

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF OCTOBER 17, 2014
BOARD OF DIRECTORS REGULAR MEETING

CALL TO ORDER.

The regular meeting of the SSSCAFCA Board of Directors was called to order by Donald Rudy, Chairman, at 9:02 a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were John Chaney, Mark Conkling, Jim Fahey and Donald Rudy. Steve House was noted as absent. Charles Thomas, Executive Engineer, Bernard Metzgar, SSSCAFCA'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 John Chaney to approve the Agenda as presented. It was seconded by Mark Conkling and passed unanimously.

ACTION/APPROVAL OF THE MINUTES OF SEPTEMBER 19, 2014.

A motion was made by Mark Conkling to approve the Minutes of September 19, 2014 as presented. It was seconded by John Chaney and passed unanimously.

PUBLIC FORUM.

None.

STAFF REPORTS:

Executive Engineer:

1. Presentation of the Southern Blvd. Conveyance Options Study.

Mr. Charles Thomas stated that there have been a few elements that staff has asked Bohannon Huston to look at. There was a problem with getting the storm flow addressed in a safe manner at the intersection of Southern Boulevard and the Callabacillas Arroyo, which also intersects with a large pair of underground gas lines.

Scott Armstrong, of Bohannon Huston, stated that this is one of the on-call tasks that BHI was selected to do. The gas lines were the large constraint on the project, but there were a few others. The Callabacillas Watershed extends to the Rio Puerco in the West and, for the purposes of the project, Southern Boulevard is in the southern third of the watershed. Tributary C extends to the watershed divide and Tributary D is right there. Both of those tributaries send flows down to Southern Boulevard. These are the two main basins in the project. The data has come from the Callabacillas Watershed Park Management Plan produced by SSCAFCA, which gave BHI the base hydrology. They did some additional analysis. There is about 900 cfs in the ultimate condition and about 1,200 getting to the other location.

Mr. Armstrong stated that the culvert on the left is the one intended to accommodate Tributary C, which has 900 cfs in the ultimate condition. There is plugging going on and it's not feasible that 900 cfs will go through the culvert. Tributary D has two small diameter barrels that cannot accommodate the existing condition, let alone the ultimate condition. When the water from those two tributaries gets to Southern, it can't pass through the culverts, so the lower flows are being diverted to the east, flowing along Southern, to the main arroyo. These large events could either overtop Southern or be large enough that they could cause some high velocity and some scour conditions paralleling Southern. Either way there could be some damage to the roadway in that area. Another existing constraint is some downstream development. Ideally, they would like to put things back where nature wants them and the flow continue on its historic path, but at this point there is no way of getting the flow back without buying out that property or doing some major infrastructure to get it around those facilities. There is no platted right-of-way in that area. He stated that they wanted to determine some way to conceptually convey the water from those tributaries to the main branch of the Callabacillas in a safe manner. One of the things that dictate that is the right-of-way requirements. The goal was to reduce the flows along Southern and get them safely to the arroyo.

Mr. Armstrong stated that the first option they came up with is looking at either diversions further up in the watershed, potential ponding, or combinations of those. They looked at three different options. The original flows were at 1,200 cfs and they were only able to reduce it to

about 1,000 cfs. It would still require large infrastructure. The gas lines issue now comes into play. There are two large high pressure gas lines at the Idalia Road and Southern intersection. Both lines cross right where they want to flow to go. SSCAFCA has determined where the gas lines are located both horizontally and vertically. There is only about five feet of clearance from the first gas line to the existing ground. There is only about two feet of clearance between the gas lines. If you go underneath them, you can't outlet to the arroyo. The gas lines are a major constraint in the whole project. They then thought about upsizing the ponds that are there. That would require additional effort, but if that is part of the long term plan option, then that would be a feasible solution. The problem is, any way that they can be upsized, will still not reduce the flow at the bottom significantly. Even downstream there is a fairly significant amount of runoff so the flows reaching Southern are fairly large. Then they thought that maybe they need to divert the water to the main branch of the Callabacillas further up in the watershed. In some of those options they were able to reduce the flows significantly downstream and got to about 350 cfs. But, again, there was the problem of getting the 350 cfs to the arroyo given the gas lines constraints.

Mr. Armstrong again stated that the main constraint is the gas lines. They decided to let nature take the flows as far south as they can and look at a different outfall to avoid the gas lines approach. This is the preferred alternative. They have included a small pond, but the purpose is to gather the flows and redirect them in a safe, controlled manner. This option includes diverting the flows similar to what is going on today but the flows will be brought in north of the gas lines to avoid them. The water is being redirected. The main components are a small pond and there are four box culverts sized to accommodate the flow. The next piece is a berm with some graded, flatter slopes that might be able to accommodate some multi-use facilities. The berm channel gets directed to a concrete channel which can be more easily controlled. There would also be some outlet and bank protection as well. The gas lines are avoided and the right-of-way acquisition is minimized. The earthwork is also minimized. In some of the areas of the other options they were going to have to cut through up to 25 feet of fill. This option is only 10 feet of fill. They were also able to concentrate the improvements around the Southern Boulevard area and not have work throughout the watershed.

Mr. Armstrong stated that the hard cost for the preferred alternative is estimated at \$1.4 million. This includes the earth work, the diversion channel and the concrete channel, as well as some outfall stabilization. Given the preliminary and conceptual nature of the design, they have added some soft costs as well, which includes everything from design survey, design, investigations that are required, etc. They have identified how much land would be required for acquisition, which is about 10 ½ acres. There is no price on that right now. Without the land acquisition and adding

everything else, including the tax, it's at \$2.2 million for this project. This is the most cost-efficient solution.

Mr. Armstrong stated that there are eight foot by five foot boxes under Southern right now but they are only capable of handling about 2,000 cfs. The existing flow is at 8,000 cfs. That was one of the needs identified from the Plan. In the short term, to help facilitate the erosion and energy dissipation, they have included \$45,000 worth of outlet and bank protection that would be part of that project when the culverts are addressed.

Mr. Thomas stated that they have identified the boxes crossing Southern as an existing restriction. One of the things staff is recommending, and it would probably be County or City lead, that needs to go into an infrastructure capital improvement plan for future improvements. Hopefully, SSCAFCA could work with MRCOG and it might be an opportunity to partner, particularly if the projects can be timed together. Staff has talked to the County several times regarding the Callabacillas Watershed Management Plan. Now that they are getting to the final draft stage where all the improvements needed are in the Plan, staff can meet with the County and City people and bring them to an awareness of the drainage issues. Ideally, this is a project that can be put into a future transportation five year plan. There has not been a cost put to the improvements at Southern. Most of the development is on the east side of the Callabacillas. The development west is more scattered. Southern Boulevard is paved in this area.

In response to a question from the Board, Mr. Armstrong stated that the worst case scenario for the gas pipes is that they could become unearthed and scoured. Those pipes supply a large portion of the state. Mr. Conkling stated that the gas company might be willing to help partner in the cost. Mr. Thomas stated that following the storms last year there were a number of locations where the gas lines were actually exposed. Staff did have a representative from the Gas Company meet and they went through the plan. At that time, the representatives were not interested in any partnership. He felt that they had plenty of other issues to deal with statewide and could not invest money in this issue right now. Staff is planning to continue to meet with them and provide additional education so that the Gas Company understands the risks they are taking. The location of the gas lines is a factor that staff is considering for the HUD Resiliency Program. Now that there is actually a design concept that will resolve the flow issue at this location, staff can move forward with bringing partners to the table and moving forward with a solution.

In response to a question from the Board, Mr. Metzgar stated that the Gas Company would benefit from the work that SSCAFCA would do but there is no anti-donation problem. Seeing

if they can partner with SSCAFCA would be the best option. The reasons SSCAFCA is doing the work is not a direct benefit for the Gas Company. Mr. Thomas stated that the point of this project is not to attenuate the flow, but rather to capture it and deflect it in this area. Mr. Armstrong stated that the flows are coming from Tributaries C and D. Even if the project is implemented and the pipes are avoided, that would not address the potential concern that the flow coming down the main branch could cause problems with the pipe lines. The existing box culverts are serving as a vertical control. The land where the pipes are is under an easement by New Mexico Gas. Mr. Rudy stated that SSCAFCA is attempting to pre-empt a disaster with this project. It is unclear what SSCAFCA is capable of doing yet, but this appears to be a severe threat. Mr. Thomas stated that these are very high pressure lines and a breach could cause an explosion. Mr. Fahey stated that before SSCAFCA starts doing a lot of work, he would like to get together with the other potential partners and work something out. The impact to the state if this line does rupture in the future could be a lot of money and lots of damage.

Ron Reeder, a resident of Corrales, stated that his understanding is that the main crossing at Southern is acting as a detention pond, which has the side effect of protecting the gas lines. If the project goes forward, the flow pattern will be changed relative to that unintended detention pond. If anything goes wrong, that gas line is exposed, he is concerned of the liability for SSCAFCA with regard to whether this project caused that or contributed to it. With regard to the project itself, and the collector pond to the west of Goya Road, he is worried that it might block the culverts and result in overflowing.

Mr. Armstrong stated that there is high sediment loads when it comes down the arroyo. There are some design strategies to try to mitigate that potential. They can put in something like a separate water quality feature that is designed to take in the sediment and once it fills up the water bypasses that structure and goes down. This is something that can be implemented. Mr. Reeder stated that he was concerned about a single good sized storm if it might plug the whole structure leading to a problem. Mr. Armstrong stated that in a worst case condition, that may be a possibility. They account for bulking factors in the hydrology that include the sediment load that can come down with that 100 year storm. Mr. Thomas stated that from the past few storms, they have noted that there have been some culvert crossings that included an accelerated inlet structure that increased the velocity through the box culvert. By managing the slope, you find that the culvert is perfectly clean because it is self-scouring. This will minimize maintenance and ensures that even sediment laden flows clear culvert crossings.

Mr. Armstrong stated that the 1,200 cfs are existing flows. There is a strong argument that SSCAFCA is not negatively impacting the area. Secondly, if this project goes forward, they have accounted for some large improvements.

2. Development Review.

Mr. Charles Thomas stated that there were some minor modifications to the Rust Medical Center Drainage Report Amendment from the 500 Year Flood Plain required in order for Rust Medical Center to begin construction on the third tower, which is in process right now. SSCAFCA did approve that. SSCAFCA has received the new site plan for a new subdivision just to the west of Rust Medical Center. That is going to be directly behind the Gateway Pond Area, as well as the new medical support center. Staff has made some comments on that plan. It will have drainage facilities incorporated into it. The medical facility did on-site detention and tied directly into Gateway Pond as well.

Moving north, Mr. Thomas stated that there were a couple of small summary plats. The Stonegate Subdivision has now moved forward with their preliminary plat, which includes a drainage pond. A little to the south, the Loma Colorado Commercial Site is moving forward, along with the commercial development in that area and that drainage management plan is under review right now. The last item is a summary plat splitting Tract J into Tracts J1 and J2 up off Enchanted Hills Boulevard and 528. There has been significant development in that area. There will be another large group of department stores going in that area. The 2009 Development Process Manual was adopted jointly by the City and SSCAFCA and contains all the reporting requirements to SSCAFCA.

In response to a question from Mr. Rudy, Mr. Thomas stated that with regard to the engineering side, staff has seen some new subdivisions coming in and SSCAFCA has been involved in the initial discussions of those subdivisions. AMREP is continuing to move forward with trying to sell the lots at the remaining portions of Enchanted Hills. The housing development is proceeding on pace with the commercial development. There has been an uptick with the development and staff has been able to handle the work load. Staff works well with the City and the developers understand SSCAFCA's concerns with regard to the ponding requirements.

Fiscal Services Director:

1. Recognition/Acknowledge of the Fiscal Services Report for September 30, 2014.

Deborah Casaus presented the Fiscal Services Report for September 30, 2014 in the Board's packets. She stated that property tax revenues are pretty flat this time of year, as expected. General fund expenditures for the current fiscal year amount to about 11.35% of the total budget and SSCAFCA is currently 25% through the fiscal year. There were 59 single family residential permits issued by the City of Rio Rancho for the month of September, for a total of 416 for the year. This is a 9% increase over the same time last year. Interest earned on the State Treasurer's funds was at a rate of .112% for the month of September; the current yield on the treasury bill is .005%. She was going to have a budget adjustment for this meeting, however, staff is still working with the Department of Homeland Security on the revenues that is anticipated SSCAFCA will be receiving. They did an extensive reconciliation and there is a discrepancy of \$158,000 which staff is working with them to resolve. She will bring a budget adjustment to the Board next month.

The Fiscal Services Report for September 30, 2014 was recognized and acknowledged by the Board.

Environmental Services Director

1. Discussion of Black Arroyo Trail Construction Project.

Mr. Dave Gatterman stated that staff had hoped to have a contract on the Black Arroyo Trail Construction Project for the Board to sign at this session, however, at the bid opening on October 9th, SSCAFCA received three bids. The lowest was \$983,000 and the budget is \$795,000. The internal staff decision was to go back and work with the designers and find places to cut the project and get it back out for bid. He stated that it is a puzzle to figure out what happened and why the bids came in so high. Next week they will be meeting with the design team to see if there are some areas that can be cut from the project that won't impact the use and intent of the project. For instance, two of the three bidders had very high bids on the landscape elements. Mr. Gatterman stated that by incorporating the landscaping with the hard elements of the project, it is possible that this created the problem. Another high item was mobilization and that is a potential place to get control over the cost. By getting the landscaping portion out of it SSCAFCA will avoid any markup by the general contractor so this should help.

2. Watershed Based MS4 Permit Update.

= Close public comment period for annual report on MS4 Permit

Mr. Dave Gatterman stated that the permit has not been issued yet. SSCAFCA did receive an email from EPA saying that they wanted to go over the hydraulic annual storm model with everybody in December. For right now, it is on hold and has not posted as of today. The existing permit has been administratively extended and it was opened for public comment in the August meeting. Today exceeds the 30 days of public comment and SSCAFCA has received no comments. He requested that the Board close the public comment period so that he may submit the permit to the entities to which it needs to be submitted.

A motion was made by Jim Fahey to close the public comment period for the annual report on the MS4 Permit. It was seconded by John Chaney and passed unanimously.

Administrative Services Director

1. Action/Acceptance of Resolution 2014-19 Amendment to Personnel Policy - Health and Wellness Policy.

Ms. Catherine Conran stated that Resolution 2014-19 is an amendment to the Personnel Policy. It is the adoption of a health and wellness policy for SSCAFCA staff. This is tied directly to the cost of premiums for health insurance and puts SSCAFCA in conformance with the policy.

A motion was made by Mark Conkling to accept Resolution 2014-19 as presented. It was seconded by Jim Fahey. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Donald Rudy, yes. The motion passed 4-0.

2. Action/Acceptance to Create Real Estate Management Position.

Ms. Catherine Conran stated that this is a request to create a real estate management position. Mr. Thomas stated that although it will be adding a new position, which is estimated at \$100,000 added to the Personnel Budget on an annual basis, there is significant savings associated with creating the position. Currently, the right-of-way services internally are being accomplished through Andres Sanchez, SSCAFCA's design engineer. As such, he has been having to devote a great deal of time to property management as opposed to doing the internal design as anticipated.

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Within the current two year time frame, there is a minimum engineering services cost to take these projects to third parties. That cost is approximately \$160,000 per year. Third party consulting services for property acquisition would run about \$3,000 per individual property or easement, which would cost an additional \$219,000 per year. By hiring an additional staff person to handle the right-of-way management will free Andres Sanchez to perform the duties for which he was actually hired. This will be approximately \$67,700 of annual savings to the Budget. They are looking for a right-of-way professional or a senior right-of-way professional who is licensed.

Mr. Thomas stated that two tasks that are currently not performed by Mr. Sanchez and are not anticipated to be performed by this position is the generation of appraisals for property acquisition. It is still recommended using a third party appraisal service to ensure that it is a fair market value untainted by performing the appraisal on an internal basis. Secondly, the closing process is still handled by title companies.

A motion was made by Mark Conkling to create a real estate management position as requested. It was seconded by Jim Fahey. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Donald Rudy, yes. The motion passed 4-0.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

None.

PROPERTY MATTERS.

1. Action/Acceptance - Unit 17, Block 19, Lot 17 - 1.76 acres - Badger Dam.
2. Action/Acceptance - Unit 17, Block 22, Lot 17 - 0.50 acres - Badger Dam.
3. Action/Acceptance - Unit 17, Block 19, Lot 23 - 1.21 acres - Badger Dam.
4. Action/Acceptance - Unit 17, Block 22, Lots 18 & 19 - 1.00 acres - Badger Dam.
5. Action/Acceptance - Unit 21, Block 112, Lot 19 - 0.52 acres - PDV Dam.

Mr. Rudy stated that these properties are being acquired by SSCAFCA for the indicated projects. He asked for a motion and a roll call vote.

A motion was made by Mark Conkling to approve the property acquisition as presented. It was seconded by John Chaney. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Donald Rudy, yes. The motion passed 4-0.

FOR YOUR INFORMATION:

1. Corrales Comment article, "EPA Chief Visits Corrales for Arroyo Project", (9/22/2014).
2. Albuquerque Journal article, "RR rescue team helps in floods", (9/29/2014).

CLOSED SESSION.

Discussion of AMREP Property Purchase Proposal

A motion was made by Mark Conkling to go into closed session to discuss the AMREP Property Purchase Proposal. It was seconded by John Chaney. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Donald Rudy, yes. The motion passed 4-0.

The Board went into closed session.

REOPEN SESSION.

A motion was made by Mark Conkling for the Board to come out of Closed Session. It was seconded by John Chaney. Roll call vote: John Chaney, yes; Mark Conkling, yes; Jim Fahey, yes; Donald Rudy, yes. The motion passed 4-0.

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Mr. Rudy stated that the Board was now in open session and that the only issue discussed in closed session was the AMREP property purchase proposal.

A motion was made⁴ by Jim Fahey to accept the AMREP property purchase proposal. The motion was seconded by Mark Conkling. The motion passed 4-0 to purchase 171 acres of property covering seven future flood control facilities.

OTHER BUSINESS.

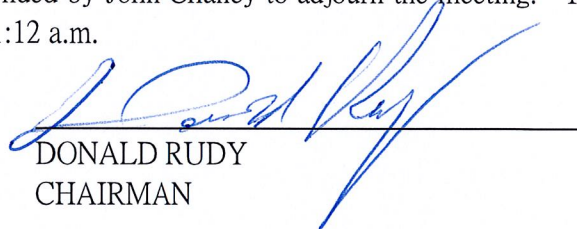
- Next Regular Board Meeting is on Friday, November 21, 2014 at 9:00 a.m.

ADJOURNMENT.

A motion was made by Jim Fahey and seconded by John Chaney to adjourn the meeting. It was carried unanimously. Meeting adjourned at 11:12 a.m.



STEVE HOUSE
Secretary



DONALD RUDY
CHAIRMAN

DATE APPROVED: 11/21/14

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