

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)**

**MINUTES OF MAY 18, 2018
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, Steve House and John Chaney. Charles Thomas, Executive Engineer, Charles Garcia, SSCAFCA's attorney, and members of the public were also present.

ANNOUNCEMENTS.

An announcement was made by Chairman 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 Chairman 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/ACCEPTANCE OF THE MINUTES OF APRIL 20, 2018.

A motion was made by Mark Conkling to accept the minutes of April 20, 2018 as presented. It was seconded by John Chaney and passed unanimously.

PUBLIC FORUM.

Ms. Kathleen MacDonald stated that she had commented at the January Board Meeting. She was interested in following up regarding the flooding that occurred in September of 2017. Ms. MacDonald stated that at the January 2018 Board Meeting, the Board had agreed to work on a permanent solution to be installed within four months. She stated that it has now been four months and wanted to ask what progress has been made.

Mr. Thomas stated that this would be discussed later in the Board Meeting on Item #4 under the Executive Engineer staff report. In response to the question of what has been

completed, Chairman Fahey stated that the culverts had been completed and design work was on-going. Mr. Thomas clarified that the Star Heights Drainage Assessment has been completed which identified the specific drainage issues.

In response, Ms. MacDonald stated that her conclusion was that the commitment to have the whole thing done in four months was not completed. Chairman Fahey confirmed that was correct. He also stated that there are issues outside of the control of public agencies that can affect schedules. Ms. MacDonald questioned when SSCAFCA work crews have been out to clean the arroyos as she had not seen any evidence of work being done.

Mr. Thomas stated that SSCAFCA does not have internal work crews, but uses contracted companies to do field work. In response to a clarification request, Mr. Thomas stated that the City of Rio Rancho crews cleared the culverts in January of 2018, but no further cleaning has been done since there have been no storm events.

Mr. Thomas also confirmed that the City of Rio Rancho owned the roads and SSCAFCA owned the arroyos. Ms. MacDonald stated that her main purpose in being here was to find out what had been done over the past four months. Ms. MacDonald also requested a letter from SSCAFCA stating that SSCAFCA would be responsible for any further damage to her property from a flood from the adjacent arroyo that she can give to any prospective buyer. Mr. Thomas stated that he would discuss the matter with the SSCAFCA attorney. Chairman Fahey stated SSCAFCA would respond to the request as soon as possible.

STAFF REPORTS.

Fiscal Services Director:

1. Action/Acceptance of the Fiscal Services Report for April 30, 2018.

Ms. Casaus stated that we are at 2.1% greater than last year for the operating property tax revenue at the same time last fiscal year, and the debt service property tax revenue is 1.5% greater than last year.

Ms. Casaus indicated that General Fund expenditures fiscal year-to-date through April 30, 2018 amount to 45.6% of the total budget for the year. We are currently 83% through Fiscal Year 2018. There were 32 Single-Family Residential permits issued by the City of Rio Rancho for the month of April. Finally, she stated that interest was earned on funds invested in State Treasurer's Office local government program at a rate of 1.65% for the month of December. The current yield on a 90-day U.S. Treasury bill is 1.89%.

A motion was made by Steve House to accept the fiscal services report as presented. It was seconded by John Chaney and passed unanimously.

2. Presentation of 2018 Bond Sale Proposal.

Mr. Erik Harrigan presented information on the proposed 2018 Bond Sale to the Board. Mr. Harrigan stated that the upcoming bond sale would be based on how the assessed valuation comes in. He stated that there has been a slight uptick in the valuation recently. He noted that SSCAFCA is currently 32% bonded to capacity.

Mr. Harrigan said a primary goal of bond sales is to maintain the debt service tax rate with no increases. Mr. Harrigan provided an overview of the recent assessed valuation throughout the County as well as the planned bond sales over the next ten years.

Regarding the current proposal to sell \$2.5 million in bond funds, Mr. Harrigan stated that if the assessed valuation is low, the Authority may need to deposit approximately \$75,000 in funds to avoid a tax increase, with a range of \$25K-\$125K depending on the final assessed value. Mr. Harrigan also presented information on sale options, including a public sale, the New Mexico Finance Authority (NMFA) and placement with a bank. Mr. Harrigan recommends sale through a public sale or NMFA. Mr. Harrigan stated that if SCAFCA chose to go with a public sale, that it be negotiated rather than competitive.

Executive Engineer:

1. Action/Approval to award construction of Rainbow Pond to CBKN Dirtworks, LLC for \$1,285,335.85.

Mr. Thomas stated that CBKN Dirtworks LLC was the responsive low bidder. He stated that the Rainbow Pond project is partially funded by the Water Trust Board and will reduce downstream flows.

A motion was made by Mark Conkling to approve the award of the contract to CBKN Dirtworks, LLC. It was seconded by Steve House and passed unanimously.

2. Action/Approval to accept the offer of \$3,250.00 from the NM Department of Transportation (NMDOT) in compensation for 2.1526 acres of the Montoyas Arroyo and Agreement for NMDOT to construct associated drainage improvements in accordance with SCAFCA Policy, Development Process Manual and Montoyas Arroyo Watershed Management Plan, latest editions.

Mr. Thomas stated that the NMDOT is seeking a portion of the Montoyas Arroyo to allow for future construction of the extension of Paseo del Volcan. Mr. Thomas stated that the Agreement language was needed to ensure that the future construction will comply with SCAFCA requirements.

A motion was made by Mark Conkling to accept the offer of \$3,250 for the 2.1526 acres with the conditions as stated. It was seconded by John Chaney and passed unanimously.

3. Action/Acceptance of Maintenance Agreement with Titan Corrales SS, LLC.

Mr. Thomas stated that this Agreement would allow the developer to construct an outlet into the lower Lomitas Negras arroyo, but it would place maintenance and operation responsibility for the outlet structure on the developer, Titan Corrales SS, LLC. The drainage improvements are necessary for their development project, a self-storage facility just north of NM 448.

A motion was made by John Chaney to accept the Maintenance Agreement with Titan Corrales SS, LLC. It was seconded by Mark Conkling and passed unanimously.

4. Update on Star Heights Drainage Improvements

Mr. Thomas stated that we commissioned an engineering assessment of the Star Heights Drainage Area, and the report was completed in April of this year. The report documented that the culvert on Montego Ct. would overtop by 1.3 cubic feet per second (CFS) in the 100-year event. Following completion of the report, staff completed a site assessment of the arroyo adjacent of Ms. MacDonald's home.

The site visit showed that Ms. MacDonald's block wall was immediately adjacent to the arroyo bank and the downstream arroyo had significant encroachment. Based on this investigation, it was determined that a field fix would not be appropriate, but rather required a full design of channel lining downstream, which takes additional time to complete. Mr. Thomas stated that a surveyor has been engaged to help develop the control for the design efforts. Mr. Thomas also stated that the work on Montego Ct. is the first project being complete by SSCAFCA and has been made the top priority within the drainage area. The goal will be to try and complete the project before the end of June.

Director Conkling noted that the effects of climate change are making the determination of the actual 100-yr flow less certain and recommended that the local residents obtain flood insurance.

5. Presentation of Lobbying Trip to Washington D.C.

Mr. Thomas stated that the recent trip was successful, although very busy, and visits were made to the four Congressional Delegates (Senator Udall, Senator Heinrich, Congresswoman Lujan Grisham and Congressman Lujan) and also to the Natural Resource Conservation Service (NRCS), the Army Corps of Engineers (USACE), and the Federal Emergency Management Agency. Mr. Thomas stated that an additional meeting with Congresswoman Ernst of Iowa was completed as the Iowa Delegation was pushing legislation to allow each USACE District to be able to have a subset of funding for local competition only.

Mr. Thomas stated that the meeting with FEMA included the Director of the Pre-Disaster Mitigation program and we discussed the Upper Bosque de Bernalillo project application and the request for reconsideration. In the meeting with the NRCS, Mr. Thomas stated that we received clarification on submittal of projects through the NRCS. This was similar in content with the USACE meeting, where we received clarification on how best to achieve assistance through the USACE using the Planning Assistance to States program.

Chairman Fahey and Director Chaney both stated that they felt that SSCAFCA received good positive feedback and we were well received.

6. Development Review.

Mr. Thomas stated that the activity was focused in the area of the three large developments, Vista Redondo, Cleveland Heights and Tierra del Oro.

7. Presentation of 10-year Service award to Gerhard Schoener.

Chairman Fahey presented a Ten-Year Service award to Gerhard Schoener in recognition of the excellent work he has completed over the past decade.

Environmental Services Director:

1. Action/Approval to award construction of the Black Arroyo Trail Repair Project to Vital Consulting Group for \$133,875.18.

Mr. Gatterman stated that this project is in response to damage created by off-site flows which have undercut and damaged the existing trail system. The project will include a concrete rundown and concrete trail section to permanently address the off-site flows safely.

A motion was made by Mark Conkling to approve the award of the contract to Vital Consulting Group. It was seconded by Steve House and passed unanimously.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

Director House asked if a Personnel Committee meeting was scheduled. Mr. Thomas clarified that it was set for May 22nd. Mr. Thomas also stated that a Quality of Life Committee meeting would be scheduled to get their comments on the Maintenance Access and Trails Master plan prior to bringing it to the Board for acceptance.

In response to a question regarding the golf course, Mr. Thomas stated that a golf course has not been approved to move forward, the outstanding item is a reduced water rate which needs to be approved by the City of Rio Rancho Council.

Director Chaney asked if the current golf course option fails and SCAFCA obtains a conservation easement on the property, could a new golf course ever be possible. Mr. Thomas indicated that it was his understanding that the intent of the easement language by Mr. Skarsgard would include the future option of a golf course.

PROPERTY MATTERS.

None.

FOR YOUR INFORMATION.

1. Rio Rancho Observer Article, "Governing Body Approves Zone Change Request for Golf Course"
2. Corrales Comment Article, "Consider Swales as Landscape Feature"

OTHER BUSINESS.

- Next Regular Board Meeting is on Friday, June 15, 2018 at 9:00 a.m.

ADJOURNMENT.

The meeting was adjourned by Chairman Fahey at 10:25 a.m.



MARK CONKLING
Chair Pro Tem (Alternate)


JAMES FAHEY
Chairman

DATE APPROVED: 6/15/2018