

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF FEBRUARY 20, 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 9:00 am.

ROLL CALL OF DIRECTORS.

Directors in attendance were James Fahey, Mark Conkling, John Chaney and Michael Obrey. Director Steve House was not present. 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.

Staff have asked to remove two action items from the agenda. First, removal of the Drainage Agreement with AMREP and second, removal of the Turnkey Agreement for Cielo Azul Subdivision. A motion was made by James Fahey to approve the Agenda as amended. It was seconded by John Chaney and passed unanimously.

ACTION/ACCEPTANCE OF THE MINUTES OF DECEMBER 19, 2019 and January 2, 2020.

A motion was made by James Fahey to accept the minutes of December 19, 2019 and January 2, 2020 as presented. It was seconded by John Chaney and passed unanimously.

PUBLIC FORUM.

Ron Abramshe representing Alegria HOA was in attendance. Mr. Abramshe wanted to know when the Bureau of Reclamation would be getting started with the project, and whether the timeline would affect the completion of the portion of the work to connect the Venada Channel to the river. Mr. Thomas stated that this would be covered in his report to the Board.

STAFF REPORTS.

Executive Engineer:

1. Action/Approval of Resolution 2020-05 Capital Funding Priorities for Federal Programs in Fiscal Year 20 (FFY 20) and Fiscal Year 21 (FFY 21).

Mr. Thomas stated that Resolution 2020-05 was to establish a list of projects for which SCAFCFA is seeking funding support. This resolution was recommended by our lobbyist in Washington D.C. as the funding planning process starts in February of each year.

A motion was made by James Fahey to approve Resolution 2020-05 as presented. It was seconded by John Chaney. Roll call vote: James Fahey, yes; Mark Conkling, yes; John Chaney, yes; Chairman Obrey yes. The motion carried 4-0.

2. Update on Waters of the United States (WOTUS).

Mr. Thomas provided an update on the current status of WOTUS. On January 23, 2020, the Trump Administration published the Navigable Waters Protection Rule. Mr. Thomas stated that this rule will go into effect on March 23, 2020. The most significant impact of this new rule is the definition of ephemeral streams, which are now defined as only flowing after a single precipitation event. Ephemeral streams, as defined, are considered exempt from being Waters of the United States and would no longer be regulated as such by the US Army Corps of Engineers (USACE). Mr. Thomas stated that this does not change the status of our MS4 permit, as the Environmental Protection Agency definition matches the new rule.

In response to a question from the Board, Mr. Thomas stated that it is unknown how the Albuquerque District of the USACE will interpret the new rule. Regarding a question on who would regulate the arroyos now, Mr. Thomas stated it would be up to the local jurisdictions to monitor and regulate any work done in the arroyos.

3. Update on Federal Funding Applications.

Mr. Thomas provided an update on our current federal funding applications. Mr. Thomas stated that the pre-construction meeting for the Bureau of Reclamation (BOR) project at the Venada is March 2nd. The BOR will be constructing the low flow channels and the connection channel to the Venada Arroyo. The timeframe for construction is estimated to be 3-5 months. Following the completion of the BOR project, SCAFCFA will be using the upcoming capital outlay to continue improvements to the channel.

Mr. Thomas indicated that we have received confirmation from the USACE that the Lower Venada has been included as a request for a new start project. The USACE has also included a water quality structure in the Venada arroyo and the PDV Dam at the Barrancas Arroyo. The USACE has also approved the Rio Rancho Industrial Park Water Quality Project for up to \$1.75 million in funding. The Natural Resource Conservation Service has approved SCAFCFA for up to \$450,000 to develop a Watershed Conservation Plan which would identify flood prevention needs that are eligible for funding by the Flood Prevention and Watershed Operations Program.

4. Action/Approval of Task Order for WHPacific – Update of Corrales West Side Drainage Study.

Mr. Thomas stated that this agreement is to update the report of the drainage issues on the

west side of Corrales. The previous report was completed in 1999 and updated in 2010. This report will focus on identifying drainage deficiencies but not proposed solutions.

5. Development Review.

Mr. Thomas stated that there are three main items for discussion. The Mountain Hawk Subdivision in the Hawksite area is being proposed. Similar to the Mariposa area, this area has legacy drainage easements that will need to be addressed. The second item is Shining Stars preschool which is moving forward with construction of a new school upstream of our High Range Pond. The final item is the Los Diamantes subdivision which continues to move forward and the review is on-going.

Fiscal Services Director:

1. Action/Acceptance of the Fiscal Services Report for quarter ended December 31, 2019.

Ms. Casaus stated that this is the quarterly report through December 2019. Ms. Casaus stated that tax collections were delayed by one month for the first collection, so that our collections have also been delayed. Currently we are approximately 50% less than last year, but this is due to the delay, and no significant change is anticipated. Expenditures in the General Fund through this quarter amounted to 35% of the total budget for the year, and we are 50% through the current year.

Ms. Casaus stated that there were 116 single family permits issued in the quarter. The number of single family home permits is up by 9 permits from this same time last year. The interested earned on State Treasurer’s funds is 1.656% and the current yield on the 90-day U.S. Treasury Bill is 1.564%.

Ms. Casaus also presented a list of all checks issued for greater than \$20,000 during the quarter.

A motion was made by Director Chaney to accept the Fiscal Services Report of December 31, 2019 as presented. It was seconded by Director Fahey and passed unanimously.

2. Action/Approval of Resolution 2020-06 Fiscal Year 2020 Budget Amendment.

Ms. Casaus presented Resolution 2020-06, which increases our expenditures in the construction fund based on the 2019 bond sale. It also increases expenses in the debt service fund to pay for the additional interest payment

A motion was made by James Fahey to accept the fiscal services report as presented. It was seconded by John Chaney. Roll call vote: John Chaney, yes; James Fahey, yes; Mark Conkling, yes; Chairman Obrey yes. The motion carried 4-0.

Design Services Director:

1. Action/Approval of Fee Simple Dedication of Tract A of the Paseo Gateway Channel.

Mr. Sanchez stated that this item is to accept Tract A of the channel. The acceptance of the channel right of way was part of the turnkey agreement previously approved.

A motion was made by James Fahey to approve the acceptance of Tract A of the Paseo gateway Channel. It was seconded by Mark Conkling and passed unanimously.

2. Action/Approval of Turnkey Agreement with RRPS for Construction and Acceptance of Storm Water Infrastructure associated with Shining Stars Preschool.

Mr. Sanchez presented information, photos and video on the Turnkey Agreement with Rio Rancho Public Schools. As part of constructing the Shining Stars preschool, RRPS has requested to be able to discharge directly into the future High Range Pond. As part of the Agreement, the infrastructure being installed will match the proposed design elevations of the future High Range Pond.

In response to a question from the Board, Mr. Sanchez stated that Rio Rancho Public Schools would pay the cost of the installation.

A motion was made by John Chaney to approve the turnkey agreement as presented. It was seconded by James Fahey and passed unanimously.

Facility Operations Director:

1. Action/Approval of Award for Romero Road Improvements to the Apparent Low Bidder.

Mr. Edmondson presented information regarding the bid of the Romero Road project. SSCAFCA received six bids and the low bid was Salls Brothers Construction with a bid of \$173,103.45. Mr. Edmondson requested the award of the project to Salls Brothers Construction.

A motion was made by Mark Conkling to approve the award of the Romero Rd. Project to Salls Brothers Construction. It was seconded by James Fahey and passed unanimously.

2. Presentation of Maintenance Activities – Pecos Channel.

Mr. Edmondson presented information on work that the field crew has completed in the Pecos Channel. The Pecos Channel is one of the older channels in the Star Heights subdivision. The work included removal of large trees and regrading the arroyo to a fully restored channel. The grade control structures were also maintained to ensure flow was going over them correctly.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

None

PROPERTY MATTERS.

1. Action/Approval Unit 08, Block 87, Lot 53 – 0.87 acres – Calabacillas Arroyo

Mr. Thomas stated that this property is part of the LEE line for the Calabacillas Arroyo.

A motion was made by James Fahey to approve the acceptance of Unit 8, Block 57, Lot 53. It was seconded by Mark Conkling and passed unanimously.

FOR YOUR INFORMATION.


1. The IT Professional Services contract with Systems MD, LLC has been renewed for the third year with the same terms and conditions as of 2/11/2020.
2. The Sediment Removal and Priority Maintenance Services contracts have been renewed for the fourth year with the same terms and conditions with the following contractors as of 2/11/2020.
 - CBKN Dirtworks
 - PG Enterprises, LLC
3. In accordance with Resolution 2019-21 Acquisition of Property for the Calabacillas Playa Project, the following properties have been acquired.
 - U08, Blk 51, Lot 32 – 1.0 acres
 - U06, Blk 50, Lot 5 – 1.0 acres
 - U08, Blk 49, Lot 37 – 1.0 acres

OTHER BUSINESS

The next Regular Board Meeting is scheduled for March 19, 2020 at 9:00 a.m.

ADJOURNMENT.

The meeting was adjourned by Chairman Obrey at 10:26 a.m.


MICHAEL OBREY
Chairman


CHARLES THOMAS
Executive Engineer

DATE ACCEPTED: 4-16-2020