

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF APRIL 18, 2014
BOARD OF DIRECTORS REGULAR MEETING

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Donald Rudy, Chairman, at 9:03 a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were Mark Conkling, James Fahey, Steve House and Donald Rudy. John Chaney was noted as absent. Charles Thomas, Executive Engineer, Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

ANNOUNCEMENTS.

Announcements were made by Donald Rudy 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 Donald Rudy.

APPROVAL OF AGENDA.

A motion was made by Jim Fahey to approve the Agenda as presented. It was seconded by Steve House and passed unanimously.

ACTION/APPROVAL OF THE MINUTES OF MARCH 18, 2014.

A motion was made by Steve House to approve the Minutes of March 18, 2014 as presented. It was seconded by Jim Fahey and passed unanimously.

PUBLIC FORUM.

None.

STAFF REPORTS:

Executive Engineer:

1. Action/Acceptance of contract renewal with Murray, Montgomery & O'Donnell (MMO) for Lobbyist Services with a requested increase.

Mr. Charles Thomas introduced John O'Donnell. Mr. O'Donnell stated that last week SSCAFCA representatives visited with federal agencies in Washington, DC to discuss its programs. Last year, between the NMDOT and the Federal Highway Department, \$600,000 in funding was provided to SSCAFCA for the Harvey Jones Channel. There is an arroyo safety project through FEMA for about \$125,000 and about \$4.6 million worth of grants pending right now that include the Montoyas Bank Stabilization, the Alberta Road drainage, a Rain Gauge Network, Lomitas Negras, Phase II and the Patchogue Road Improvements. SSCAFCA also has projects with the Corps of Engineers of about \$325,000. The Saratoga Dam Feasibility Study is \$150,000; the flood damage control along the Venada Arroyo is another \$150,000 for a feasibility study; and Mr. Thomas had discussed with the Albuquerque District Office about initiating a regional sediment control project which will be \$25,000. In 2007, Congress passed the Water Resources Development Act which is a Corps of Engineers project authorization bill. There was a three state project authorized but never funded which was called "The Rio Grande Management Plan". There have been two recent meetings to come up with a budget justification for this Plan so that it can be moved from a study of the Rio Grande in those three states to a construction project program. They are talking about getting \$15 million authorized for the three states, but because Congress did away with earmarking, this is the way the staff does it now. If it funded, the money would not be seen until FY 2016. It means that because flood damage construction and eco-damage restoration would be projects that would qualify for this money, they are trying to position SSCAFCA to get funding for some of the projects it will have on its agenda in the 2016-2017 time-frame.

Mr. O'Donnell stated that last year they also did work on the MS-4 Permit. The approach made last year to EPA, and reinforced this year, was that SSCAFCA doesn't want the permittees to be trapped when the permitting people talk to them about how the permit will be implemented and then the enforcement people come along without any prior involvement and they have concerns. In the meeting last week, the assistant administrator for the EPA who handles government affairs was there, and the Chief of the Water Permit Branch and others were there and it was agreed that Dallas will convene a meeting here with the enforcement and permit people along with the 17 jurisdictions.

Mr. O'Donnell stated that they have developed a pretty good relationship with FEMA and this relationship needs to be developed further. On this recent trip, it was suggested that they talk with the National Fish and Wildlife Foundation, the Natural Conservation Service, the Department of Agriculture and the Bureau of Reclamation. The reason for these meetings is that the Bureau of Reclamation has a grant for a water efficiency project. Mr. Thomas stated that the Well 17 project provides an opportunity to capture the water and reuse it for surface irrigation. Mr. O'Donnell stated that this is one of those programs that has fallen victim to the earmarking moratorium. Members of

Congress that come from rural areas make use of this because they deal with farmers. For years, this money was earmarked for projects but they haven't been funded now since 2010. However, a Congressional delegation can start looking at the budget when it comes up for appropriations and they can push to have program funded. This program, because of its flood control elements is something that should be sought.

Mr. O'Donnell stated that a gentleman from Senator Udall's office will be here next Tuesday for two reasons. One is to visit the facilities and get a little more briefed in what SSCAFCA does. The other is to have a conversation about a drought relief bill that Senator Udall is interested in introducing. He has an innovative storm water management bill. The drought in the Southwest is starting to drive things in Washington. Senator Udall wants to ensure that New Mexico is not pushed to the side by the California Senators who have a tendency to push to fund California only.

Mr. O'Donnell stated that they did discuss with the federal highway people about Paseo del Volcan. Mr. Thomas had mentioned that along that alignment there will be flood control features. The TIGER Program which was originally authorized in the Stimulus Program has now become a feature every year in appropriations and is also part of the Highway Bill. They are looking at more work on this as the road becomes more designed. SSCAFCA could probably go in with partners for a grant because there must be a local contribution. Mr. Conkling stated that multiple outcomes could mean transportation because the road is built, flood control because the road helps with flood control and drainage, and a park that is adjacent to the road. So there are three things for the money instead of just one. The more partners and the more sources of funding, the easier it will be to get the funding. Mr. O'Donnell stated that education is an element of SSCAFCA's mission and could be included in another aspect of the grant. He stated that SSCAFCA should have a listing of its priorities in terms of surface transportation program reauthorization to get them thinking about flood control and transportation.

Mr. Rudy stated that their relationship with SSCAFCA has been for just over a year and he's wondering why they are coming for an increase already. Mr. O'Donnell stated that he'd never done a flood control district before. Most of his work is for water utilities and cities. He wasn't sure what could be accomplished. Given the success that SSCAFCA has had with him on board, it's not an outlandish amount of money and at the same time this isn't going to be an annual thing. What he did was move the number to where it should have been a year ago before he started working for SSCAFCA. Mr. Rudy stated that it sounds like it's a restructuring of the contract since it's bigger than was initially thought, as well as the opportunities. Mr. Fahey stated that he would like to continue the contract because the experience has been extremely positive.

Mr. Thomas stated that, from his perspective, doors have been opened that would not have been opened without the assistance of the firm, particularly in Washington, DC. In the presentation with the Federal Highway group, they presented information on the Black Arroyo Wildlife Park Concept. The individual in charge of the Transportation Alternative Program was very interested and excited by the program and expressed interest in using the project as a highlight for them to document the success on a national level. He is happy with the response SSCAFCA has been able to get from MMO.

A motion was made by Jim Fahey to accept the contract renewal as presented. It was seconded by Mark Conkling and passed unanimously.

2. Presentation on Calabacillas Dam Conceptual Design.

Mr. Charles Thomas stated that in the process of developing the Calabacillas Watershed Management Plan in concert with AMAFCA, SSCAFCA has identified several locations for facilities where the alignment for Paseo del Volcan matches quite well with a proposed facility. One of the largest is the Calabacillas at the Paseo del Volcan dam. SSCAFCA contracted with Bohannon Huston to scope out the design. He introduced Craig Hoover from BHI.

Mr. Hoover stated that the objectives were driven by Paseo del Volcan. The idea was to take advantage of the future alignment and embankment for PDV where it crosses the Calabacillas north of Northern and use it as the embankment for a future flood control dam. They also looked at the grading for both the embankment and the flood pool, the sizing of the outlet works for the dam with the objective of reducing the inflow down to about 1,000 cfs to mitigate downstream flooding. They used a hydrologic model provided by SSCAFCA for their analysis. They also developed costs for the facility.

Mr. Hoover stated that the project is located on the main stem of the Calabacillas. The dam would be located on the upstream side of the roadway crossing of the arroyo. The profile of the roadway dictated the layout and the grading for both the embankment and the flood pool. This section has a design speed of 65 miles per hour which gives a sag vertical curvature of 157, which dictates the shape of the profile which dictates the shape of the emergency spillway. The roadway is intended to be the spillway for the dam. Upstream of the embankment is the flood pool with a drop structure that conveys the flow from the arroyo into the pool. This structure has dikes that ensures that the water doesn't flank the drop structure. This is needed to primarily ensure that a headcut does not happen upstream because the depth of the pool is about 20 feet lower than the existing bed of the arroyo. The grading in the pool is such that there is about a one-half % slope positive drainage from the drop structure

to the outlet works. The outlet works are envisioned to be an 8 x 10 concrete box culvert with an orifice plate. The orifice plate is a refinement to get the flow down to the 1,000 cfs. The box is large enough that you can get the maintenance equipment in to clean it out as needed.

Mr. Hoover stated that the elevation is 5,866; the peak inflow is a little over 5,000 cfs. This is a detention facility and the peak flow will be delayed by about two hours. The facility is almost 500 acre feet. The time to drain it after it reaches peak stage is 25 hours so it is well within the State Engineer's requirement to drain it in 96 hours. The green on the slide is what SCAFCA currently owns and the purple is the right-of-way SCAFCA will need to obtain. The majority of the lots are on the upstream side, but there are a few lots that would need to be acquired on the downstream side for the emergency spillway.

Mr. Hoover stated that the two primary features of the facility are the drop structure and the emergency spillway. They have planned both of them as soil cement structures that would be made of soil cement lifts of eight feet wide and a foot thick. They would be stacked one on top of the other. There are benches and steps that dissipate the energy of the flow as it flows over and then a basin that slows it down and causes a hydrologic jump to slow it down before it goes into the downstream channel.

Mr. Hoover stated that additional considerations are that they did not include any future utilities in PDV in the design, such as water lines. They also identified the need for a water quality facility, but that was not included at this stage. If the roadway was constructed and no excavation of the pool was done, SCAFCA would accomplish about 165 acre feet of storage just by building the embankment and having the natural arroyo behind it. It is estimated that if 300,000 yards is excavated, that would accommodate the requirements for existing conditions. They talked about how it is logical to phase it and construct it as development occurs in the watershed and as it is needed to be built out. The entire storage will not be needed from day one. Even when PDV is built there will probably still be portions of the upper watershed that will not be developed. It is logical to phase this construction and will give SCAFCA the opportunity to work with developers in the area. There will be a large amount of excess material that will be waste and it may become a resource to the developers which could cut the cost.

Mr. Hoover stated that they estimate the project at about \$24 million. This includes a 25% contingency for tax, design and construction, observation and management. The largest component of this is the earthwork. There is about one million yards of excavation with about a third of it going to build the PDV embankment. This does not include the land acquisition costs, nor the water quality facility.

Mr. Thomas stated that there are some other locations upstream where SSCAFCA may be incorporating some off channel facilities and other structures. This was the first one that has been fully flushed out. There are other opportunities for flow reduction. Mr. Conkling stated that he believes that the facility is too big and that there are probably better opportunities upstream. In response to a question from the Board, Mr. Thomas stated that the playas generally run parallel to the main stem of the Calabacillas on the east side.

3. Action/Acceptance of Resolution 2014-06 to Proceed with final acquisition of property for the North Hills Stormwater Diversion Facility.

Mr. Charles Thomas stated that staff is in the final acquisition process and have completed negotiations with several of the property owners. SSCAFCA can't build the facility, however, until it has all of the property. This resolution will authorize staff to proceed with all the authority necessary to obtain the property needed. There is a conceptual design that has been completed on this facility.

A motion was made by Jim Fahey to accept Resolution 2014-06 as presented. It was seconded by Steve House.

Roll call vote: Mark Conkling, yes; Jim Fahey, yes; Steve House, yes; Donald Rudy, yes. The motion passed 4-0.

4. Action/Acceptance of Resolution 2014-07 Board of Directors Election.

Mr. Charles Thomas stated that this is the Resolution for the Chairman's position on the Board that is now up for election. This will authorize proceeding with the election process.

A motion was made by Jim Fahey to accept Resolution 2014-07 as presented. It was seconded by Steve House.

Roll call vote: Mark Conkling, yes; Jim Fahey, yes; Steve House, yes; Donald Rudy, yes. The motion passed 4-0.

5. Development Review.

Mr. Charles Thomas stated that most of the items are fairly small, such as summary plats, etc. One key item that did come in is final approval of the drainage study for the Salocito

Subdivision. This is a large subdivision in the Edinburgh Planning Area that will be served by the new sewer line that the City is installing. It is another success story relative to the drainage concept plan that was put together several years ago. The Edinburgh Facility Plan was developed and signed off on at the time by all of the developers who held land in the area. So far, all of the individual developments have continued to honor that agreement and propose structures that are in line with the concepts that were approved in that original plan. Another key item is the Loma Colorado Tres Colinas Unit 2 and is the last piece of development that will be happening in the Loma Colorado area. That final plat has been approved and is moving forward. The only other item that is worth noting is that there is a car wash being proposed on the corner of 528 and Westside Boulevard. Staff's initial concern was that it seemed to be located in the middle of a flood control facility. Upon further investigation, it turns out that that facility was rendered obsolete many years ago by drainage features that have been put in place.

Fiscal Services Director:

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

Deborah Casaus presented the Fiscal Services Report for March 31, 2014 in the Board's packets. She stated that property tax collections are coming in pretty much as expected and SSCAFCA is at 64% of the budget, which is consistent with prior years. General fund expenditures year to date are about 34% of the total budget and SSCAFCA is 75% through fiscal year 2014. The cleanup costs for fiscal year 2014 amount to about \$3.3 million to date. Most of that is accounted for in the construction fund at this point and SSCAFCA is still dealing with FEMA to get reimbursement for those expenditures. About 25% is in the general fund at this point. There were 45 single family residential permits issued by the City of Rio Rancho for the month of March. This is about 7% higher than last year. Interest earned on the State Treasurer's funds was at a rate of .103 for the month of March.

In response to a question from the Board, Mr. Thomas stated that between 75% and 87% of the reimbursement funding will come in from governmental entities. About 75% of the funding will come from the federal government and then the state has the opportunity to provide an additional 12.5% reimbursement. The difference is that the state's funds are limited. All of staff's dealings with FEMA have been very positive and he is hopeful that SSCAFCA will receive the money. SSCAFCA has gone through about half of the individual facility reimbursement requests for the small storm that happened in July and has received the first check for \$14,000 this past week. All of the invoices were tracked by facility.

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

2. Action/Acceptance of Fiscal Year 2015 Preliminary Budget.

Ms. Deborah Casaus presented the 2015 Preliminary Budget. They are estimating the general fund property tax revenue to be just over \$2 million. This assumes that SSCAFCA's mil levy remain the same at .828. The total assessed value is estimated at \$2.5 billion. This is about a 1% increase over last year. The County is still working on the notices of value. At this point, this is a reasonable, conservative guess. Staff will have clearer numbers as they get into the final budget. There will be a new budget analyst at the DFA this year as well but it is unknown who that will be. The preliminary budget needs to be submitted to the state by June 1st. A cost of living adjustment is included in the budget of 1.5% for all personnel. This is consistent with the CPI. Overall, the personnel budget is down about \$13,000 from fiscal year 2014. This was done by shifting around positions and staff taking on new responsibilities. The health and dental insurance benefits is seeing a small increase, but is very manageable. Health insurance will see a 2% increase and the dental rates will increase about 4.7%. All the healthcare providers remain the same. There is no change in the Retiree contributions. Last year, the employee contribution to PERA was increased. There is an increase on the employer's side this year of .4%. These changes are based on changes in the legislation. The operations and maintenance is funded at \$800,000 and includes sediment removal, large storm cleanout (\$450,000) and general O & M costs. Improvements and fencing are funded at \$225,000. General fund reserve will stay the same at \$750,000. Property tax revenue is estimated at \$3,023,000 and this assumes a debt service levy of 1.248, which is also the same as fiscal year 2014. The construction fund budget assumes a carryover of \$2.9 million which is mostly made up of bond funds from 2011 and 2012 issue. When they bring back the final budget, they are hoping to budget back in the FEMA reimbursement in this area. The Budget Committee has met on this preliminary budget.

A motion was made by Steve House to accept the preliminary budget as presented. It was seconded by Jim Fahey and passed unanimously.

Environmental Services Director:

Mr. Gatterman stated that he would like to give updates on the projects in reverse order than is listed on the Agenda.

1. Update on Harvey Jones Channel Project.

Dave Gatterman stated that Phase I of this project includes the excavation of the pond and removal of the soil cement apron at the end of the channel. Work commenced on April 10th and the work is about 75% complete. Work should be completed by April 24th. The work is being done by PG Enterprises under the on-call contract and is costing about \$182,000. This element of the project is funded by the legislative appropriation received in 2012. The rip rap can be re-used so there should be a reduction in the cost of disposal. Phase II of the project will be the concrete invert and this project is currently out to bid. One addendum will need to be issued to clarify a couple of items in the plans and that will go out today. Bid opening is scheduled for April 22nd at 3:00 p.m. Hopefully, a Notice to Proceed will be issued by May. This will depend on the NMDOT process because SCAFCA is using the FHWA funds. Any difference will be made up by SCAFCA bond funds.

2. Update on Lomitas Negras Phase 1 Project.

Dave Gatterman stated that SCAFCA entered into a contract with Salls Brothers in early April. The project was funded from a legislative appropriation and a grant from the Water Trust Board. The construction cost associated with this project is \$1.2 million. The Notice to Proceed was issued on April 14th. The contract duration is 60 days to substantial completion and 75 days to final. This should land in the middle of June for substantial and then totally cleaned up and out by July 1st. There are five soil cement check dams going in and a sediment pool being excavated at the mouth of the Dulcelina Curtis Channel. The sediment storage capacity on this facility is approximately 60,000 yards. The contractor is currently engaged in earthwork at check structure 1.

3. Update on Lomitas Negras Phase 2, task-order for Design Memorandum with Smith Engineering.

Mr. Dave Gatterman stated that the objective of this project is a stabilization of the Lomitas Negras Arroyo from NM 528 west to Saratoga Road. They are looking at bank protection, grade control, hydraulic improvements at the 528 crossing, along with some other miscellaneous items. The funding for this project will be the remainder of the legislative appropriation, a grant from the Water Trust Board and potentially a FEMA hazard mitigation grant. A design memorandum will be done for this part of the arroyo. A task order is being prepared for the design memorandum. It will look at a conceptual design for a bunch of different ideas, develop drawings, develop some models and evaluate them individually. A final model will then be prepared for improvements. The cost for this will run about \$43,000 and the expected start date for the task order is approximately April 28th. Mr. Thomas stated that this project is being funded by the 2011 and 2012 money received from the legislature.

Administrative Services Director:

1. Update on Education Programs.

Ms. Catherine Conran stated that she was going to give an update, but one of the educators who was going to bring a live owl that is used for presentations was unable to make it today. This item was removed from the Agenda for this meeting.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

Mr. Rudy stated that the MRCOG Water Board met last week and they are in the process of beginning a review and update of the State's Water Plan. They are putting together a committee in order to direct, lead and manage that. He is participating in this steering committee and will keep the SSCAFCA Board updated on that. Both AMAFCA and SSCAFCA are involved because they are impacted by the programs.

BOARD OF DIRECTOR'S COMMENTS.

None.

PROPERTY MATTERS.

None.

FOR YOUR INFORMATION:

BOARD OF DIRECTORS REGULAR MEETING

APRIL 18, 2014

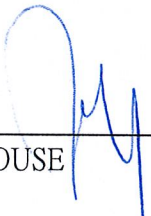
1. Rio Rancho Observer article, "SSCAFCA launches \$1.2 million flood project", (4/16/2014).

OTHER BUSINESS.

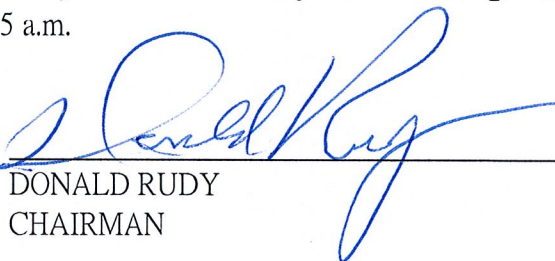
- Next Regular Board Meeting is on Friday, May 16, 2014 at 9:00 a.m.

ADJOURNMENT.

A motion was made by Jim Fahey and seconded by Steve House to adjourn the meeting. It was carried unanimously. Meeting adjourned at 10:35 a.m.



STEVE HOUSE
Secretary



DONALD RUDY
CHAIRMAN

DATE APPROVED: 4/18/14