

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF OCTOBER 21, 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.

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

ACTION/APPROVAL OF THE MINUTES OF SEPTEMBER 23, 2016.

A motion was made by Mark Conkling to approve the minutes of September 23, 2016 as presented. It was seconded by Michael Obrey and passed unanimously.

PUBLIC FORUM.

None.

STAFF REPORTS.

Executive Engineer:

1. Legislative Update.

Mr. Charles Thomas introduced attorney Larry Horan. Mr. Horan, SCAFCA's legislative lobbyist, stated that the legislature convened in a special session on September 30, 2016. This was called to deal with the budget shortfall for FY16 and the pending budget shortfall for FY17. The Constitution requires a balanced budget for the state, so they had to act. What finally pushed them into calling the special session is because Moody's was going to look at downgrading the bond rating for the state. All 112 legislators are up for re-election this November, and they are prohibited from fund raising while they are in session, so they were dragging their feet on a session and looking at the issues. The special session was limited to what the Governor calls for the session. In addition to the budget matters, the Governor also put a slew of crime bills on the special sessions call. There was some hot button political issues on the session. The crime bills were introduced, along with the budget shortfall. They swept money from state funds, swept money from public school capital outlay funds, and did a swap from severance tax money. Some of the projects had been funded with general fund or operations money, and they swapped those with some severance tax money. They had to sweep back money from projects that had been approved but work had not yet begun on them. They also had a tax package with some fixes which freed up some money, and also cut some state agencies and universities. The Senate passed its entire packet of budget legislation while the House was discussing the crime bills. The House worked throughout the week and heard crime bills and budget bills. The one with impact to SCAFCA is the capital outlay sweep bill. They looked at capital outlay projects funded in the 2014 session and didn't have a notice of obligations signed on these projects. SCAFCA had the Alberta Project on that list. The Notice of Obligation had not been signed by the imposed deadline prior to the special session. Nobody was notified by the state agencies about the deadline, but there was a meeting on September 20th where they decided that any project that didn't have a signed Notice of Obligation prior to September 9th was going to be put on the sweep list. When the legislation was passed, the Alberta Project was on the list. In a special session, there is limited opportunity to make changes to the legislation. Once SCAFCA found out that the Alberta Project was on the list, staff took action to find out why the project was on the list. Because the legislation that contains the sweeps is an appropriation bill, the Governor has the authority to line item veto pieces of that legislation. Staff started working on providing information to the Governor's office and to SCAFCA's legislative sponsors that this project should not have been put on the sweep because the project is ready to go and was simply a matter of timing and waiting on some obligations from the state. The contract has been signed and the project is ready to proceed. Now, SCAFCA is waiting for information from the Governor's office to see if this project has been removed from the legislation by line veto.

Mr. Horan recommended that SCAFCA continues with its plan to identify a project that can be finished for the upcoming regular session, and continue to look at the reduced amount of money under the assumption that money will be available. This is the second time in the past six or seven years that they have used a sweep like this if there is a budget shortfall, so spending money as

quickly as possible on projects is important. The upcoming regular session may still have a budget shortfall that they will have to deal with. The projected revenue for FY18 is \$5.7 billion, so there is probably another \$500,000,000 short in funding and the Governor will not sign any tax increase legislation. They did not cut any public education funding, but they cut most state agencies by 5%. In the past, they had over \$1 billion available for capital outlay projects. This was right before the downturn. But recently it has been no more than \$220,000 million for projects. Part of their sweeps included money going to the Water Trust Board, the Colonius Infrastructure Fund, and the Tribal Infrastructure Fund. All of those funds were reduced by 1% what they will get off the top.

In response to a question from the Board, Mr. Horan stated that SSCAFCA is one of a very small handful of entities that had money on the sweep list that were ready to start the project. The majority are entities where the money has been sitting and nothing had been done on the project.

2. Presentation on Rebranding.

Mr. Charles Thomas stated that when efforts were started to put out materials for the upcoming bond election, part of that entailed developing a brand recognition.

Ms. Patti Watson, of CWA Strategic, stated that a brand is more than a logo or a tag line. It is the total of how the organization is received. It is influenced by everybody who comes into contact with SSCAFCA. The brand has a mark, which is a logo, the typography surrounding the logo, and sometimes there is a tag line. If a brand is well known, you can leverage that brand to get more funding, and more recognition. It is time to rebrand when one or more of your competitors develops a brand just like yours, when you change course (offering different or expanded services), or if you feel that your old brand is just a little dated. She went over a few recent companies that just rebranded. You make a new brand successful by continuing to offer amazing services and roll it out to stakeholders before you roll it out to the public. You have to make the brand work across traditional and social media platforms. You want to test your new brand, and develop a plan. A couple of considerations on whether to rebrand include reviewing the equity you already have built up in your current brand, why now is the time to change, is it a wise investment, and what are you trying to accomplish. If SSCAFCA goes forward with rebranding, it would want to get input from staff and check on key competitors, set up a time table, review mission and vision, and do a test run with several looks and color palettes. Rebranding is something that takes some time and should not be done immediately. You want to check copyrights and make sure that there is no conflict.

Mr. Conkling stated that one of the biggest problems SSCAFCA has is that nobody knows who SSCAFCA is, regardless of its logo. Many people don't even know why a flood control

authority is needed because of the lack of rain. Education of the public is key. Mr. Chaney stated that SSCAFCA has been trying the education angle for many years and it hasn't paid off well in terms of public recognition. He suggested keeping the logo and changing the name to "Flood Control Authority." Mr. Conkling stated that there is some advantage to people not knowing who you are when you appear as a first responder in emergencies and solve the problem. He is not sure how important it is for people to know who SSCAFCA is except for bond election time. Mr. Fahey stated that it is important because you're asking for their money. He stated that he would rather spend the money on education rather than rebranding. Mr. Chaney stated that it wouldn't have to be done all at once, it could be done in tiers. Ms. Watson stated that SSCAFCA could look at areas that the Board would like looked at too, instead of focusing on everything all at once. In today's world, the simpler, the better because of how people are bombarded with information through electronic devices.

Brad Summerall, with Weston Solutions, stated that this discussion has been going on rather consistently in the West for the past few years. A trend that started to develop is a lot of authorities similar to SSCAFCA are changing their name to a watershed management authority. The reason is because of the emphasis and the scrutiny on the water quality side associated with water runoff. There is a larger mission beyond public safety, but the water quality aspects are part of that mission as well. There is nothing that will change to make it easier to manage storm water quality. Ms. Watson stated that this could come back to expanding the mission and the public's perception of what SSCAFCA does. Mr. Conkling stated that when the EPA came out and said it was a watershed management district and have other entities as partners, it seemed that there was a natural division of responsibility between AMAFCA and SSCAFCA. If SSCAFCA does invest in a brand, it should be distinct. Mr. Chaney suggested that Mr. Thomas talk with staff to see if they can come up with a consensus for a brand and that it be brought back to the Board.

3. Presentation on Bond Election Materials.

Ms. Patti Watson introduced Mario Sanchez. Mario Sanchez, of CWA Strategic, stated that the outdoor ads went up at the beginning of October. There is one board at 528 and Rio Rancho Boulevard and the other by Unser and Westside. There is a total impression count of nearly ½ million during four weeks. The mobile campaign has been going very well. They are getting weekly stats and have had nearly 18,000 impressions on the mobile campaign. The direct mail was sent on Wednesday to 30,000 households. They are keeping everything as simple as possible to get brand recognition and message penetration. They have been chasing absentee ballots every day since October 12th. To date, about 3,800 people have requested an absentee ballot. About 1,000 have returned their ballots. They inserted 23,500 newspaper inserts in the Rio Rancho Observer and 28,000 in the Journal West. They took the strategy of putting a listing of priority projects, but did not get too

specific with where the money was going to go. The autodial started up yesterday. The next one scheduled is for election day. If one is needed between now and then, he might set one up. The wording is different for each one. SSCAFCA will be near the end of the ballot so the ad campaign needs to continue to election day.

4. Capital Project Update.

Mr. Charles Thomas showed a map of SSCAFCA's upcoming projects. The projects are defined by where SSCAFCA has flood control needs. There is no one location that has more problems than anywhere else. There is Campus Dam, Black Arroyo Waterpark Phase II, the Bosque de Bernalillo Project, Alberta Road Phase II, and the Acapulco Road Improvements, Calle Baack Improvements, Lisbon Channel, Rainbow Pond, Corrales Heights Dam access improvements, Cactus Ponds and Upper Bosque de Bernalillo. With the bond election coming soon, identifying new projects coming up, these new projects that have been funded partially with existing bond funds that are coming to a close from funding from the previous bond election in 2008.

Mr. Thomas stated that Campus Dam was recently completed in August 2016. The total cost on it was a little over \$1.8 million. It is important to note that SSCAFCA received \$975,000 from the Water Trust Board and \$375,000 from legislative capital outlay, and SSCAFCA also received significant assistance and partnership on this project as well.

Mr. Thomas stated that the Alberta Road Phase II Improvements did receive the award of the construction contract and SSCAFCA received its Notice of Obligation from the NMDOT on the capital outlay funds dated September 23, 2016. And then, the following week that the notice came that the money was being swept away. As Mr. Horan stated, it is hoped that this will still be funded by the Governor's line item veto. If so, it should be completed by May 2017 with a total cost of \$1.5 million. The Department of Homeland Security also provided some funds for part of the match. If that capital outlay is lost, it will leave a hole to complete the project, but it is possible that SSCAFCA can fill the gap, but only at the expense of other projects. He stated that the Acapulco Road Improvements Project is a supplemental project associated with these improvements. Acapulco Road is just south of Alberta Road where the storm drain goes through. The area further south is a steep slope as it continues south. One of the concerns was the longevity of the improvements put in due to the erosion that could occur. The secondary project will extend the paving and curb and gutter upslope to provide a more permanent barrier. This will provide an additional layer to insure that money spent as part of this project will not be negatively impacted by off-site flows. That secondary project is around \$100,000.

Mr. Thomas stated that the Black Arroyo Wildlife Park Phase II project will add a trail loop to the existing system that extends from Southern to Unser. The plan is to add a third bridge across the eastern leg of the Black Arroyo and another trail loop toward Maggie Cordova Elementary School. The cost for this project is around \$400,000 and SSCAFCA received \$350,000 from the Federal Highway Administration. This is through SSCAFCA's membership in the COG and is obtained through prioritization of projects by that organization. In addition to providing safety for the public in not having to go down into the arroyo, Mr. David Gatterman stated that as part of this project SSCAFCA will be putting in a grade control structure so there will be flood control benefits and stabilization of the channel. Mr. Thomas stated that the grade control structure will be where the bridge crossing is, so it will double as buttressing protection for that bridge as well. This project is currently being bid and the bid opening is November 10, 2016.

Mr. Thomas stated that the Calle Baack Drainage Improvements Project is being done in partnership with the Town of Bernalillo. The design is completed and being prepared for bid. SSCAFCA is waiting on the NMDOT to complete the approval process to allow SSCAFCA to move forward with bidding. SSCAFCA and the Town have been working together to obtain all the utility certifications. Everything else is ready to go. If the certifications can come in soon, that project can be bid and hopefully completed by this summer. The cost is roughly \$375,000. It was a legislative capital outlay of \$353,000, which was granted to the Town of Bernalillo, who partnered with SSCAFCA, and who is acting as the lead entity on the project. In response to a question from the Board, Mr. Thomas stated that this is just on the northern stretch on 528 before it gets to the commercial development below 550. There is an existing arroyo channel that drains from the City of Rio Rancho into the Town of Bernalillo that goes into an area that is occupied by a commercial enterprise, which has changed some of the nature of the drainage, and it backs up and impacts some local private properties during a flood event. This project will remove the problems and improve the intersection of Calle Baack as it comes into 528 because of how the crossing was originally built.

Mr. Thomas stated that the Bosque de Bernalillo project is also being partnered with the Town of Bernalillo. This project is a water quality, first flush treatment project on the Coronado Arroyo as it comes out of that same area just a little farther south. The arroyo that takes that flow to the Rio Grande picks up a lot of the commercial debris and contaminants. The idea is to bring it off into a small meander system to reduce the velocity and allow the materials to drop out or be captured by screening. The expected completion is August 2017, with a cost of roughly \$700,000. SSCAFCA did receive a legislative capital outlay funding in the amount of \$345,000. Currently, with this project, SSCAFCA went through some design revisions on some open space elements that are being taken out of the project based on concerns from the residents in the area. Taking those improvements out of the

project should reduce the cost somewhat (\$30,000 to \$40,000), but those improvements were not significant cost items.

Mr. Thomas stated that the Rainbow Pond Project is currently in design. The expected completion is Fall of 2017, with a current cost of about \$1.3 million, of which SSCAFCA received \$877,000 from the Water Trust Board to cover a portion of the costs of the project. This project will also remove a significant amount of the flood plain from the lower Rainbow Watershed, which is just to the west of SSCAFCA's building. With the nature of the watershed being very narrow, the ability to provide impact farther downstream increases in terms of the beneficial impacts, and he believes there will be a significant reduction in the impact to the flood plain.

Mr. Thomas stated that the Lisbon Channel Improvements project is currently in design. It is expected to be completed in the Winter of 2017, at a cost of about \$600,000. Again, a majority of this cost was received from funds through the FHWA Transportation Alternative Program. The Lisbon Channel, from Southern Boulevard north to Tarpon is a significantly incised channel and is hemmed in on both sides by existing development. There is no easy way to get in there and complete repairs or maintenance of that channel. The goal is to put in an access road with access points to allow maintenance equipment to get into the channel. It can also double as a continuation of the trail system.

Mr. Thomas stated that the Corrales Heights Dam Access Improvements are also currently in design. This involves two separate projects, one an educational component and one an operational and maintenance component. There is currently a trail that is on an escarpment above Corrales that goes to where the Corrales Heights Dam is located. SSCAFCA will be extending a spur of that trail system downslope to the base of the dam, which will be used for SSCAFCA's maintenance crews to access the area. In addition, it will serve as a spur to allow the Village of Corrales to extend a bike path up to Rio Rancho and provide additional connectivity. The second half of the project is a trail spur on a piece of property that extends into Corrales at the top of the escarpment. It has limited drainage functionality, but the hope is to put in a rain water harvesting demonstration project there.

Mr. Thomas stated this year SSCAFCA submitted two applications to the Pre-Disaster Mitigation Program (PDM) with FEMA. This is a national competition. There were over 130 projects that were submitted for \$90 million that was available. One of the projects is the Cactus Ponds, which is near Northern Boulevard and the Calabacillas that has a significant drainage issue. This was identified as a project that needed further review by the PDM. SSCAFCA has provided the response information and it is going forward and continuing to be evaluated. This project is going through review in Denton, Texas, which is where this region gets reviewed. SSCAFCA has also talked with FEMA headquarters in Washington, DC regarding this project. The second project is the Upper

Bosque de Bernalillo project. The arroyo upstream of Sheriff's Posse Road is significantly impacted and is less than a foot deep where the bank of the arroyo is compared to the flow. The potential for breakout is significant. One of the aspects of the PDM is that there is a statutory state minimum for each state. Projects that are submitted that are under that total, which is \$575,000, do not have any direct competition nationally. This project was rejected based on their technical review with concerns of the feasibility and the cost effectiveness of the project. It was staff's opinion that they made some incorrect assumptions when they looked at the data that was provided, so staff provided corrected comments back to FEMA and requested an appeal and SSCAFCA is waiting to hear back. Should FEMA decide to not recognize the appeal, staff has identified the concerns and it can be submitted to next year's PDM program. The key factor for most of the projects is to have a benefit to cost ratio that is higher than 1.0. In this case, the project benefit had to exceed \$545,000 in total benefit. They calculate that based on reduced damage to impacted homes, and other infrastructure, as well as other factors. Erosion is not a tremendous problem with this project, the problem is the depth of the arroyo and the propensity of that storm flow to break out of the channel and impact homes in the area. Staff is working on how to convert the erosion control into a calculable format to include as a benefit.

Fiscal Services Director:

1. Recognition/Acknowledgment of the Fiscal Services report for September 30, 2016.

Ms. Deborah Casaus stated that the Fiscal Services Report for September 30, 2016 is in the Board's packets. Property tax collections for the first three months of the fiscal year are just ahead of last year, but it still includes the tail end of 2015. SSCFACA is about ½% higher than the previous tax year. General fund expenditures through September 30 are at about 13%, and SSCAFCA is currently 25% through fiscal year 2017. Taking out the large storm cleanout item, it is about 15% total expenditures. The City of Rio Rancho had 37 single family residential permits issued for September which puts it at 452 permits for the calendar year 2016. Last year there were 448 permits total, so this is about 36% above last calendar year. Interest earned on the State Treasurer's funds was at a rate of .398% for the month of September. The U.S. Treasury bill is at .325%.

The Fiscal Services Report for September 30, 2016 was recognized and acknowledged by the Board.

2. Action/Acceptance of Contract Renewal With Bond Counsel Modrall, Sperling, Roehl, Harris & Sisk, P.A. with no requested changes.

Ms. Deborah Casaus stated that she is asking for acceptance of a contract renewal with bond counsel, Modrall, Sperling, Roehl, Harris & Sisk with no requested changes. This is the first renewal of that four year contract.

A motion was made by Mark Conkling to approve the contract renewal with Modrall, Sperling, Roehl, Harris & Sisk as presented. It was seconded by Michael Obrey and passed unanimously.

3. Action/Acceptance of contract renewal with Maid Brigade for Janitorial Services with no requested changes.

Ms. Deborah Casaus stated that she is asking for acceptance of a contract renewal with Maid Brigade for Janitorial Services with no requested changes.

A motion was made by John Chaney to approve the contract renewal with Maid Brigade as presented. It was seconded by Mark Conkling and passed unanimously.

Field Services Director:

1. Update on facility maintenance.

Mr. James Service stated that SSCAFCA is approaching the post monsoon cleanup time. He showed pictures of some facility cleanups done already. The only pond left to do in Noerthern Meadows is Flat Iron Pond. Northern Meadows is taken care of. Enchanted Hills is mostly done, but they are going to do some improvements on Enchanted Hills Dam 1. There is some excess sediment causing pooling. Once it dries out it will be reshaped to design. Dirt will not be put onto the school property. It will probably need to be hauled to the dump. There is a lot of organic material that is part of it and it is not suitable for use. The trail in Black Arroyo has been completed. There is some minor erosion problem that is being taken care of. The West Side Channel has already been cleaned. Gateway Pond needs to be revisited, as well as the Black Dam Water Quality Feature. All of Cabezon Channel and Tract 17 Pond have both been cleaned up. There was some discussion regarding the riding of ATVs in the arroyo. Roskos Field is done, except for a trash pick up. Tree Farm A has been re-habbed, with all the large vegetation out. Urban Pond C is in good shape. They are re-doing a portion of the soil cement weir in Urban Pond B. Urban Pond A has been cleaned out and operating well. The piece above Patrick Marquez's house that was redesigned has been redone by repairing the berms and cleaning up some trash. The newly constructed water quality feature at the Lower Montoyas is doing great. The Harvey Jones channel looks really good. It needs to be cleaned

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out from the bridge to the outlet leftover from the monsoon season. The Lomitas Negras project worked extremely well during the monsoon and they moved close to 18,000 yards. Sportsplex is pretty much done, but he's going to do one more piece of fence that should close it completely. He kept the silt fence on the steep part of the hill to keep the ATV guys off of it. After the fence goes up, he'll take the silt fence down.

In response to a question from the Board, Mr. Thomas stated that staff has recommended to the City to use a bank stabilization technique similar to what has been completed upstream from Sportsplex on the City's FEMA bank stabilization project. He believes that it is under evaluation right now by the City. Mr. Service stated that the bottom half of the Venada has been cleaned up. People had been dumping couches in the arroyo. Mariposa will be cleaned up soon. Most facilities performed really well during the monsoon. There is a meander problem in an arroyo that is getting outside of its LEE line and he'll get in there and provide some protection for that. In Tributary K they built up a stretch to force the water in its normal path. They have been getting some complaints on easements, which are easements that SSCAFCA got when it did the swap with AMREP. A lot are through older, built up neighborhoods. It was a lot of older people who walk in the area, and it was getting to the point where the flow was unable to get into the easement.

OTHER COMMITTEE REPORTS.

Mr. Chaney stated that the Quality of Life Committee met and there is no map that shows all of the trails in the jurisdiction and which trails meet other trails and where more effort needs to be put in the future. Staff will prepare that map and it can be presented to the Board and try to work on an enhanced trail system that will tie together in the future.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

None.

PROPERTY MATTERS.

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1. Action/Acceptance - U07, Blk 56, Lot 20; U07, Blk 57, Lot 1; U08, Blk 48, Lot 18 - 4.0 acres - Yucca Pond.
2. Action/Acceptance - U08, Blk 42, Lot 3; U08, Blk 48, Lots 6-7 - 3.0 acres - Calabacillas Playa 5.

Mr. Charles Thomas stated that it is necessary to obtain these properties for the Yucca Pond and Calabacillas Playa 5 projects as discussed.

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

FOR YOUR INFORMATION.

None.

OTHER BUSINESS.

- Next Regular Board Meeting is on Friday, November 18, 2016 at 9:00 a.m.

ADJOURNMENT.

With no further business, Mr. Fahey declared the meeting adjourned. Meeting adjourned at 10:50 a.m.



STEVE HOUSE → *Mark Conkling*
Secretary



JAMES FAHEY
CHAIRMAN

DATE APPROVED: 11/18/16