

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF NOVEMBER 18, 2016
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.

Mr. Charles Thomas stated that there was a change to the Agenda as of this morning. The applicant for Item H.4, Action/Approval of Resolution 2016-16, Venada Arroyo ROW Exchange, has requested that it be withdrawn at this time.

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

ACTION/APPROVAL OF THE MINUTES OF OCTOBER 21, 2016.

A motion was made by Mark Conkling to approve the minutes of October 21, 2016 as presented. It was seconded by Steve House and passed unanimously.

PUBLIC FORUM.

None.

STAFF REPORTS.

Executive Engineer:

1. Discussion of Election Results.

Mr. Charles Thomas stated that SSCAFCA had two election items on the ballot on November 8, 2016. The first was passage of the bonds for \$21 million, which did pass with 62% voting for the bonds. From the analysis of the process, it appeared a high percentage of early votes for passage were cast, with a smaller percentage passing on the actual election day. SSCAFCA had support through the bond education package and the Flood Control, Yes package. The hospital mill levy actually failed, and there was a concern as to whether the voters would distinguish between the two voting items. The other item affecting the Board directly were the two director positions up for re-election. James Fahey and Steve House did win re-election for another six year term. Mr. House received 41.6% and Mr. Fahey received 32.5% of the vote. Mr. Thomas stated that all of SSCAFCA's local legislators in Sandoval County were re-elected, with one exception. Representative Paul Pacheco apparently lost re-election, but the current status of that vote is very close, and there will be a recount.

Mr. Craig Hoover, of Bohannon Houston, stated that the bond committee had pledges of a little over \$10,000, and the committee spent about \$8,600 on advertisement. He stated, assuming the remaining pledges come in, that the committee will have some excess funds, and he asked if there was a charity or organization to whom to give the money. Mr. Fahey stated that he did not believe that SSCAFCA could do that. Mr. Metzgar stated that there are specific rules regarding a committee of this kind, but he'll have to look it up.

2. Action/Approval of 2017 Legislative Capital Outlay Priorities.

Mr. Charles Thomas stated that the new legislative session will be a 60 day session. The senate gained a larger democratic majority, and the house flipped to democratic control. As part of the capital outlay sweep in the special session, the funding issue remains unresolved for the current fiscal year because it is not yet fully funded. The prognosis for the upcoming fiscal year is pretty grim. If there is capital outlay for the upcoming year, the number will be around \$60 million, which is half of what was available last year. Staff has identified two projects that should move forward if the funds become available.

Mr. Thomas stated that the first project is Saratoga Dam. This is half of the project, which is the upper portion just above Saratoga Drive. The idea is to create an off-channel peak storage

facility to capture the peak flow from the Lomitas Negras Arroyo so there is no overtopping at Saratoga Drive. There is a high potential for multi-use of the facility considering it will not receive first flush waters so there will be a built in safety mechanism and the facility could be used as open space. The second half of the project will include a site on the north side of the arroyo just to the south, and is very low lying and is in the flood plain. A significant percentage of material from Phase I can be put into the site at Phase II and it can then be raised out of the floodplain. An arroyo stabilization will be done on the north and south sides. At the base where the ordinary high water level will be will be hardened shotcrete, or something similar, but above that it will be stabilized with seeded slopes.

Mr. Ron Reder, a member of the public, asked if the arroyo floods into the low area at high flows and if there would be a scour problem on the bottom of the arroyo. Mr. Thomas stated that currently, this portion of the property does get inundated and the flood plain extends past both banks. The final channel will be sized to handle the full flow. With the reduction in the flow, it will reduce the scour depth and the energy. Grade control structures will be put in as part of the project so that vertical control of the channel is not lost.

Mr. Thomas stated that currently the total construction cost is \$5.4 million, including the design. Staff is in the process of obtaining a FEMA grant through the Hazard Mitigation Program for \$4.1 million, which requires a 25% match. This would require SSCAFCA to provide \$1.3 million in local match. Right now, the status is awaiting completion of the approval of the environmental report, which is out for 30 day public notice. Once that is back and approved, they will move forward with distributing the money from the state. There is the potential that a portion of the \$1.3 million could be incorporated into the grant itself so the total amount of match that will need to be provided by SSCAFCA is not known yet. Staff has already discussed with other entities in the area about partnership opportunities to help close the gap.

Mr. Thomas stated that SSCAFCA has essentially received approval of the HMPG Grant. SSCAFCA has acquired all critical right-of-way for the project. The hydrology analysis is complete. The permitting is in progress. The archaeological and environmental services have been completed and are out for review. The Army Corps permit is in progress, which will most likely be a regional permit that will reduce the amount of time for that permit to proceed. SSCAFCA cannot engage that permit process fully until the design process is further along. The design should take nine months to a year. Staff is working on it now.

Mr. Thomas stated that the second project is the Cactus Ponds Project. This is a series of ponds that will correct a drainage issue adjacent to the Callabacillas Arroyo. There is a large basin that trends significantly up toward Paseo del Volcan. All of that flow drains down into a community

of individual homes. The maximum flow is about 1,100 cfs. All of the homes are at grade, and in some cases, the roads have turnouts that direct storm flow into the property. There is no curb and gutter. It is a significant risk and is hidden because there is no incised channel. This project was submitted for funding to FEMA under the Pre Disaster Mitigation Program. SSCAFCA was successful in obtaining the “accepted for further review” category. The environmental and archaeological report is under submittal to FEMA. Once that has been approved, that is the last piece needed to guarantee the funding to be granted. The plan uses the natural environment as much as possible. The total project cost is estimated at a little under \$1.9 million. The grant is about \$1.4 million, which is 75% and will require a local match of \$468,000. The Department of Homeland Security has the option to provide some or all of that match. Currently, SSCAFCA has put in about \$268,000 for right-of-way, site investigation, and preliminary design. The Denton, Texas, office was excited about the “green” infrastructure elements that SSCAFCA had incorporated into this project and they weighed significantly on their determination to approve the project. The grant is informally approved, and all the critical right-of-way has been acquired, and the analysis of the hydrology is complete. There is a significant flow that comes in from the east side that does not impact these homes, but it impacts the basin to the east. It is flat where the flow goes and it is unclear where it might impact the project. SSCAFCA is completing a two dimensional hydraulic analysis of the area to identify where it might come into the project to see if there is any significant impact. It is not anticipated that it will impact this project, but this will help define other drainage improvements that might be needed in a future project. The permitting is in process, the archaeological and environmental survey is underway. SSCAFCA has had the Army Corps out to investigate the site and it has determined that it is not a Waters of the U.S., so SSCAFCA will not need an Army Corps Permit for this project. The preliminary design of the project is also complete.

Both projects bring significant benefit to the public and the funding received for construction will bring money into the local economy. These projects are pretty much ready to go once the funding is received. The controversy regarding the difference in definition of U.S. Waterways is ongoing. The complication with the Saratoga project is the timing. SSCAFCA will want to be careful on when construction is started because main structures could be unfinished during the monsoon. At this point, because of the timing for the project, it is most likely that the Saratoga project will begin at the end of 2018 and that the Cactus Ponds project will begin first.

A motion was made by Michael Obrey to approve the 2017 Legislative capital Outlay Priority list as set forth by Mr. Thomas. It was seconded by Steve House and passed unanimously.

3. Action/Approval of Resolution 2016-15 Authorizing a Water Project Fund Grant Agreement with the New Mexico Finance Authority for Rainbow Pond.

Mr. Charles Thomas stated that this was a project that was submitted to the Water Trust Board last year. In the process of that evaluation, SSCAFCA was successful in receiving a recommendation for an award of \$877,000 toward completion of the Rainbow Pond Project. The current cost estimate for that project is at \$1.2 million, however, it is currently under value engineering and the cost could be reduced. This Resolution 2016-15 authorizes SSCAFCA to enter into that agreement with the Water Trust Board and tap into those funds when construction of the project begins around the end of the 2017 monsoon season. This is a straight grant agreement, and SSCAFCA will use some of its remaining past bonds to pay for any remaining amounts owed.

A motion was made by Mark Conkling to approve Resolution 2016-15 as presented. It was seconded by John Chaney. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Steve House, yes; Michael Obrey, yes. The motion passed 5-0.

4. Action/Approval of Resolution 2016-16 Venada Arroyo ROW Exchange.

This item was removed from the Agenda.

5. Action/Approval of Resolution 2016-17 Authorizing the Assignment of Official Representatives and Signatory Authorities for Bosque de Bernalillo (Capital Outlay A2300).

Mr. Charles Thomas stated that this is related to the capital outlay grant received during last year's legislative session. This is a first flush water quality drainage control project located on the Coronado Arroyo downstream of Sheriff's Posse Road. The multi-use elements were removed from the project in response to concerns expressed by some members of the public. The access path will remain because of the need to get vehicles into the area for maintenance. The funding for this grant requires that signatories for the funding be determined in advance of the signing of the grant agreement, which is the purpose of this Resolution.

A motion was made by Mark Conkling to approve Resolution 2016-17 as presented. It was seconded by John Chaney. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Steve House, yes; Michael Obrey, yes. The motion passed 5-0.

6. Action/Approval of Bohannon Huston, Inc. Task-order for Guadalajara Road Drainage Phase 2.

Mr. Charles Thomas stated that in 2007, SSCAFCA received capital outlay funding to complete the lowest portion of the Guadalajara Basin. This area is very similar to the Alberta Basin. This will be more of a traditional drainage system with paved roads, curb and gutter, and drainage which keeps the water in a pipe system. This project will tie on to the upstream end of Guadalajara Phase I and complete this basin. There are some smaller improvements that could be completed upstream, but this is a good place to stop which is just north of Saratoga Drive. This task order will take the plans and specifications to full design so there will be a completed plan at the end of this project. Funding agencies continually want more detail from the project agency before approving projects. However, agencies are at risk at starting projects before the funding source is known. In this case, staff feels that this project has strong opportunity for funding through FEMA. Part of the task order will be to develop the hydrology elements that are needed to complete a benefit cost ratio for this project. With FEMA, if you can establish that you have a positive benefit/cost ratio, and there are no environmental concerns, then it is just a matter of waiting for the funding cycle to reach the project. This flow will go down into the Guadalajara existing drainage system downstream from 528 and eventually to the river. It will consist of one detention pond just upstream of Guadalajara Phase I termination, which will be a soft lined facility with gravel mulch. It will receive input from Saratoga Road and Acapulco Road. The hardened elements will consist of reinforced concrete pipe under the roadway. Craig Hoover, of Bohannon Huston, stated that the length of roadway is approximately 4,500 feet and Mr. Thomas stated that there is no way to avoid the installation of piping. SSCAFCA will most likely turn this project over to the City of Rio Rancho for operation and maintenance once completed.

A motion was made by Mark Conkling to approve the task order as presented. It was seconded by Michael Obrey. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Steve House, yes; Michael Obrey, yes. The motion passed 5-0.

7. Development Review.

Mr. Charles Thomas stated that the approval of the construction plans for the Living Word Church/Montoyas Arroyo Slope stabilization has been deferred. SSCAFCA is still working with the engineer to ensure that the improvements to the channel are adequate and constructable.

The next phase of the High Range Subdivision, Unit 4, is currently slated for construction. Comments were provided to the City of Rio Rancho. There were no significant drainage elements associated with that subdivision, so staff provided some comments, but none of them were requirements for the project, merely recommendations. The City has approved it and it is moving forward.

The Paseo Gateway Drainage Management Plan Amendment has recently been approved. This is a very large development with AMREP doing a portion of it that is adjacent to Cleveland High School. There was some significant planning put into it and it is still State Land Office property. There is some movement from local developers and they did propose some changes to the local methodology outlined in the First Drainage Management Plan. Staff reviewed those to insure that the drainage issues were being adequately addressed, which they are, so staff recommended approval. It has been approved and is moving forward.

There was a site plan approved at the north end for satellite parking, Lot C, and for stockpiled storage and drainage at Idalia and 528. This was a project that was the result of the improvement of Idalia Road, which is now opened. A lot of the excess material was disposed of on this property, and the property was significantly impacted because it was below grade. The material brought it up higher in grade. It was required in order to pass drainage from the judicial complex to the existing pipe system. That has been approved and is moving forward.

There was a grading and drainage plan for Solida Del Sol, Phase II, Lots 110 and 115. SSCAFCA was involved in this project in Corrales because they were changing the nature of the drainage into one of SSCAFCA's ponds. They adequately addressed staff's comments and that has been approved.

Environmental Services Director:

1. Action/Authorization of Selection/Agreement for the Black Arroyo Trail Construction Phase II to the lowest bidder once review by funding agencies has been completed.

Mr. Dave Gatterman stated that the status of this project is that the bids were opened on November 10, 2016. Staff is currently in the process of having the bids reviewed by the New Mexico Department of Transportation. They have provided a significant amount of funding for this project. SSCAFCA received three bids on the project. The low bid was from Star Paving at \$381,093.50 for the base bid; the next bidder was Vital Consulting at \$465,487.00; and the last bid was from HO Construction at \$479,933. There were two alternatives included with this project. The first one was a concrete deck across the Lisbon Channel, and the second was fencing along the east edge of the project. For the low bidder, the concrete deck was \$6,500 and the fencing was \$8,730. Staff is requesting authorization to proceed with contracting with the lowest responsive bidder subject to NMDOT approval. The project is being funded primarily with New Mexico Department of

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Transportation Alternative Program funds of \$351,000. The balance will be funded by SSCAFCA bonds. There will also be a grade control structure put at the bottom of the Lisbon Channel as part of the base project.

A motion was made by Mark Conkling to approve the selection/agreement as presented. It was seconded by John Chaney. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Steve House, yes; Michael Obrey, yes. The motion passed 5-0.

OTHER COMMITTEE REPORTS.

Mr. Chaney stated that the Quality of Life Committee is going to have staff create a map with all the existing trails in the jurisdiction and what needs to be done to complete the trail system. Mr. Thomas stated that the first draft of the main map is essentially completed. Staff is trying to clean up the map now and they should have a final version available for review at the next Quality of Life Committee meeting. Once the preferred alignment is decided, then staff will move forward with working with jurisdictional partners to be sure that they are aware of the system and to develop a plan of action. SSCAFCA would prefer for the other entities to have operation and maintenance of the trail system because SSCAFCA is a flood control authority and not a parks and recreation department.

Mr. Conkling stated that SSCAFCA's strengths seem to be Quality of Life and Education with regard to getting information to the public about flood control facilities.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

1. Discussion of Board Meeting Schedule.

Mr. Fahey stated that the Executive Committee members have been discussing ideas about how to get SSCAFCA more well known. One of the ideas brought up was to have its Board meeting at a later time in the day. The second was the idea of rebranding. The third idea was, as SSCAFCA does projects and identifies those companies who are doing the projects that this information be released to the public to show that SSCAFCA is contributing to the economy of the area.

Mr. Chaney stated that Board meetings were moved to the morning because people were fresh and could focus on the ideas being discussed. Mr. Conkling stated that it didn't seem to make

any difference on the audience size if the meeting was held in the morning or later in the day. Mr. Thomas stated that staff's recollection is that public attendance at the Board meetings is more driven by flooding or rainfall events that might be happening in the area rather than the actual time of the meeting itself.

Mr. Fahey asked if anybody had a problem with releasing more information with regard to what SSCAFCA is doing in the community. Mr. Conkling stated that the more information that SSCAFCA can release, the better, because it gets the information to the public. Getting the information to the public about how much SSCAFCA saves when it receives a grant can only help raise public awareness about SSCAFCA's stewardship with the public's money. Mr. Conkling stated that the things that should always be included in a press release is how much money SSCAFCA received from grants, etc., the infrastructure improvements and how they relate to the rest of SSCAFCA's infrastructure, and how many jobs were created by the project.

Mr. Ron Reder, a resident of Corrales, stated that in terms of getting SSCAFCA more widely known, it might be wise to consider getting involved in social media, such as Twitter, etc. It is another way of getting information out, especially to the younger generation.

Mr. Thomas stated that SSCAFCA does have a grant through FEMA for an arroyo safety program that staff is in the process of producing several videos and educational curriculum for K-8, and high school. Part of this is providing some form of app or electronic product to allow either early warning or education of safety elements to be available on cell phones.

Mr. Fahey stated that another idea might be to keep "SSCAFCA" but get away from "Southern Sandoval County Arroyo Flood Control Authority." This is part of a rebranding of SSCAFCA. Mr. Conkling stated that the way that SSCAFCA teams up on projects with other entities in the area is also a good thing to publish.

BOARD OF DIRECTOR'S COMMENTS.

None.

PROPERTY MATTERS.

None.

FOR YOUR INFORMATION.

Mr. Charles Thomas stated that in response to the issue of contract renewals by the Board, and the potential complicating factor of the date of approval of the contract renewal and the date of the meeting, the Executive Committee felt that it might be more prudent and efficient that, if the on-call contracts that come up for renewal are not requesting any changes, that they be renewed administratively by the Fiscal Services Director and notification be made to the Board in this "For Your Information" heading as shown below. Obviously, contracts where changes are being requested would still be brought before the Board for approval.

1. The following General Landscape and Maintenance contracts have been renewed with no changes for the third year:
 - Heads Up
 - Santiago's Native Landscaping, LLC
 - Black Forest Tree Service
2. Corrales Comment article, "SSCAFCA Bond Race," (10/23/2016).
3. Rio Rancho Observer Article, "\$21 Million Flood Control Bond up to Voters," (11/05/2016).
4. Corrales comment article, "New SSSCAFCA Drone Monitors Stormwater," (11/05/2016).
5. Rio Rancho Observer article, "Three Seek 2 SSSCAFCA Directors' Positions," (11/05/2016).
6. Rio Rancho Observer article, "Ballot Question: SSSCAFCA Flood Control Bond Issue," (11/06/2016).

OTHER BUSINESS.

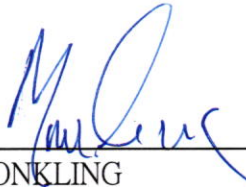
- Next Regular Board Meeting is on Friday, December 16, 2016 at 9:00 a.m.

ADJOURNMENT.

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With no further business, Mr. Fahey declared the meeting adjourned. Meeting adjourned at 10:25 a.m.



MARK CONKLING
Secretary



JAMES FAHEY
CHAIRMAN

DATE APPROVED: 12/16/16

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