Rancho).

Mr. Stoliker stated that staff has had a meeting with the developer and his staff and there were 11 items that they discussed, including methodology on some issues. He stated that the Master Drainage Plan presented by Wilson & Company appears to conform with the Black Arroyo Watershed Management Plan and staff recommends that this drainage methodology and concept be approved as per the information presented in the Board's packet. Mr. Stoliker informed the Board that a technical problem with the flow rates in the ASCG model was identified and has been fixed.

Mr. Brad Sumrall, the project manager for this project on behalf of Wilson & Company, stated that they contracted with Curb, Inc. to follow through on completion of the master plan and on into the design process. They believe they have developed solutions for anything that was brought to their attention that was of concern to both SSCAFCA and the City. Curb, Inc. submitted a letter dated March 10, 2003 requesting approval of a number of items. They have reviewed the comments provided by SSCAFCA staff and, in concert with Arctic Slope Consulting Group, who were the authors of the Black Arroyo Watershed Master Plan, would like to discuss a couple of them and address any other questions. Their goal today is to get approval of their Master Plan document as it stands and move forward with their development agreement with the City so that they can begin the design process.

Mr. Sumrall stated that there were some questions regarding a couple of the recommendations provided by SSCAFCA staff. Mr. Sumrall stated that there are two issues to be discussed. Number 6 is a question that they have regarding the approach and methodology for accommodating off-site flows from adjoining upstream development that they have no control over. It appears that the desire of SSCAFCA staff is to accommodate fully developed flows without any detention at the gateway detention basin location. They are confused because they understand that there are other facilities within the Black Arroyo Plan that are recommended and required in terms of the development process and approach to accommodate off-site flows and they are wondering why the proposed facility within the Black Plan isn't part of the consideration of the off-site flow contribution at that location. Mr. Stoliker stated that SSCAFCA's policy says that the developer has to accept all off-site flows in ultimate fully developed conditions through their facility. There will be some minor development still above Unser, but this area is pretty much fully developed. With SSCAFCA's bond issue failing, it can't guarantee that it will be able to build the dam sites in the Watershed Management Plan and, therefore, can't guarantee safety to the people living in this area, unless the developer allows for full development. Mr. Sumrall stated that the difference in flow is double. Curb, Inc. has accommodated the developed condition, which in the Black Arroyo Plan specifies about 600 cfs; under the ultimate developed conditions without the detention dam being constructed, the flow is more along the magnitude of 1,100 cfs.

Mr. Sumrall stated that the only other question they had was with regard to Item #9, the channel lining concept. They were wondering if they might not be allowed to further evaluate, in more of a design sense, the composite channel section that they presented. The bottom line issue is that they have proposed hard lining the channel to the ten year flow depth and then would stabilize the over bank areas with reinforced grass or turf. They would like to be able to be creative in this matter. Mr. Stoliker stated that they have no problem with pulling those two items to allow further discussion on them and approving the rest that everybody agrees to. That will give the parties more time to work out these issues.

Bo Johnson, of Curb, Inc., stated that they would like to be creative and present design drawings to SSCAFCA staff for Board approval. He has no problem with the Board pulling items 6 and 9 from the approval of the Cabezon Development Concept to allow for further discussion. Mr. Stoliker stated that, at this level of discussion, staff is very happy with what has been accomplished. He stated that it looks like this developer is going to step forward and do a really good job on the project. Mr. Sumrall stated that they have actually bumped their total water quality treatment volume up to the neighborhood of 45 acre feet so they actually have a little more planned than is actually required.

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A motion was made by Richard Deubel to approve the Cabezon Development Concept as presented in the Board packet, with the exception of numbers 6 and 9. It was seconded by Donald Rudy and passed unanimously.

5. Action/Approval of a Request by PNM for an Underground dry Utility Crossing of the Dulcelina Curtis Channel.

Mr. Stoliker stated that in the Eldorado de Corrales Subdivision there needs to be a utility extension. PNM is asking to bore underneath the Dulcelina Curtis Channel. There is no easement, nor would surface requirements be needed. The utility bore will be five feet away from the bottom of the channel and begin and end outside of SSCAFCA's current row limits.

A motion was made by Donald Rudy to approve the request by PNM as presented. It was seconded by Richard Deubel and passed unanimously.

6. Action/Approval of a Task Order from Wilson & Co. for the Ivory Channel.

Mr. Stoliker showed a short slide presentation that he had prepared on this matter. The Board had asked staff to look at the Ivory/Lisbon Arroyo system and evaluate its current needs. The Lisbon Arroyo appears stable at this time with vegetation in the bottom. He stated that if they were to do the work on the Lisbon Channel, SSCAFCA would get about 300 feet for \$.5 million dollars. On the Ivory Channel, though, it is a different story at the lower end. There is a house that was built about 50 feet away from a very deep precipice. Some of the banks are starting to fall in and it is very unstable. To address this issue, staff has asked the original designer, Wilson & Company to prepare a task order to review the designs, prepare a smaller project addressing the unstable area and to bid and inspect the project. The cost for these efforts is \$39,000.00 and is presented in the Board's packet. The design is already done, but it needs to be put out to bid. The cost, including the design, would be approximately \$350,000.00.

(See action/approval below with item #7.)

7. Action/Approval of a Task Order from Huitt-Zollars for Enchanted Hills Elementary School Storm Water Improvements – Obregon Road and Saratoga.

Mr. Stoliker stated that similar to the last item, the Board requested staff evaluate drainage issues around the Enchanted Hills Elementary School. Staff asked, Mr. Kemper of Huitt-Zollars to put in a proposal on this matter. In the past, flow came in from the north of the school and right in the front door. Mr. Kemper stated that, as part of the proposal that they had put together, they have outlined a pretty detailed description of what it will take to fix it. It incorporates several things from working with the City to work up on Saratoga to take care of some of the off-site water that is finding its way to the school,

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thereby compounding the problem. It will be a storm drain system and will start upstream. It will run east on Obregon and cut through the school property and connect to the Lomitas Negras behind the school. It is a project they will work with the City on to handle some of the off-site conditions. They are going to try to negotiate a path through the school to limit some of the storm sewer and also to alleviate some of the school's other problems. The other push on this project is that it needs to be done this summer.

Mr. Conkling stated that there is also another problem on the south side of the school with regard to undercutting. Mr. Stoliker stated that Mr. Kemper was alluding to the fact that they could do some work on Saratoga and some other places to take care of the undercutting. The south side is the \$2.7 million Lomitas Negras project that can be taken care of if the bond issue passes.

Mr. Stoliker stated that the improvements to the Ivory Channel is estimated to be \$350,000.00. The second item would be the Enchanted Hills drainage, of approximately \$40,000.00 to do the design and approximately \$230,000.00 to actually build it. That includes the work at Saratoga and the bypass around the school. Staff has been able to identify additional funding that has been unallocated in order to take care of these issues. The money could come from NPDES and other sources, without dipping into reserves, of about \$500,000.00. Staff is recommending that \$100,000.00 be set aside for the Montoyas right-of-way; proceeding with the Ivory Channel improvements; and to allow staff to go ahead and contract with Huitt-Zollars to design the school improvements.

Mr. Conkling stated that the mail-in ballot for the bond issue has been approved by the House and the Senate and is on the Governor's desk for signature. The likelihood of signature is great, which moves SSCAFCA from a 6% to a 30% likely participation in the vote. The idea was to use projects that already needed to be done as opportunities to show the public SSCAFCA's presence and to do it in a way where SSCAFCA's presence would also achieve alliances with the public school system and a neighborhood that had not been addressed for many years. Staff has identified the money sources from the current budget leaving the Board free to use these funds for more pressing subjects. Mr. Stoliker stated that if SSCAFCA does channel improvement, it cannot be done during monsoon season. He stated that Wilson & Company has stated that if the Board gives the okay, and he gives them a notice to proceed tomorrow, with the budget of \$350,000.00, they want to have it done before July 1, 2003.

Mr. Rudy stated that he would like the public to know that SSCAFCA is doing the most severe, critical part of this project, and that they would like to do more work, but that they can't without the passage of the bonds.

A motion was made by Richard Deubel to approve the Task Order from Wilson & Co. for the Ivory Lisbon Channel improvements including construction with \$350,000 funding, as presented, and a task order for Huitt-Zollars to design the Enchanted Hills

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Elementary School Storm Water Improvements including construction. It was seconded by Donald Rudy.

Mr. Conkling stated that he knows that SSCAFCA has a very capable staff and he would like to save the \$21,000.00 and have the construction management portion handled by SSCAFCA staff. Mr. Stoliker stated that the money issue will need to be revisited. SSCAFCA has the money to do the Ivory Channel and the engineering and will proceed with that immediately. They will then need to take a look at the budget with the Budget Committee to try to find the other \$230,000.00 to do the construction for the Enchanted Hills School.

Mr. Metzgar stated that since one issue is for construction and the other is for design, that the motions be considered separately.

A motion was made by Richard Deubel to approve the task order from Wilson and Company for the Ivory Channel as presented. It was seconded by Donald Rudy and passed unanimously.

A motion was made by Donald Rudy to approve the Task Order from Huitt-Zollars for Enchanted Hills Elementary School Storm Water Improvements – Obregon Road and Saratoga Drive engineering design as presented. It was seconded by Richard Deubel and passed unanimously.

(Item 8 discussed above in Item 2.)

9. Review and Comment of an 'Agreement for Funding for Preparation of Documentation for a Biological Evaluation for Storm Drainage System Maintenance Operations Within Rio Grande Critical Habitat' with AMAFCA.

Mr. Stoliker stated that when SSCAFCA does work on its outlet structures into the Rio Grande there may be incidental takes of endangered species. This is one of the concerns that has been expressed by Fish and Wildlife. In order to take care of that, a study needs to be done. He stated that AMAFCA has prepared an agreement for SSCAFCA to share the cost of a study. The total cost is \$35,000.00 in which SSCAFCA's share would be \$5,000.00.

A motion was made by Donald Rudy to approve the Agreement as presented. It was seconded by Richard Deubel and passed unanimously.

10. Action/Approval of the General Maintenance Contract.

Mr. Stoliker stated that the general maintenance contract is finally up for approval. The low bidder was Common Ground. Heads Up, who is SSCAFCA's current contractor,

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was higher. Staff is asking for approval of Common Ground as SSCAFCA's new general maintenance contractor.

A motion was made by Donald Rudy to approve the general maintenance contract with Common Ground as presented. It was seconded by Richard Deubel and passed unanimously.

11. Legislative Update.

Mr. Stoliker stated that this issue was discussed above.

12. Preliminary Budget Report.

Mr. Stoliker stated that the Preliminary Budget Report is in the Board's packets. They are asking for the Budget Committee to set a date to meet and go over the preliminary budget and bring it back to the Board at a later date. A meeting of the Budget Committee was set for March 27, 2003 at 10:00 a.m.

13. Action/Approval of the April 22, 2003 Visioning Special Work/Study Meeting Draft Agenda.

Mr. Stoliker stated that the Board's packets include information on visioning. Staff needs to prepare for the vision. They have a draft agenda. He would like to have the development community make a presentation, including having a presentation done by Mr. Spirock and Mr. Easterling. He would like to have some local governments give a five minute presentation also on what they think SSCAFCA should be doing. He would also like some SSCAFCA staff, including himself, make a presentation. He would also like the Board members to state what they think the vision should be. Members of the public should also be invited. Mr. Stoliker stated that he has included a draft letter to Mayor Kanin asking if he would be interested to talk at the work study. Staff has included a visioning questionnaire to be sent out to different people asking them to describe what their vision is for SSCAFCA.

Mr. Deubel stated that SSCAFCA may want to send a letter to all persons on its mailing list asking them to come and give their input. Mr. Metzgar stated that he believes that would be okay because SSCAFCA will have its regular general publication calling a special meeting. He stated that SSCAFCA can spend some funds on a presentation, but he would rather see refreshments served rather than a luncheon.

Mr. Conkling stated that the letter that is sent to people should say something like, 'please bring your ideas about the vision for SSCAFCA' rather than sending all the forms to fill out.

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14. Action/Approval of Business Card Order for Board Members.

Mr. Stoliker stated that staff is asking for the Board members to make any changes to the proposed business cards they have in front of them and get back with Laura with the changes. Mr. Conkling stated that you can make the cards in the computer and print them up as you need them. Mr. Stoliker does not know if there is a minimum that staff must buy. Mr. Conkling stated that he would prefer having them run through the computer rather than buying them from a stationer.

15. Web Site Approval.

Mr. Stoliker stated that the Board has already approved the web site, alternative number 1.

**FOR BOARD INFORMATION:**

1. March 5, 2003 Black Arroyo Watershed Management Plan Update from Clint Dodge.

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

2. February 28, 2003 Letter to Shannon Eubanks Regarding Northern Meadows.

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

3. March 6, 2003 Approved Task Order for HJC Bridge Concept Design.

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

4. Letter of Thank You for Resolution of the Easement MOU Along Paseo Cesar Chavez, from Claudia Smith, PZA for the Village of Corrales.

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

5. Proposal #1 for Proposed Bond Projects.

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

6. March 12, 2003 Letter to Tony Abbo Regarding NM528 Drainage Pipeline Inspection Comments.

Mr. Stoliker stated that this is contained in the Board 's packets. He stated that SSCAFCA got notification yesterday of a potential claim against 528 project by the



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contractor. The claim is not in the Board ' s packets, but he needs to speak to Mr. Metzgar about it. The contractor is claiming that because of some information SSCAFCA provided during the bid project on the Library Pond, it affected the construction. The contractor is asking for \$45,000.00. It will take a couple of weeks to work out the issue. The State Highway Department is denying the claim unless SSCAFCA agrees with it. Mr. Stoliker stated that he is very adverse to agreeing with it. This will be brought to the Board next month after he and Mr. Metzgar have discussed it more.

**OTHER BUSINESS.**

None.

**ADJOURNMENT.**

A motion was made by Richard Deubel and seconded by Donald Rudy to adjourn the meeting. It was carried unanimously. Meeting adjourned at 4:10 p.m.



RICHARD DEUBEL  
Secretary

DATE APPROVED:

MARK CONKLING  
Chairman, pro tem

