

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF MAY 16, 2019
BOARD OF DIRECTORS REGULAR MEETING**

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Michael Obrey, Chairman, at 9:03 am.

ROLL CALL OF DIRECTORS.

Directors in attendance were Michael Obrey, James Fahey, Mark Conkling and Steve House. John Chaney was absent. Charles Thomas, Executive Engineer was present, as well as Charles Garcia, attending as SSCAFCA's attorney. Members of the public were also present.

ANNOUNCEMENTS.

An announcement was made by Chairman Obrey 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 Chairman Obrey.

APPROVAL OF AGENDA.

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

ACTION/ACCEPTANCE OF THE MINUTES OF APRIL 24, 2019.

A motion was made by James Fahey to accept the minutes of April 24, 2019 as presented. It was seconded by Steve House and passed unanimously.

PUBLIC FORUM.

Mary Turner introduced herself to the SSCAFCA Board as the President of the Santiago Master HOA Board of Directors. She stated the Santiago HOA is comprised of four communities: Aldea, Alegria, Augustine and Estancias and contains 758 homes. She stated that she was addressing the Board to express the Santiago community's concern about drainage issues involving the Venada Arroyo, which is located immediately to the north of the Santiago community on the eastside of NM 528. Ms. Turner stated that the arroyo has experienced severe erosion over the past couple of years and has directly impacted two of the communities, Aldea and Alegria. Ms. Turner stated that in Aldea, the volume of erosion in the arroyo is dangerously close to the perimeter wall adjacent to the community and that the south side of the slope needs to be "shored

up” with something other than dirt. The amount of sand and silt being deposited in to the Alegria community is of particular concern. Ms. Turner stated that the drainage ditch running through the center portion of the community is full of sand and silt and has not, according to her, been cleaned out by SSCAFCA since the fall of 2016.

Ms. Turner stated that Dave Gatterman of SSCAFCA had informed the HOA yesterday (May 15th) that a crew would be on site today (May 16th). However, she stated that when she drove by the area of concern at 8:20 AM, she did not see any activity.

Ms. Turner stated that removing the excess sand and silt from the drainage area would only be effective if the outfall drains leading from the community to the Bosque were also cleared. She further expressed concerns about previous instances where blocked drains containing excess sand and silt left standing water in the ditch and its main drainage area, sometimes for weeks. Ms. Turner stated that this occurred during last monsoon season. Additionally, there is perimeter wall erosion in the Alegria community, specifically off the cul-de-sac of Desert Marigold Ct.

Ms. Turner indicated that SSCAFCA work crews removed a significant amount of sand and silt from the Venada Arroyo last spring, clearing a path for water to flow into the Rio Grande River. However, last year’s monsoon season deposited even more sand and silt into the arroyo thereby eradicating any signs of the earlier work done by SSCAFCA.

Ms. Turner stated that the Alegria and Aldea boards have been working with SSCAFCA engineers for the past year and a half to address and permanently resolve these issues. She stated that since April of 2018, SSCAFCA representatives have been telling them that the drainage issue will be cleaned soon. Ms. Turner reiterated that they were expecting work to begin yesterday (May 15th) but remain skeptical. Ms. Turner stated that she was attending today’s board meeting on behalf of the Santiago Master Association seeking to obtain a commitment from SSCAFCA to permanently address these issues. She further asked what SSCAFCA’s plan was and also asked for a timeline for completion of this project.

Ms. Turner indicated that she would provide the SSCAFCA Board of Directors with a copy of her presentation, which was prepared by the Alegria Board President. Ms. Turner stated that the presentation contained before and after photos, which included SSCAFCA’s work in the past as well as current photos of the areas of major concern. This was the conclusion of Ms. Turner’s presentation.

In response to Ms. Turner’s presentation, Mr. Thomas, SSCAFCA’s Executive Engineer explained that the situation (in the Santiago communities) has remained unchanged in terms of the existing problems. Mr. Thomas stated that the permanent fix is to stabilize the channel from 528 all the way down to the lower end. This option does have a complicated factor associated with it, which is the vertical grade. Mr. Thomas explained that the channel was originally constructed at a lower level when it was allowed to connect to the river and at which time it was adjacent or much closer to the boundary of SSCAFCA’s property. Since then the river has meandered to the east closer to the Pueblo’s property and has created a delta at the bottom end of the channel which has raised the vertical elevation of that area. Given the nature of the sediment that the Vanda arroyo carries, and with that delta being created, that increase in elevation translates all the way up-stream, so every time there is a rain event, new sediment gets deposited. SSCAFCA has spent hundreds of thousands of dollars over the past years removing and repositioning the dirt. However, since this is a natural system, dirt continues to be re-deposited in the channel with each storm event.

Mr. Thomas stated that the Bureau of Reclamation is currently working on a project where they are instituting some stream braiding which is going to be farther west then the main channel of the Rio Grande, which will give SSCAFCA an outlet and reduce the vertical elevation. This project has just started and SSCAFCA is actively coordinating with the BOR. Mr. Thomas explained that we had not been not provided with a timeline on when the actual construction will begin. However, SSCAFCA’s design are proceeding and an entire channel layout has been completed in terms of the basic engineering design. Mr. Thomas stated

that the preliminary cost estimate for this project at this point is approximately \$4 million dollars to fully line the channel. SSCAFCA won't proceed with the project until they know that a change can be made to the vertical grade at the downstream end. SSCAFCA is currently waiting for the BOR to complete that portion of the job.

Mr. Thomas stated that with regard to the channel that runs in the center of Santiago, SSCAFCA is working with one of their on-call maintenance contractors who were scheduled to be on-site sometime today.

Director Fahey responded to a question from the public regarding the timeline for implementing the project. Director Fahey confirmed with Mr. Thomas that SSCAFCA would have to wait on the grading results from the BOR's efforts before we had a timeline in place. Director Fahey asked Mr. Thomas if SSCAFCA currently had the approximate \$4 million dollars of funding in place and whether SSCAFCA would be completing this project in incremental phases. Mr. Thomas responded to Director Fahey's questions, stating that SSCAFCA does not currently have the funding for the entire, permanent solution, but that portions of the at-risk areas would be mitigated on as-needed basis. Mr. Thomas stated that SSCAFCA's goal at the present time will be to protect at-risk areas in the interim by constructing hardened bank improvements along the south side of the Venada arroyo until funds become available for the permanent fix. Mr. Thomas stated that he understands the community members concerns and sympathizes with their situation, but could not make any commitments today in regards to the proposed \$4 million dollar project. However, Mr. Thomas assured the Santiago community members and the HOA representatives that SSCAFCA will continue with their standard facility maintenance efforts, in which they observe and triage channels pre and post monsoon season to ensure that life and property are protected and that the channels remain fully functional.

Tom Thompson, a resident of Alegria addressed the SSCAFCA Board with his concerns which mirrored those outlined in Ms. Turner's initial presentation. Mr. Thompson stated that SSCAFCA should do more than just observe the center channel in Santiago. He stated that SSCAFCA should pre-emptively clean out the sand and silt filled channel every spring to avoid liability. The Board thanked him for his comment.

STAFF REPORTS.

Executive Engineer:

1. Action/Approval of Resolution 2019-09 Industrial Park Water Quality Facility ROW Exchange

Mr. Thomas stated that Beta Investments approached SSCAFCA for our partnership on an exchange of land in the northwest sector of the Village of Corrales. This would allow Beta Investments to construct a larger solar farm and SSCAFCA would receive right of way that provides an outlet for the diversion of the Tortugas Arroyo into the upper basin of the Lower Montoyas Water Quality Facility.

A motion was made by James Fahey to approve Resolution 2019-09 as presented. It was seconded by Mark Conkling. Roll call vote: Steve House, yes; Mark Conkling, yes; James Fahey, yes; Chairman Obrey yes. The motion carried 4-0.

2. Briefing on 2019 Visit to Washington, D.C.

Mr. Thomas provided a briefing on the recent trip to Washington D.C., to meet with the NM Delegation as well as key federal agencies to advocate on behalf of SSCAFCA. During the trip, Mr. Thomas

stated, that meetings with held with four of the Delegates as well as the House Committee on Transportation and Infrastructure, the U.S Army Corps of Engineers (USACE), the Federal Emergency Management Agency (FEMA), the Natural Resource conservation Service, the National Association of Stormwater Management Agencies (NAFSMA), The American Society of Civil Engineers (ASCE) and the Environmental Protection Agency (EPA).

Mr. Thomas stated the meetings went very well. Possible funding for the Industrial Park Water Quality Project and the Lower Venada Bank Stabilization was identified with the USACE. During our meeting with FEMA, we received information on the 2019 Pre-Disaster Mitigation (PDM) notice of funding as well as discussing the timeframe for the 2018 PDM.

Mr. Thomas and Dr. Fahey also met with the offices of Senator Udall, Senator Heinrich, Congressman Lujan and Congresswoman Haaland and presented information on our current and future projects.

3. Action/Acceptance of Turnkey Agreement for Garza Property – Venada Arroyo Improvements

This property, just north of the Venada Arroyo adjacent to NM 528, is currently under development and is seeking to turn over to SSCAFCA drainage infrastructure that will drain the developed site into the Venada Arroyo.

This turnkey agreement outlines the responsibilities of each party. In response to a question from the Board, Mr. Thomas stated that the construction of the infrastructure is at the expense of the Developer.

Director House moved approval of the Turnkey Agreement. It was seconded by Director Conkling and passed unanimously.

4. Development Review (m/o)

Mr. Thomas stated that development activities are ongoing at the major sites currently under development. The only other significant item is proposed construction of bank protection along the Lower Montyas to mitigate erosion damage to the property.

Fiscal Services Director:

1. Action/Approval of selection of Cordova CPAs LLC for Financial Audit for Fiscal Years 2019-2021

Mr. Thomas stated that the Fiscal Services Department is seeking approval to select Cordova CPAs LLC to be our Auditor for up to the next three years. The current audit contract expired at the end of 2018. A Request for Proposals was issued and Cordova CPAs LLC was determined to be the most qualified bidder.

Director Fahey moved approval of the selection of Cordova CPAs LLC for Financial Audit for Fiscal Years 2019-2021. It was seconded by Director Conkling and passed unanimously.

Facility Operations Director:

1. Action/Approval of Memorandum of Understanding with Sandoval County for the purchase of sediment removed from the Lomitas Negras Phase 1 facility.

Mr. Gatterman stated that he was seeking approval of a Memorandum of Understanding (MOU) with Sandoval County to allow for cost sharing related to the removal of sediment from SSCAFCA facilities. Sandoval County would like to use the materials for daily cover. The MOU outlines that SSCAFCA will pay for

the excavation of the material and the County will cover the cost of the transportation and delivery of the sediment.

Mr. Gatterman stated that this is a win for both Agencies and is intended to act as a long-term strategy for sediment removal. In response to a question from the Board, Mr. Gatterman stated that there is no limit on how much sediment removal can be covered under this MOU.

Director Fahey moved approval of the MOU with Sandoval County. It was seconded by Director Conkling and passed unanimously.

2. Action/Approval of work order for PG Enterprises to remove sediment from Lomitas Negras Phase-1 facility and transport to Sandoval County Landfill. Authorizing Executive Engineer to sign work order in the amount of \$161,177.74.

Mr. Gatterman stated that as the first action under the new MOU with Sandoval County, he is seeking approval of a work order in the amount of \$161,177.74 to remove sediment from Lomitas Negras Phase-1 facility and transport to Sandoval County Landfill. Sandoval County will cover almost half of the cost.

Director Fahey moved to authorize the Executive Engineer to sign the work order for the removal of sediment from the Lomitas Negras Phase 1. It was seconded by Director Conkling and passed unanimously.

3. Action/Approval of work order for PG Enterprises to remove sediment in six ponds at Mariposa and stockpile on AMREP-owned lots. Authorizing Executive Engineer to sign work order in the amount of \$191,373.05.

Mr. Gatterman stated that the ponds at Mariposa have been a concern since a topographic survey had been completed, which identified that the ponds in summary, at 64% occluded with sediment. It appears that the maintenance activities in the recent past consisted of clearing the outlets but no actual sediment removal. The cost included six separate mobilizations due to very restrictive access, and the material will be disposed of locally on right of way owned by AMREP.

Director Fahey moved to authorize the Executive Engineer to sign the work order for the removal of sediment from the six ponds at Mariposa. It was seconded by Director Conkling and passed unanimously.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

Director Fahey inquired about the status of our Facility Operations Division crew. Mr. Gatterman stated that the capital and personnel costs for an internal work crew have been included in the proposed FY20 budget. Following approval of the budget, advertisement for the work crew could begin in July of 2019.

PROPERTY MATTERS.

1. Action/Acceptance – U17, Blk 31, Lots 16 & 17 – 2.58 acres – Aloe Pond

Mr. Thomas stated that there were two lots for approval. The two lots are part of the proposed Aloe Pond footprint.

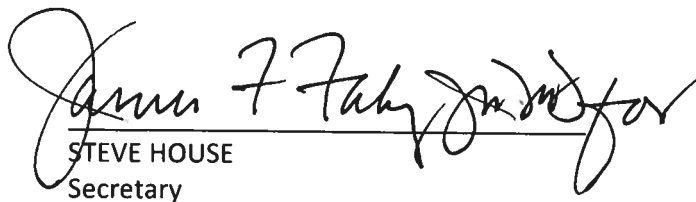
Director Fahey moved acceptance of Lots 16 & 17. It was seconded by Director Conkling and passed unanimously.

FOR YOUR INFORMATION.

1. Corrales Garden & Landscape Article, "Stormwater Pond Upkeep Crucial for Westside Lots," March 23, 2019 (m/o)
2. Corrales Comment Article, "Solar Farm Expanse Soon to Generate 2-Megawatts," April 6, 2019 (m/o)
1. **Next Board Meeting is scheduled for June 20, 2019 at 9 a.m.**

ADJOURNMENT.

The meeting was adjourned by Chairman Obrey at 9:42 a.m.


STEVE HOUSE
Secretary


MICHAEL OBREY
Chairman

DATE APPROVED: 6/20/2019