

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY  
(SSCAFCA)

MINUTES OF APRIL 15, 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 Mark Conkling, James Fahey, and Michael Obrey. John Chaney and Steve House were noted as absent. Charles Thomas, Executive Engineer, Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

**PLEDGE OF ALLEGIANCE.**

The Board was led in the Pledge of Allegiance by James Fahey.

**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.

**APPROVAL OF AGENDA.**

A motion was made by Mark Conkling to approve the Agenda as presented. It was seconded by Michael Obrey and passed unanimously.

**ACTION/APPROVAL OF THE MINUTES OF MARCH 18, 2016.**

A motion was made by Mark Conkling to approve the minutes of March 18, 2016 as presented. It was seconded by Michael Obrey and passed unanimously.

**PUBLIC FORUM.**

None.

**STAFF REPORTS.**

***Executive Engineer:***

1. Action/Acceptance of Resolution 2016-6 Board of Directors Election.

Mr. Charles Thomas stated that Resolution 2016-6 sets out the rolling term of service for each of the directors. There are two director positions that are up for election on the November ballot. The Resolution establishes SSCAFCA's intent to move forward with that election on the ballot.

A motion was made by Mark Conkling to approve Resolution 2016-6 as presented. It was seconded by Michael Obrey. Roll call vote: Mark Conkling, yes; Jim Fahey, yes; Michael Obrey, yes. The motion passed 3-0.

2. Action/Acceptance of Renewal of the Memorandum of Understanding with Ciudad Soil & Water Conservation District for Professional Water Resources Education Consulting Services.

Mr. Charles Thomas stated that this is a renewal of the MOU that was signed last year. Ciudad has been acting as SSCAFCA's contractor to provide educational services during the last year. They uphold the high standard of SSCAFCA.

A motion was made by Mark Conkling to approve the renewal of the Memorandum of Understanding as presented. It was seconded by Michael Obrey and passed unanimously.

3. Action/Acceptance of CWSRF (Clean Water State Revolving Fund) Application and ROW Acquisition Strategy.

Mr. Charles Thomas stated that this Application is asking for \$800,000. The two items are to pursue a more robust right-of-way strategy, and to seek approval to acquire right-of-way that is associated with this strategy as part of SSCAFCA's 2016 Bond Election project list. Staff has completed all of the Watershed Management Plans for the key areas within SSCAFCA's jurisdiction. One of the key elements is identifying where the deficiencies will be when development occurs and identifying the facilities that are needed to control the storm flows. As staff has taken the plans to the next level, they have gone out and identified the footprints for the facilities. One of the other keys items to note is that property prices are still low after the 2008 crash. SSCAFCA is in an advantageous position to acquire property at a more fiscally conservative price. Staff is coordinating with the City of Rio Rancho to ensure that staff is notified if somebody is going to develop in an area. The best answer is to acquire all the property and continue an aggressive right-of-way acquisition process.

Mr. Thomas stated that staff has identified four goals to complete. The first goal to obtain 100% of future obtainable footprint property that has been identified by staff. With property values the way they are, it has brought up some additional opportunities and other goals to SSCAFCA's



attention. The second goal is to obtain areas for construction staging areas and maintenance. The next is to acquire natural playas in the Calabacillas. The next is to acquire additional right-of-way adjacent to the arroyo channels. Once the footprint is established, the acquisition of right-of-way leaves SSCAFCA in a ready to proceed situation. This will save future funds because property values are climbing.

Mr. Thomas stated that in looking at additional adjacent right-of-way, one of the things staff has experienced is that it allows construction excavation costs to be minimized because it decreases the cost in hauling waste to a disposal site. If there is a way for the contractor to dispose of the material on site it is much more cost effective for all parties involved. This also provides a soil stock pile for use by others. When SSCAFCA did the Calabacillas Watershed Management Plan, one of the items that was discovered was that there was a significant number of playas throughout the jurisdiction. By acquiring those playas, SSCAFCA is able to reduce future downstream stormwater flows due to retention. They are natural recharge points for the groundwater and they don't release the water that falls within that area. Because of this, future downstream facilities can be downsized. With regard to the last item, SSCAFCA has recently completed the design on a channel stabilization project in the Lower Montoyas and staff has identified that stabilization costs in a channel can run anywhere from \$800 - \$1,500 per linear foot of channel. With property acquisition right now, a typical half acre lot has an 80 foot width, which is usually what is backed up to the arroyo. Your average cost for acquisition is roughly \$5,000 for that half acre lot. This is \$62 per linear foot instead of \$800. This saves the cost of doing bank stabilization later if SSCAFCA can prevent someone from building on that property. Additionally, there are no future maintenance costs.

In answer to a question from the Chairman, Mr. Thomas stated that SSCAFCA has worked with the City of Rio Rancho in enacting an ordinance which requires anyone who is developing within the LEE line to acknowledge it and accommodate it in some fashion. It is set up to ensure that they address the situation without it being viewed as an adverse taking. Neither the County, the Town, nor the Village have a similar ordinance, so it only addresses a portion of SSCAFCA's jurisdiction. Other advantages to acquiring the LEE property is that it prevents development in an at-risk area. It also allows flexibility in adding small flood control features, and it preserves the natural arroyo environment. Sandoval County has adopted the Rio Rancho Estates Area Plan and one of the key goals is to remove property from development in order to reserve limited water resources. They would like to remove about 2,288 acres from development, which consists of the arroyo bank buffer areas. That is good for SSCAFCA given the potential acquisition strategy to acquire the LEE lines.

Mr. Thomas stated that SSCAFCA applied for funding to seek acquisition of the playa properties, which is about 117 acres. This is an eligible project under the CWSRF. In addition to

point sources, it is also used to fund typical construction projects. SSCAFCA has submitted an application which would result in the retention of 90 acre feet in a 100 year rainfall event. The amount of funding requested was about \$800,000. Putting the application in does not commit the Board or SSCAFCA to moving forward with this process; it merely puts SSCAFCA in the CWSRF project list. The NMED would then rank the submittals in a limited pool of grant funds. The higher you are on the list in ranking, the more likely you will be offered funding. This would also obligate potential funds out of the upcoming bond election because to use this type of process SSCAFCA needs unobligated funds.

A motion was made by Michael Obrey to approve the application and ROW acquisition strategy as presented. It was seconded by Mark Conkling and passed unanimously.

4. Presentation on Upcoming Trip to Washington, D.C.

Mr. Charles Thomas stated that next week, he, Chairman Fahey, and Catherine Conran will travel to Washington, DC to meet with SSCAFCA's federal lobbyist group. They have set 11 meetings in two days. They will be taking an annual report with them to give to the delegates with whom they will be meeting, including Senators, the EPA, Civil Engineers, etc. Several of the entities they will be meeting with have given SSCAFCA funds before, and SSCAFCA will be seeking additional funds, particularly from the Department of Interior in its land and water conservation grant on the LEE line program.

Mr. Thomas stated that they have three primary topics to discuss, such as sharing success stories, presentations in the booklet as a visual documentation of SSCAFCA's success in the past, and the success of SSCAFCA's education program, specifically getting e-coli de-listed from the Rio Grande report. The second goal would be to provide clarification on SSCAFCA's LEE line designation, particularly with the Corps of Engineers and FEMA, due to their descriptions of different definitions of the same thing. The last goal is to obtain support from the congressional delegation for SSCAFCA's projects.

5. Update on Development Review.

Mr. Charles Thomas stated that the biggest issue is the Loma Encantada Subdivision, Unit 2F Infrastructure Improvement Plans for Construction. This is the next phase of the AMREP



development by Enchanted Hills Dam project. They have received approval to move forward with that project. Other items in which approval was deferred were lot splits and other minor adjustments. It has been a fairly quiet month in development review.

***Fiscal Services Director:***

1. Recognition/Acknowledgment of the Fiscal Services report for March 31, 2016.

Ms. Deborah Casaus stated that the Fiscal Services Report for March 31, 2016 is in the Board's packets. SSCAFCA is 9 months complete through its fiscal year. She stated that revenue is coming in as projected. General fund expenditures through March 31 are at about 38% of the total budget and is currently 75% through the fiscal year. The City of Rio Rancho is at 160 permits for the year 2016, which is more than double last year. Interest earned on the State Treasurer's funds was at a rate of .366% for the month of March. The Treasury Bill is yielding about .224%.

The Fiscal Services Report for March 31, 2016 was recognized and acknowledged by the Board.

2. Action/Acceptance of Fiscal Year 2017 Preliminary Budget.

Ms. Deborah Casaus stated that the Fiscal Year 2017 Preliminary Budget has been prepared for the Board. It is due to DFA by June 1. The mil levy is the same, and there is no increase in the general fund. Staff predicts 1½% increase in assessed value for calendar year 2016/ fiscal year 2017. This amounts to a little over \$2 million in property tax revenue, which is about a \$30,000 increase from last year. General fund expenditures for the current year are about 3.8 and SSCAFCA was at 3.85 last year. This could change with the final budget. There is no cost of living increase for salaries of staff in this budget. The indicator is inflation, which was very low for calendar year 2015. There is one salary increase of about 10% for the Executive Engineer based on his new contract which goes into effect July 1. There is no change in the health and dental insurance benefits, other than there was a new benefit added, which is the Prime Health membership. This doesn't increase rates for the employer or employee, but employees can utilize gym memberships. Members will be responsible for the tax on the fair market value of that membership, which is about \$25 per month. There are no changes in the New Mexico Retired Healthcare or PERA. Operation and Maintenance is funded at a little over \$1 million. This includes sediment removal, fencing, large storm cleanout, and general O & M costs. The large storm cleanout is maintained at \$600,000. Improvements are funded at \$356,000, which is an increase of \$100,000 over the current fiscal year. This will be used for planned facility improvements. One of the big savings in this year's budget is on insurance costs.

**BOARD OF DIRECTORS REGULAR MEETING****APRIL 15, 2016**

SSCAFCA used to be with a private insurance carrier for liability and property coverage. SSCAFCA has switched to the New Mexico Municipal League, which saves \$70,000 - \$80,000 per year. This includes any type of liability that SSCAFCA would have for any of its facilities.

Catherine Conran stated that SSCAFCA can lower its insurance cost by everybody taking a defensive driving class, which all staff have either completed or are signed up to complete. She also stated that health programs are available and will save money. The other is that the health benefit gym membership program will encourage staff to stay healthy physically.

Ms. Casaus stated that the general fund reserve is left at \$750,000. Debt service fund is assumed at 1.5% growth in assessed valuation so that should meet SSCAFCA's debt obligations for the current fiscal year. Construction fund is approximately \$3.4 million to be carried over for fiscal year 2017.

A motion was made by Mark Conkling to approve the 2017 Preliminary Budget as presented. It was seconded by Michael Obrey. Roll call vote: Mark Conkling, yes; Jim Fahey, yes; Michael Obrey, yes. The motion passed 3-0.

3. Action/Acceptance of contract renewal with Murray, Montgomery & O'Donnell for Professional Lobbyist Services with no requested changes.

Deborah Casaus stated that the contract with Murray, Montgomery & O'Donnell is up for renewal, with no requested changes.

A motion was made by Mark Conkling to approve the contract renewal as presented. It was seconded by Michael Obrey and passed unanimously.

**OTHER COMMITTEE REPORTS.**

Mr. Conkling stated that the Personnel Committee recommends to the Board a 10% increase in Charles Thomas's contract, and that his contract be renewed. Mr. Metzgar stated that he does not believe it is necessary for the Board to approve the increase to the contract if it approves the contract. Mr. Thomas stated that the contract will be in the final budget approval.

**ATTORNEY'S REPORT.**

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2016**

None.

**CHAIRMAN'S REPORT.**

None.

**BOARD OF DIRECTOR'S COMMENTS.**

None.

**PROPERTY MATTERS.**

1. Action/Acceptance - Temporary and Permanent Storm Drain Easements - 0.1226 ac - Calle Baack Storm Drain & Roadway Improvements project.

Mr. Charles Thomas stated that it is necessary to obtain these easements for the Calle Baack Storm Drain & Roadway Improvements project. This project includes significant drainage components and SSCAFCA is acting as project manager. One of the requirements is to obtain easements over the alignment. There is no charge for this.

A motion was made by Michael Obrey to approve the property acquisition as presented. It was seconded by Mark Conkling, and passed unanimously.

**FOR YOUR INFORMATION.**

None.

**OTHER BUSINESS.**

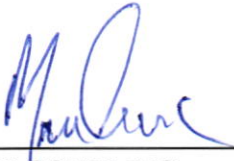
- Next Regular Board Meeting is on Friday, May 20, 2016 at 9:00 a.m.

**ADJOURNMENT.**

**BOARD OF DIRECTORS REGULAR MEETING**

**APRIL 15, 2016**

A motion was made by Mark Conkling and seconded by Michael Obrey to adjourn the meeting. It was carried unanimously. Meeting adjourned at 10:05 a.m.



MARK CONKLING

Secretary

  
JAMES FAHEY  
CHAIRMAN

DATE APPROVED: 5/20/16

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