

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF JANUARY 16, 2015
BOARD OF DIRECTORS REGULAR MEETING

CALL TO ORDER.

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

ROLL CALL OF DIRECTORS.

Directors in attendance were John Chaney, Mark Conkling, James Fahey, Steve House, and Michael Obrey. Charles Thomas, Executive Engineer, Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

ANNOUNCEMENTS.

An announcement was made by James Fahey that all electronic devices needed to be turned off during the meeting and that the microphones are voice activated.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by James Fahey.

APPROVAL OF AGENDA.

A motion was made by Mark Conkling to approve the Agenda as presented. It was seconded by John Chaney and passed unanimously.

ACTION/APPROVAL OF THE MINUTES OF DECEMBER 19, 2014 AND JANUARY 2, 2015.

A motion was made by Steve House to approve the Minutes of December 19, 2014 and January 2, 2015 as presented. It was seconded by John Chaney and passed unanimously.

PUBLIC FORUM.

None.

STAFF REPORTS.

Executive Engineer:

1. Action/Acceptance of Resolution 2015-5 Sponsorship for a Transportation Alternatives Program Application and Maintenance Commitment.

Mr. Charles Thomas presented Resolution 2015-5 to the Board. He stated that SSCAFCA has submitted for FHWA funds as part of the Transportation Alternative Program for an extension of the trail system that is beginning on the Black Arroyo Project. This covers the trail system from Lisbon and Southern and moves north to Tulip Road along the Lisbon Channel. This will require a match by SSCAFCA if it is awarded the federal funds. One of the requirements is a commitment from SSCAFCA that it will provide that match and commit to maintain the project after it is built.

A motion was made by John Chaney to approve Resolution 2015-5 as presented. It was seconded by Mark Conkling.

Roll call vote: John Chaney, yes; Mark Conkling, yes; James Fahey, yes; Steve House, yes; Michael Obrey, yes. The motion carried 5-0.

2. Action/Acceptance of Resolution 2015-6 Support and Commitment to Fully Fund and Complete the Alberta Road Drainage Improvements.

Mr. Charles Thomas presented Resolution 2015-6 to the Board. He stated that this is similar to the resolution just approved. This is required by the Department of Homeland Security and Emergency Management in support of the subgrade agreement from the Federal Emergency Management Agency for funds to complete the Alberta Road improvements. SSCAFCA is slated to receive about \$1.15 million from FEMA. SSCAFCA is required to provide a 12.5% match on this project and they cannot be federal funds. The County and the City are aware of SSCAFCA's role in this project.

A motion was made by John Chaney to approve Resolution 2015-6 as presented. It was seconded by Mark Conkling.

Roll call vote: John Chaney, yes; Mark Conkling, yes; James Fahey, yes; Steve House, yes; Michael Obrey, yes. The motion carried 5-0.

3. Presentation on Alternative Ways for Flow Gauging.

Mr. Charles Thomas stated Gerhard has been investigating alternate techniques to supplement SSCAFCA's gauges. Mr. Gerhard Schoener stated that gauging is used to calibrate the hydrologic models, which are ultimately what SSCAFCA's facilities are based on; damage assessment after storm events; FEMA reimbursement or when seeking outside funding; for the MS4 Permit; and it

can be used for early warning systems, but SSCAFCA does not use it in this way. Probes that are about a foot long are contained in a housing and they measure the pressure in the channel in which they are installed. This can be converted to inches or feet of water. For each of the sites a relationship between height of water and flow is developed. The probes take a reading every five minutes and the measurements can be taken on discharge over time. The cost of the probes vary quite a bit. The pressure transducer itself is about \$1,400. The housing varies based on what it is made of, whether it be pvc or steel pipe. If the installation is done in house or using on call contractors, it is between \$1,500 and \$3,000. The USGS charges \$5,000 for installation of one of the gauges.

Mr. Schoener stated that staff has come up with the idea of using time lapse cameras. The idea is to mount one of these onto an existing structure and during a storm event markings painted on a facility can be observed. The cost of the cameras comes out to about \$200.00 each. At night, the camera has an infrared flash that is invisible. The images are black and white at night, but they are still fairly visible. These cannot be used for early warning systems. They are slightly higher maintenance because someone has to go and download the images and change the batteries. They might also be slightly more prone to vandalism. The advantages are portability, the low cost and visual confirmation of the data. The idea is to deploy several for the next monsoon season in the Montoyas Arroyo. They also have a motion sensor so they will take a picture if they are triggered. They could be housed in locking mailboxes, which are big enough for the camera and a battery pack.

4. Discussion of Army Corps of Engineers' Visit with Lieutenant Colonel Dagon.

Mr. Charles Thomas stated that on January 8, 2015, SSCAFCA had a visit from Lieutenant Colonel Dagon, who is the commander of the Albuquerque office of the Albuquerque Corps of Engineers. There are several different levels of contact with the Corps, the most common being permitting for SSCAFCA's projects. The Corps also gets involved with protection of endangered species. It is also responsible for funding of flood control facilities, most of which are very large. SSCAFCA has submitted a regional study to the Corps for determination and funding using the Paseo del Volcan alignment. The first project on the list is the Venada Dam structure. The Corps requires a cost to benefit analysis. The potential driver using Paseo del Volcan and looping around from I-25 to I-40 was a very significant piece of infrastructure to maintain and protect so it is incorporated into the project. With the opportunity to use Paseo del Volcan as an embankment structure allows SSCAFCA to seek out and design larger facilities than normal.

Mr. Thomas stated that the first is the Venada Off Channel, which is a series of four facilities to reduce the flow below the existing box structure and protect the box structure down at 528. Currently, this structure at 528 is undersized for existing flow. The next facility is the PDV Dam, just

east of City Center. This has an approximate price tag of \$7 million. The next is an ideal location on the Montoyas a little farther out for a larger facility at a smaller cost. Essentially just building up the embankment and taking the road above the standard will provide the protection. The development has been built up around it and is already in existence. There is also a small facility identified.

Mr. Thomas stated that the Gas Company of New Mexico Regional Transfer Station provides gas service to most of northern New Mexico and connects with southern New Mexico as well. The facility is right in line with a floodway and if it should be damaged, it would greatly affect gas service throughout all of New Mexico. This is an important facility to highlight and that these facilities will provide protection for it. In total, the number on these projects amounts to about \$31 to \$35 million based on current estimates. The Army Corps could provide a 65% match for those projects, which would be about \$20 to \$23 million. Most likely, every couple of years the Corps would be able to find the funding to complete one of the facilities and then we move on to the next. The key is to get the plan adopted as a viable large project.

Mr. Thomas stated that the first step the Corps would have to do for this would be to complete a Determination of Federal Interest in which they would take the various projects, look at the cost estimates and data provided by SSCAFCA, look at all of the potential impacts and benefits, assign a cost to that, and determine if the benefit/cost ratio is high enough to warrant moving forward on the large project. In discussion with the Corps, they couldn't promise anything but if they said it was favorable that they could assign \$100,000.00 of federal funds to complete the Determination of Federal Interest during this fiscal year. It would then not be considered a new start project but would be considered a viable project and it would then become a matter of waiting for their funding to become available and then SSCAFCA would provide the match.

In response to a question from the Board, Mr. Thomas stated that the gas lines have been exposed a couple of times after serious storm events. The gas systems are very high pressure. There is a gas pipe near Lisbon that is continually exposed and actually ridden over by ATV riders. Staff would hope that the Gas Company would come in as a partner on this project as well in order to protect its facility.

Mr. Thomas stated that after their meeting in the office, they took Lieutenant Colonel Dagon on a tour of several SSCAFCA facilities so that he could get a better idea of the issues and facilities.

5. SSCAFCA Capital Project Update.

Mr. Thomas stated that the first project is the Dam 4 to 1 Project. This is the final phase of the improvements for the Corrales Heights area and is composed of two separate areas. The first is a sediment wall along the south portion of the trail system. There are three inlets along the trail where it is directly over Corrales that were overwhelmed during the July 2013 storms. SSCAFCA has completed the design to increase the throat capacity of those inlets and is also putting small enclosures around them on the eastern side to protect them from sediment. A wall was also installed on the western side to keep the sediment on the hillside from impacting the trail as well. There should not be a similar breach as happened in 2013.

Mr. Thomas stated that the second project is the Harvey Jones, Phase II, for the work being completed east of Corrales 448. During the Spring 2014, SSCAFCA was able to remove the sill and complete the reconstruction of the lower portion of the channel and excavate a flood pool which worked very well through the Summer. The entire project was not able to be put out to bid before last year's monsoon season so the project is now back out for bid for the remainder. The project will take the lowered grade, which is below the floor of the channel, and create a trapezoidal channel. That work began two weeks ago. The contractor is breaking up the concrete and taking out a significant amount of steel from the bottom of the channel. The contractor's current time frame for completion is the end of March. SSCAFCA has had one complaint come in from the neighbor to the north regarding sound and vibration. As part of the project, the contractor is required to do vibration monitoring and to have done a pre-survey of any structures in the area. The contractor is assessing the home to address the complaints and identify whether or not this project has created any problems with the home. It is not anticipated that there will be any problem with the walls of the Harvey Jones channel. The design engineers ran this project through a structural evaluation to determine what the impacts were, not only in the project itself but when you cut through the channel and unload the rebar that crosses from wall to wall to make sure that those elements are protected. When the channel was cut in the earlier project they were required to unload the walls on the outside to make sure they weren't negatively impacted. In this section of the channel, they are far enough away from the walls that there is no impact anticipated.

Mr. Thomas stated that the Lower Montoyas project will be the creation of a sediment detention facility and recreating the two areas that SSCAFCA has ownership of and putting in a green infrastructure style facility. That project went out to bid last week and staff hopes to bring a low bidder at the February Board meeting for approval.

Mr. Thomas stated that there is a fully funded project for installation of a trail network from Southern along Black Arroyo Wildlife Park essentially to 19th and Westside to provide connectivity, along with a large pedestrian bridge crossing at Maggie Cordova. That project has been

bid twice. The first bid costs came in significantly higher than was budgeted. The project was restructured to include additional elements into an additive alternate phase. SSCAFCA did receive a significantly higher number of bids the second time around, of which the lowest three bidders were within the budget for the basic project, which is the trail and bridge system. The first bidder had not pre-qualified with NMDOT; the second bidder had not completed their Office of Equal Opportunity Program paperwork; and the third bidder also had not pre-qualified with NMDOT. All three of the bidders were deemed non-responsive. The fourth bidder was outside of the budget. At this point, after two failed bids, the Procurement Code allows any public agency to go to direct negotiation for a contract. However, NMDOT has not been able to confirm this reading of the Code. There is some discussion going on and he is hopeful that it can be resolved this afternoon on whether or not they would require SSCAFCA to go out to bid a third time or if SSCAFCA can go to direct negotiations. If SSCAFCA has to go out to bid a third time it should not be complicated but it will add an additional three weeks to the process because of the federal funds.

Mr. Thomas stated that the next piece is the Black Arroyo Phase II. During the process with the MRCOG, as they go through assigning federal funds, there have been times when certain agencies who have been awarded funds run into difficulties meeting the timelines. This happened a few months back where Bernalillo County was unable to expend some monies by the March 15 deadline, so that funding source was put out to the rest of the members of the MRCOG to see if anyone had a project that could move forward quickly. Since all of the environmental and archaeological clearances had been completed for the entire area, SSCAFCA had a project that would qualify and received an additional \$350,000.00 worth of funds to complete a second leg of the trail that will cross the Lisbon Branch of the arroyo and connect to the trail system where the larger bridge crosses at Maggie Cordova. The design will be completed by March 15th, which is the FHWA deadline.

Mr. Thomas stated that the Alberta Road Project is proceeding after SSCAFCA successfully acquired a parcel which will allow SSCAFCA to convert the pond to a detention facility and run the pipeline through the parcel along Acapulco and down Alberta to the existing drainage facility to the Dulcelina Curtis channel. This is the project that SSCAFCA has received FEMA funds for and also capital outlay funds. With the work completed by the City, the project savings can go into additional elements along the main stem of the project. Hopefully SSCAFCA will receive the grant agreement from FEMA within the next month or so. The design has already been completed and approved by the City of Rio Rancho, so it's just a matter of putting the project out to bid.

Mr. Thomas stated that, moving up 528, SSCAFCA is currently in the process of working on a small arroyo that comes down out of SAD 8. As the arroyo comes down, JPR Gravel filled in the arroyo which has created a flooding impact in the area. As a result, the flooding comes

back and impacts properties on the north. It is a small enough project that is most appropriate for a local jurisdictional project. The Town of Bernalillo has acquired capital outlay funds for those improvements and has asked to partner with SSCAFCA to run the project since SSCAFCA has done a preliminary design for the solution.

Mr. Thomas stated that Patchogue Road has received significant damage. The downstream side has degraded because it is receiving clean flow from the Mariposa Subdivision. This is resulting in about a 20 foot drop and eating into the roadway. This is a high risk area and the project was submitted to FEMA for funding. FEMA approved it and that project is currently under design right now. It is anticipated that it will go to construction within the next couple of months. The proposed project will divert the flow rather than going where the pipeline currently sits and will move slightly to the south and avoid the rock pile. It will bring the outlet down to the current level of the arroyo.

Mr. Thomas stated that the final project in progress, which will move forward after the monsoon season, is the Upper SLO Dam facility. SSCAFCA is requesting capital outlay support at this location. It is about a 48 acre foot detention facility. This project will protect the CNM campus. In order to get the number of buildings in place for CNM, the arroyo is a significant impact on that. Just by cutting the flow to a third of what it was will free up four acres from the LEE line impact. They have talked with CNM about putting in some small bank stabilization elements to further narrow the LEE line to free up additional property. It is possible that SSCAFCA will receive some funding support from the Legislature. SSCAFCA has also submitted an application to the Water Trust Board for additional funding. That determination will be made during this Legislative session and SSCAFCA should have an answer in April. The campus will bisect the arroyo. CNM anticipates putting in a number of crossings over the arroyo. By reducing the flow to a third of what it was reduces the infrastructure costs to CNM and CNM has shown an interest in using the natural arroyo system as part of an outdoor laboratory setting for classwork.

Fiscal Services Director:

1. Recognition/Acknowledgment of the Fiscal Services Report for December 31, 2014.

Ms. Deborah Casaus stated that Fiscal Services Report for December 31, 2014 in the Board's packets. There was a significant jump in SSCAFCA's property tax collections in December, which is typical. Almost \$1 million came in between the operating fund and the debt service fund. Collections for the operating fund are at 2.5% higher than last year and about 3.8% higher in the debt service fund. General fund expenditures year to date through December 31 are about 26.29% of the

total budget and SSCAFCA is about 50% through the fiscal year. There were a total of 479 single family residential permits issued by the City of Rio Rancho for the year, which is identical to the year before. Interest earned on the State Treasurer's funds was at a rate of .1128% for the month of December. The Treasury Bill is yielding about .015%.

The Fiscal Services Report for December 31, 2014 was recognized and acknowledged by the Board.

2. Action/Acceptance of Fiscal Year 2014 Audit Report.

Ms. Deborah Casaus stated that staff met with its auditors in November for the exit conference. At that time, the audit report was discussed with the treasurer. That was submitted to the State Auditor's office and with the transition at that office it took a little longer than expected. SSCAFCA received final release of its audit report.

Ms. Casaus stated that in the past, the opinion that SSCAFCA received was deemed an unqualified opinion and that was the best that you could receive. There apparently was some negative connotation with that term because people didn't understand what "unqualified" meant. They then came up with a new naming system, so the new best opinion you can receive is "unmodified opinion" and SSCAFCA did receive that opinion this year. The auditor's opinion is on page 10 of SSCAFCA's audit report.

Ms. Casaus stated that SSCAFCA did require a federal single audit to be performed this year because it had over \$500,000.00 in federal expenditures this year. That opinion is found on page 72. Again, there were no material weaknesses and no significant findings related to the federal audit. This helps to obtain further federal funding in the future.

Ms. Casaus stated that typically, the worst findings you can get are items of significant material weakness and significant deficiencies. SSCAFCA received two findings this year that were considered "other matters". These do not meet the qualifications to be significant or material. The first one was related to two stale data transactions that had not been cancelled. Those totaled \$350.92. This is a state audit rule which is why there was a finding. That has been corrected and will not happen again. The next finding was that designated cash appropriations exceeded prior year available balances. When the stock market crashed, SSCAFCA had an investment at the State Treasurer's office that was downgraded. Some of those funds were set aside in a reserve fund. SSCAFCA did recoup most of those funds, however, a very small portion has not been recouped and probably won't be. This amounts to \$2,800.00. Because SSCAFCA was still receiving a statement

for those, it was included into the cash balance when the budget was prepared. The auditor says that cannot be done. That has been corrected as well.

In response to question from the Board, Ms. Casaus stated that the PERA issue did not come up in the audit itself. She did attend some training recently and PERA is still working on that calculation and will be distributing that information to the entities and the auditors. Next year, it will be a requirement to book it if it is applicable to SSCAFCA. It is something that will be required to be booked and will be kept by independent actuaries that will be hired by PERA.

A motion was made by Mark Conkling to accept the Fiscal Year 2014 Audit Report as presented. It was seconded by Michael Obrey.

Roll call vote: John Chaney, yes; Mark Conkling, yes; James Fahey, yes; Steve House, yes; Michael Obrey, yes. The motion carried 5-0.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

None.

PROPERTY MATTERS.

None.

FOR YOUR INFORMATION.

BOARD OF DIRECTORS REGULAR MEETING

JANUARY 16, 2015


1. Obituary for former Board Member Richard Deubel who was appointed by the Governor to serve on the Board of Directors in December 2000 and served through January 2005.

OTHER BUSINESS.


- Next Regular Board Meeting is on Friday, February 20, 2015 at 9:00 a.m.

ADJOURNMENT.

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



MARK CONKLING
Secretary



JAMES FAHEY
CHAIRMAN

DATE APPROVED: 2/20/15