

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF DECEMBER 21, 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 9:04 am.

ROLL CALL OF DIRECTORS.

Directors in attendance were James Fahey, John Chaney, Mark Conkling and Michael Obrey. Steve House 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 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 Michael Obrey to approve the Agenda as presented. It was seconded by Mark Conkling and passed unanimously.

ACTION/ACCEPTANCE OF THE MINUTES OF NOVEMBER 16, 2018.

A motion was made by Mark Conkling to accept the minutes of November 16, 2018 as presented. It was seconded by John Chaney and passed unanimously.

PUBLIC FORUM.

None.

STAFF REPORTS.

Executive Engineer:

1. Action/Approval of Resolution 2018-18 Legislative Priorities for the 2019 Legislative Session.

Mr. Thomas stated that Resolution 2018-18 establishes the legislative priorities that SSCAFCA may seek funding for from the legislature in the upcoming session. The projects include the Lisbon Channel and Detention Facility; the Upper Bosque de Bernalillo Project; the Star Heights Drainage Improvements; Lomas Negras Phase 2, and Lomas Negras Phase 3.

A motion was made by John Chaney to approve Resolution 2018-18 as presented. It was seconded by Mark Conkling.

Roll call vote: John Chaney, yes; Mark Conkling, yes; James Fahey, yes; Michael Obrey, yes. The motion carried 4-0.

2. Action/Acceptance of Selection/Agreement with Lawrence J. Horan, Ltd. for Professional Lobbyist Services.

Mr. Thomas indicated that the section committee for the RFP for State Lobbying Services had selected Lawrence J. Horan as the most qualified applicant. In response to a question from the Board, Mr. Thomas indicated that the billing rate included a proposed increase of 8%.

A motion was made by Mark Conkling to award the contract to Lawrence J. Horan, Ltd. It was seconded by John Chaney and passed unanimously.

3. Update on Water Trust Board and FEMA Funding Applications.

Mr. Thomas stated that SSCAFCA has submitted a request for funding for the Lisbon Channel and Detention Facility project to the Water Trust Board and we were successful in receiving authorization for the Readiness to Proceed phase. Mr. Thomas also indicated that SSCAFCA has submitted a project to FEMA through the Pre-Disaster Mitigation Grant program for stabilization of the Montoyas Arroyo between the Lower Montoyas project and NM 528. We did receive support from the City of Rio Rancho Utility Division, as this project will protect the City's primary wastewater treatment plant.

Finally, Mr. Thomas stated that the New Mexico Department of Homeland Security and Emergency Management (NMDHSEM) has awarded SSCAFCA an additional \$620,000 in state Capital Outlay funds for the Lisbon Channel and Detention Facility.

4. Update on Playa Acquisition RFP Response.

Mr. Thomas stated that the RFP was issued in late November and SSCAFCA received responses from two qualified firms and their proposals are being evaluated by the review committee. In response to a question from the Board, Mr. Thomas indicated that the appraisals for these parcels will be completed as part of scope of work being awarded.

5. Discussion of 2019 Board Meeting Schedule.

Mr. Thomas asked the Board's preference on Board Meetings for 2019. Currently the Metropolitan Transportation Board (MTB) of the Mid Region Council of Governments (MRCOG) meets at the exact same time, the third Friday at 10 am, and SSCAFCA is a member of the MTB. In order to allow a Board Director to attend the MTB meetings, staff were recommending switching the Board Meetings to the third Thursday instead of the third Friday of each month.

In response to a question from the Board, the proposed date does not conflict with other meetings of the MRCOG or AMAFCA.

6. Discussion of 2019 Board Director Appointments.

Mr. Thomas indicated that this item as included at the request of the Chairman. Chairman Fahey indicated that the only proposed change was for Michael Obrey to become Chairman and Director Fahey to become Chair Pro Tem. Mr. Fahey also presented the proposed committee assignments for the review of the Directors.

7. Development Review.

Mr. Thomas stated that most of the development actions are small individual grading plans. The larger items include the High Range 4 plan, which will discharge into the new High Range pond, and the Tierra del Oro development plan, which is connected to the Edinburg pipeline. Mr. Thomas reminded the Board that this pipeline was installed incorrectly some time ago and was still undergoing corrective action before being placed into service.

Mr. Thomas also indicated that the Joe Harris Elementary School was moving forward and reminded the Board that SSCAFCA agreed to grant \$40,000 to Rio Rancho Public Schools for a water harvesting demonstration project. Finally, the Public Service Company of New Mexico (PNM) has submitted a grading and drainage submittal to SSCAFCA through the County for our review and approval.

Mr. Thomas stated that the current owner of the undeveloped portion of the Mariposa property, are moving forward with a zone map amendment to re-zone approximately 700 acres from R-1 and OS-1 down to R-4. Mr. Thomas stated that the developer did not want to re-evaluate the drainage impacts as requested by SSCAFCA. There will be an additional opportunity to address these issues at the next Rio Rancho Planning & Zoning Board meeting. Mr. Thomas recommended that the Board pass a resolution establishing SSCAFCA's concerns regarding the need to comprehensively re-evaluate the drainage impacts.

In response to a question from the Board, Mr. Sanchez indicated that SSCAFCA staff had recommended an amendment to the existing drainage management plan for the Mariposa area.

The Board supported the Staff recommendation of developing a Resolution for the January 2, 2019 Meeting.

Fiscal Services Director:

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

Ms. Casaus indicated that General Fund expenditures fiscal year-to-date through November 30, 2018 amount to 29% of the total available budget for the year.

There were 34 Single-Family Residential permits issued by the City of Rio Rancho for the month of November. Finally, she stated that interest was earned on funds invested in State Treasurer's Office local government program at a rate of 2.23% for the month of September. The current yield on a 90-day U.S. Treasury bill is 2.39%.

A motion was made by Mark Conkling to accept the Fiscal Services Report for November 30, 2018 as presented. It was seconded by Michael Obrey and passed unanimously.

2. Update on Resolution to establish reserve fund for PERA unfunded liabilities.

Ms. Casaus stated that this is an on-going issue from the adoption of GASB 68 by all public agencies. At the end of FY17, SSCAFCA's unfunded liability was \$1.44 million. In FY18 our liability decreased slightly to \$1.27 million. However, with the adoption of GASB 74, public agencies are now required to account for the unfunded liabilities of Other Post Employment Benefits (OPEB), which included Retiree Health Care. This adds \$861,000 in additional liability for SSCAFCA.

Ms. Casaus stated that in consultation with our financial advisor, RBC Capital Markets, we had investigated pursuing steps to address this internally, such as establishing a separate fund reserve. However, in light of the upcoming legislative session, it was her recommendation to wait and see if the Legislature will enact any legislation to address the liability.

3. Presentation of Service Award to Erica Baca

Ms. Casaus presented a Fifteen Year Service Award to Erica Baca for her dedicated service to SSCAFCA. Ms. Casaus provided a summary of the positions and successes Ms. Baca provided on behalf of SSCAFCA.

Design Services Director:

1. Action/Acceptance of Turnkey Agreement with Cleveland Heights LLC for Paseo Gateway Channel

Mr. Sanchez stated that the Agreement presented to the Board formalizes the performance requirements for acceptance of infrastructure constructed by any third party. This agreement covers the channel being constructed on State Land Office adjacent to Cleveland High School and is located in the Barrancas Arroyo.

Mr. Sanchez stated that the agreement covers acceptance of the improved channel which is being developed in two phases. The first phase was constructed previously and the second phase is under construction. The owner in responsible charge of construction of the second phase has also accepted responsibility for the previously constructed first phase. Upon execution of this agreement, SSCAFCA will take fee simple ownership of the channel improvements and be responsible for operation and maintenance as well.

In response to a question from the Board, Mr. Sanchez indicated the length of the channel

is approximately 2,000 linear feet.

A motion was made by Michael Obrey to accept the Turnkey Agreement as presented. It was seconded by Mark Conkling and passed unanimously.

2. Rainbow Pond Project Update.

Mr. Sanchez provided an update on the active Rainbow Pond construction project. Mr. Sanchez noted that there are several roads that cross the downstream channel that required grade separated crossing structures. This project was designed in-house by the SSCAFCA design team. The cost of the project is approximately \$1.2 million.

Mr. Sanchez stated that the contractor has experienced difficulties that have delayed the completion of the project by approximately 32 days as of this presentation. Mr. Sanchez noted that despite the delays, the quality of the construction and the product being delivered to SSCAFCA has not been negatively impacted.

Mr. Sanchez stated he expected the project be complete within the next 3-4 weeks.

Facility Operations Director

1. Introduction of Andy Edmondson - SSCAFCA's New Field Engineer

Mr. Gatterman introduced the new field engineer, Andrew Edmondson, who was hired to assist with field operations and maintenance following the retirement of Jim Service. Mr. Edmondson has a B.S. in Civil Engineering and has experience in both the private and public sector. Mr. Gatterman stated that his most recent experience was serving as the Town of Bernalillo Public Works Director.

2. Action/Acceptance of Selection/Agreement for On-call General Facility Maintenance Services with the following Contractors:

- Black Forest Tree Service
- Oro Landscaping and Maintenance
- RAC Construction Inc
- Santiago's Native Landscaping Svc LLC

Mr. Gatterman stated that SSCAFCA advertised for on-call contractors for general facility maintenance. Four successful applications were received. Mr. Gatterman recommended selection of all applicants due to their varied skill sets.

A motion was made by Mark Conkling to accept the selection of all four Contractors as presented. It was seconded by Michael Obrey and passed unanimously.

3. Update on Lomas Negras Phase 2 Bid Opening

Mr. Gatterman stated that the bid opening for this project was Thursday December 20th, the previous day. The budget for this project was \$4.6 million, and the low bid received was \$3.4

million, which is very favorable. Assuming the bid is acceptable to the New Mexico Department of Homeland Security and Emergency Management, this opens the opportunity to add additional phases to the project.

In response to a question from the Board, Mr. Gatterman stated that the bid is under review to ensure that there are no mistakes in the bid.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

Mr. Garcia stated that he has no report at this time.

Mr. Metzgar presented an update on the active involuntary real property acquisitions. Mr. Metzgar stated that he is working with John Tekin on properties located within the footprint of the Tributary D project. Mr. Metzgar stated that he was in contact with the property owners and that acquisition was proceeding.

CHAIRMAN'S REPORT.

In response to a question from the Chairman, Mr. Thomas provided an update on the Rio Rancho Golf Course. Mr. Thomas stated that he had been contacted by the New Mexico Environment Department regarding acceptance of the ponds while still a part of an active Discharge Permit. Mr. Thomas stated that SSCAFCA would not be interested in being a permit holder for the ponds.

Chairman Fahey also asked about the status of the investigation of the storm water discharge from Intel down into the Village of Corrales. Mr. Thomas stated that he was seeking as-builts of the original approval to track the current configuration of the storm drain network and site conditions.

BOARD OF DIRECTOR'S COMMENTS.

None.

PROPERTY MATTERS.

1. Action/Acceptance – U08, Blk 99, Lot 73 – 1.10 acres – Tributary D Diversion
2. Action/Acceptance – U17, Blk 32, Lot 5 – 1.19 acres – Aloe Pond
3. Action/Acceptance – U17, Blk 32, Lot 10 – 1.35 acres – Aloe Pond
4. Action/Acceptance – U17, Blk 32, Lots 7 & 8 – 2.38 acres – Aloe Pond
5. Action/Acceptance – U17, Blk 32, Lot 6 – 1.19 acres – Aloe Pond

A motion was made by Michael Obrey to accept these properties as presented. It was seconded by Mark Conkling and passed unanimously.

FOR YOUR INFORMATION.


1. Albuquerque Journal Article, "PERA Board Calls for Cuts in Retiree Benefits," (12/12/2018) (m/o)
2. Corrales Comment Article, "Neighborhood Input Sought for Far NW Sector's Business District," (12/1/2018) (m/o)
3. Albuquerque Journal Article, "Oil production in Permian booming, but uncertainty surfaces," (11/26/2018) (m/o)
4. Corrales Comment Article, "Homeowners Appeal to Village to Take on Intel Run-off," (11/24/2018) (m/o)
5. Albuquerque Journal Article, "Major climate report says damages are 'intensifying across the country'," (11/23/2018) (m/o)
6. Rio Rancho Observer Article, "Mariposa Residents Threaten Lawsuit, Governing Body Delays Zoning Decision" (11/18/2018) (m/o)

OTHER BUSINESS.

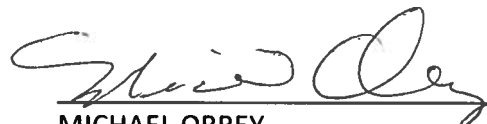
Next Board Meeting is scheduled for January 2, 2019 at 9 am.

ADJOURNMENT.

The meeting was adjourned by Chairman Fahey at 11:06 am.



JOHN CHANEY
Treasurer



MICHAEL OBREY
Chairman

DATE APPROVED: 2/21/19