

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF MAY 21, 2020
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 9:01 am.

ROLL CALL OF DIRECTORS.

Directors in attendance were James Fahey, John Chaney, Mark Conkling and Michael Obrey. Charles Thomas, Executive Engineer was present, as well as Charles Garcia, attending as SSCAFCA's attorney.

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

ACTION/ACCEPTANCE OF THE MINUTES OF APRIL 16th, 2020.

A motion was made by John Chaney to accept the minutes of April 16, 2020 as presented. It was seconded by James Fahey.

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

PUBLIC FORUM.

None.

STAFF REPORTS.

Executive Engineer:

1. Update on Board Vacancy

Mr. Thomas stated that in response to the public posting for candidates to fill the vacancy created when Steve House resigned, SSCAFCA received responses from five candidates. The candidates in alphabetical order are as follows: Ron Abramshe, Ron Curry, Cassandra D'Antonio, Edward Paulsgrove and Nora Romero. Mr. Thomas stated that all 5 applicants meet the minimum qualifications required for the vacant Board position.

Chairman Obrey stated that we would like to set up interviews for all five candidates with the full Board of Directors.

2. Action/Approval of Selection/Agreement for Engineering Design and Construction Phase Services for the Lisbon Channel Improvements, Part 2 with recommended consultant Wilson & Co.

Mr. Thomas reminded the Board that SSCAFCA had received an initial federal grant from FEMA for the construction of the Lisbon Pond and the upper Lisbon Channel Improvements. This grant is due to expire on May 31, 2020. Mr. Thomas clarified that an extension request has been submitted to FEMA for approval as well as a request to modify the scope of work to include improvements to the Lower Lisbon Channel and Star Heights subdivision.

Mr. Thomas stated that the scope expansion was submitted to FEMA because there was an additional \$3.5 million in eligible grants funds to address the design and construction of the additional improvements. However, it is likely that any extension of these funds would be limited to a maximum of 18 months. In anticipation of this limited timeframe for the design and construction of the additional improvements, SSCAFCA proceeded with advertising a Request for Proposals in accordance with state and federal requirements.

SSCAFCA received five proposals in response to the advertisement and staff recommend the award of the design services for the Lisbon Channel Improvements, Part 2 to Wilson & Co. The fee for design services, including the cost of a Resident Project Representative, if needed, is \$495,982.30, and the design is scheduled for completion at the end of September 2020.

In response to a question from the Board, Mr. Thomas stated that we currently have sufficient matching funds to complete this work and could complete the first design analysis phase even if we did not receive the federal funds.

A motion was made by James Fahey, and amended by John Chaney, to approve the award of the design services in the amount of \$495,982.30 to Wilson & Co., contingent on having enough funding available. It was seconded by Mark Conkling.

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

Fiscal Services Director:

1. Action/Acceptance of the Fiscal Services Report for quarter ended March 31, 2020.

Ms. Casaus presented the quarterly fiscal report for the quarter ending March 31, 2020. Ms. Casaus stated that the operating property tax revenue after 9 months of FY20 is 4.6% greater than collections at the same time last fiscal year, and the debt service property tax revenue is 4.3%

greater. Ms. Casaus stated that the collections seem higher, but the reason why is unknown at this time. General Fund expenditures fiscal year-to-date through March 31, 2020 amount to 56% of the total budget for the year. We are currently 75% through Fiscal Year 2020.

Ms. Casaus stated that there were 187 Single-Family Residential permits issued by the City of Rio Rancho for the months of January through March, a total of 107 permits more than last year. Interest was earned on funds invested in State Treasurer's Office local government program at a rate of 1.19% for the month ending March 31, 2020. The current yield on a 90-day U.S. Treasury bill is 0.109%.

A motion was made by James Fahey to accept the Fiscal Services Report for quarter ended March 31, 2020, as presented. It was seconded by Mark Conkling.

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

2. Action/Acceptance of the Fiscal Year 2021 Preliminary Budget.

Ms. Casaus presented the preliminary budget for Fiscal Year 2021. Ms. Casaus stated that there was very little change from the FY20 budget. The property tax assessed valuation is projected to be 2.5%, which is reflected in the revenue portion of the budget. The total General Fund property tax revenue is estimated to be \$2,217,417. This assumes an operating mill levy of 0.828 for residential property and .828 mills for non-residential property, which are the same rates as the previous fiscal year. The total assessed value of taxable property is estimated at \$2.76 billion.

Ms. Casaus stated that although inflation was measured at 1.8%, the budget does not include a Cost of Living Adjustment in light of the current economic uncertainty presented by the COVID-19 health crisis. The health insurance rates only are increasing by 6.5% in FY21. The health insurance provider will remain the same. There are no other changes in benefits.

Capital Improvements is funded at \$435,000 and the large storm clean out fund category has been restored to \$600,000. The General Fund Reserve is proposed to be \$750,000 which is the same as FY20, which is comprised of the required 1/12 reserve of \$314,132 and an additional Board designated reserve of \$435,868, which equates to a total of twenty percent of expenditures.

The Debt Service Fund property tax revenue is estimated to be approximately \$3,392,648. This assumes a debt service mill levy of 1.242 times the estimated total assessed value of property as in #1 above. This rate is the same as in FY20. Ms. Casaus stated that SCAFCFA is still waiting on significant amounts of reimbursement from FEMA and assumes that approximately \$2.13 million will be carried over to FY 21.

A motion was made by James Fahey to accept the Fiscal Year 2021 Preliminary Budget, as presented. It was seconded by Mark Conkling.

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

Design Services Director:

1. Action/Approval of Task Order authorizing \$144,552.50 for Smith Engineering Company to complete the High Range Pond Design.

Mr. Sanchez presented the Task Order for approval by the Board. Mr. Sanchez stated that the

task order is for completion of the design of the High Range Pond and the fee is \$144,552.50. Mr. Sanchez says that Smith Engineering previously completed the conceptual design for this facility and the full design is scheduled to be completed in December of this year.

In response to a question from the Board, Mr. Thomas stated that construction of the High Range Pond is a high priority and would take place in the next 1-2 years, as this facility is critical to supporting the recently completed Lomas Negras Phase Two project. Mr. Thomas stated that there are no external funds currently in place for this project.

A motion was made by James Fahey to the Task Order for \$144,552.50 to Smith Engineering, as presented. It was seconded by Mark Conkling.

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

2. Presentation on the Completed Cactus Ponds Project.

Mr. Sanchez presented an overview of the Cactus Ponds Project. Mr. Sanchez presented several videos captured from the SSCAFCA drone as well as still photos showing the construction and completion of the Cactus Ponds Project. The construction was completed by Salls Brothers, Inc. and the design was completed by Stantec.

Mr. Sanchez stated that the project begins at the upstream end with the Cholla Pond, which uses 14th Avenue as the embankment for the pond. Discharge from the pond travels overland down to 11th street and into the Nopal Pond. From the Nopal Pond the discharge is contained in a pipe and is conveyed southeast and crosses underneath Northern Blvd to the outlet structure.

Mr. Sanchez acknowledged Salls Brothers Construction Inc., for their excellent work in crossing Northern Blvd, which included the relocation of two large waterlines within 10 days in addition to installation of the storm drain. Mr. Sanchez stated that the construction cost came in about \$350,000 under budget.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

Mr. Garcia stated that his firm had initiated condemnation proceedings as part of the Calabacillas Playa project. Thirty-three of the properties were either unable or unwilling to complete voluntary negotiation actions due to disagreement over value or lack of clear title.

Mr. Garcia also stated that SSCAFCA was involved in a personal injury litigation with the Black Arroyo Trail Project. Mr. Gatterman was deposed as a fact witness, but Mr. Garcia stated that SSCAFCA is not a party to the litigation.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

Mark Conkling wanted to recognize Bernie Metzgar and would like to identify a memorial of some sort to recognize the contribution that he made in his 30 years of legal service to SSCAFCA. Mr. Thomas stated that he would identify several options for consideration by the Board.

PROPERTY MATTERS.

1. Action/Acceptance of Unit 13, Block, 130, Lot 10 – 0.50 acres.

Mr. Thomas stated that this was a donation from landowners currently residing in California. In response to a question from the Board, Mr. Thomas stated that the parcel was almost completely impacted by an arroyo and unsuited for development.

In response to a comment from the Board, Mr. Thomas stated that he would have the parcel inspected for any illegal disposal and environmental concerns prior to final acceptance.

A motion was made by James Fahey to accept the donation of Unit 13, Block, 130, Lot 10. It was seconded by John Chaney.

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

FOR YOUR INFORMATION.

1. Corrales Comment Article, *Salce Basin Project Ready Before Monsoons Hit, 4/25/2020* (m/o)
2. In accordance with **Resolution 2019-21 Acquisition of Property for the Calabacillas Playa Project**, the following properties have been acquired:
 - Unit 08, Block 48, Lot 40 – 1.0 acres
 - Unit 06, Block 49, Lot 04 – 1.0 acres

OTHER BUSINESS

The next Regular Board Meeting is scheduled for June 18, 2020 at 9 a.m.

ADJOURNMENT.

The meeting was adjourned by Chairman Obrey at 10:02 a.m.



 CHARLES THOMAS, P.E.
 Executive Engineer



 MICHAEL OBREY
 Chairman

DATE ACCEPTED: 6/18/2020