

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF AUGUST 23, 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 9:06 am.

ROLL CALL OF DIRECTORS.

Directors in attendance were Michael Obrey, James Fahey, Steve House, John Chaney and Mark Conkling. 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 John Chaney and passed unanimously.

ACTION/ACCEPTANCE OF THE MINUTES OF July 18, 2019.

A motion was made by James Fahey to accept the minutes of July 18, 2019 as presented. It was seconded by Mark Conkling and passed unanimously.

PUBLIC FORUM.

Ron Abramshe, President of the Alegria Home Owners Association, stated that he is representing a lot of concerned citizens. He wanted to know if the Lower Venada project is still on schedule and stated that many residents have sent letters to their Legislators in support of funding for the project. Secondly, Mr. Abramshe presented information on the standing water in the Santiago Channel and expressed concerns that the water would become a breeding ground for mosquitos and felt that the water was going septic. He requested that the water be pumped out.

Alan Stevens, a resident of Alegria, stated that the Venada appeared very full of sediment and that the embankment is gone in places and erosion is within a few feet of the existing property. He wants to know what SSCAFCA is doing to address this problem.

Lana Miller, resident of Alegria, stated that this year the mosquitos are much worse than in previous years. She also stated that the Bosque trail has been buried under sediment from flooding. She has requested that the project be prioritized.

At the request of the Chair, Mr. Thomas updated the residents on the project. Mr. Thomas stated that the design of the channel is currently at 90% to stabilize the channel from NM 528 to the river. Mr. Thomas stated that the original design and construction did not address the aggradation of the arroyo. Mr. Thomas stated that the cost for the proposed project is approximately \$4 million and SSCAFCA currently does not have any available funds in the capital project budget, although \$3 million in bonds is planning to be sold in the coming month. Mr. Thomas explained, in regard to the approved Infrastructure Capital Improvement Plan (ICIP) list, that the Lower Venada project being ranked #5 does not mean that project ranked #1 through #4 have to go first. The project timing is solely based on project readiness to proceed within the top 5 projects.

Mr. Thomas stated that currently, SSCAFCA is waiting on the Bureau of Reclamation (BOR) to complete channel improvements that intersect the Venada Channel outlet. SSCAFCA is coordinating with the BOR to include the outlet of the Venada in their project. The BOR project is currently anticipated to begin in January of 2020. Mr. Thomas stated that SSCAFCA has been monitoring the bank erosion and replacing material on the bank to protect the adjacent properties.

Director Conkling stated that the entire Board is eager to see this problem solved and understands the frustration of the residents, but indicated that the permanent solution will take some time and the Board has made it a priority for staff.

Mr. Abramshe asked if we could remove the vegetation currently restricting the Venada channel outfall. Mr. Thomas explained that SSCAFCA is not authorized to remove vegetation on property not owned by SSCAFCA.

Ms. Peggy Padilla requested that SSCAFCA pump the standing water out of the Santiago Channel.

STAFF REPORTS.

Executive Engineer:

1. Action/Approval of Resolution 2019-21 Land Acquisition Calabacillas Playas.

Mr. Thomas stated that this resolution was to authorize the acquisition of all 136 individual properties. In order to coordinate the closing process on each one with so many individual properties, this resolution will remove the restriction of requiring all closings to be completed the day of the Board Meeting and the workload to be distributed throughout the month.

A motion was made by James Fahey to approve Resolution 2019-21 as presented. It was seconded by John Chaney. Roll call vote: Mark Conkling, yes; James Fahey, yes; Steven House, yes; John Chaney, yes; Chairman Obrey yes. The motion carried 5-0.

2. Action/Approval of Resolution 2019-22 Notice of Bond Sale and Delegation of Authority.

Mr. Thomas stated that this resolution was a public notification of a pending sale of bonds, as well as a delegation of authority to the Executive Engineer to approve the best final offer in September of 2019

for \$3 million in new bonds and the refinancing of \$5.5 million of existing bonds.

Mr. Erik Harrigan, of RBC Capital Markets and SSCAFCA's financial advisor, presented additional information on the pending sale process. Mr. Harrigan stated that interest rates continue to decline and have hit an all-time low, which will benefit SSCAFCA. He stated that the refunding is expected to generate approximately \$170,000 in present value savings to SSCAFCA.

Mr. Art Melendres clarified that this Resolution also authorizes the Executive Engineer to sign a bond purchase agreement on the day the marketing of the bonds is completed. This is allowed under a new law promulgated in 2018 that allows entities to maximize the flexibility of completing bond sales. This law contains restrictive parameters to censure the sale proceeds as authorized by the Board.

A motion was made by James Fahey to approve Resolution 2019-22 as presented. It was seconded by John Chaney. Roll call vote: Mark Conkling, yes; James Fahey, yes; Steven House, yes; John Chaney, yes; Chairman Obrey yes. The motion carried 5-0.

3. August Storm Report.

Mr. Gerhard Schoener presented information on the August storm events and the Monsoon Season to date. Beginning with the Monsoon Season, Mr. Schoener stated that in comparing July of 2018 to July of 2019, the current year has been very dry. Although the State of New Mexico has received significant rainfall, the local area of SSCAFCA jurisdiction has not received significant rainfall and we are currently below average in rainfall for the monsoon season.

Mr. Schoener stated that we had two storms, in early July and early August, both of which impacted the Venada channel. Neither storm was in excess of the 25-year storm event.

In response to a question from the Board, Mr. Thomas stated that he was working closely with the Bureau of Reclamation on the construction and maintenance of the confluence of the Lower Venada with the low flow channels in the Rio Grande. Mr. Thomas stated that application for funding for the Lower Venada project has been requested through the CWSRF and the USACE.

4. Development Review.

Mr. Thomas stated that there are only two items. The first is the Mariposa North Drainage Management Plan and Drainage Implementation Plan, both currently unapproved. The second item is the Papillon Village in the lower Mariposa area which includes SSCAFCA's proposed Unser Dam. This submittal is a Master Plan and is currently under review.

Fiscal Services Director:

1. Action/Approval of Resolution 2019-23 Amendment to the Procurement Policy to Provide Clarification on Task Orders.

Ms. Casaus stated that this resolution is to amend our procurement policy to allow task orders issued under an approved contract agreement to extend beyond the expiration date of the contract agreement, as long as the scope and fee of the Task Order does not change.

In response to a question from the Board, Ms. Casaus clarified that this would allow a contractor to complete a job started before the expiration of the agreement and would carry the terms of the agreement forward with the task order until completion.

A motion was made by James Fahey to approve Resolution 2019-23 as presented. It was seconded by Mark Conkling. Roll call vote: Mark Conkling, yes; James Fahey, yes; Steven House, yes; John Chaney, yes; Chairman Obrey yes. The motion carried 5-0.

Design Services Director:

1. Action/Approval of Award of Lisbon Chanel Improvements to Salls Brothers Construction, Inc. for \$405,287.40.

Mr. Thomas stated that Mr. Sanchez was unavailable and that he would address this item. Mr. Thomas stated that the bid was held approximately five weeks prior to this meeting and was submitted to and approved for award by the Department of Homeland Security and Emergency Management. This project will address channel improvements in the Lisbon Channel between Tulip Rd. and Tarpon Rd.

A motion was made by Mark Conkling to approve awarding the contract to Salls Brothers Construction, Inc. It was seconded by James Fahey and passed unanimously.

Facility Operations Director:

2. Action/Approval to purchase F-650 with 5-6 yard dump for \$91,447.00.

Mr. Gatterman stated that this request was to seek approval to move forward with the purchase of an F-650 with an attached dump bed. This truck would be a primary tool for the upcoming work crew anticipated to be hired.

In response to a question from the Board, Mr. Gatterman stated that we would be purchasing additional items, such as a skid steer to load the truck, in the upcoming months.

Mr. Thomas stated that SSCAFCA received a donation from the AMAFCA Board of Directors of a large tractor trailer to haul large equipment.

A motion was made by James Fahey to approve the purchase of the F-650. It was seconded by John Chaney and passed unanimously.

3. Presentation on Lomitas Negras Phase 2 Project.

Mr. Gatterman stated that this project included removal of approximately 280,000 cubic yards of earth and placement of approximately 14,000 cubic yards of soil cement, as well as some storm drain, curb and gutter and a diversion wall. The excavation and earth hauling is 90% complete and a significant portion of the soil cement is currently in place on the main stem as well as the northern tributary of the Lomitas Negras.

Unfortunately, during the excavation of the main flood pool, a large amount of trash and debris was discovered, requiring the main embankment to be reconstructed and approximately 15,000 yards of trash and debris will need to be taken to the Sandoval County landfill. In response to a question from the Board, Mr. Gatterman confirmed that this was an unpermitted illegal dumping activity that took place prior to SSCAFCA acquiring the property.

Mr. Gatterman also presented information on proposed bank stabilization to be included in the project along the arroyo between Saratoga road and NM 528. This work would not increase the cost of the project beyond the authorized federal grant funds.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

None.

PROPERTY MATTERS.

None.

FOR YOUR INFORMATION.


1. Fiscal Year 2020 Final Budget Approval Letter (8/14/19)
2. Corrales Comment Article, "Recycled Asphalt Water Contamination Concerns." (8/10/19)
3. RR Observer Article, "1961 Land -Use Covenants Lead to Present-Day Conflict." (8/4/19)
4. Corrales Comment Article, "Intel to Hire Contractor to Handle Stormwater." (7/20/19)

ADJOURNMENT.

The meeting was adjourned by Chairman Obrey at 10:18 a.m.



STEVE HOUSE
Secretary



MICHAEL OBREY
Chairman

DATE ACCEPTED: 9/19/2019