

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF JULY 15, 2021
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 9:02 a.m.

ROLL CALL OF DIRECTORS.

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

ANNOUNCEMENTS.

Due to the serious nature of all Board Meetings, Chairman Fahey asked that all cell phones or devices that may distract participants or disrupt the meeting be turned off.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by Chairman Fahey.

APPROVAL OF AGENDA.

A motion was made by John Chaney to approve the Agenda as amended. It was seconded by Mark Conkling.

Roll call vote: John Chaney, yes; Michael Obrey, yes; Mark Conkling, yes; Ronald Abramshe, yes; James Fahey, yes. The motion carried 5-0.

ACTION/ACCEPTANCE of the minutes of the Regular Board Meeting of June 17, 2021

A motion was made by Mark Conkling to accept the minutes of the Regular Board Meeting of June 17, 2021. It was seconded by Ronald Abramshe

Roll call vote: Ronald Abramshe, yes; Michael Obrey, yes; Mark Conkling, yes; John Chaney, yes; James Fahey, yes. The motion carried 5-0.

PUBLIC FORUM.

None.

STAFF REPORTS.

Executive Engineer:

1. Action/Approval of Turnkey Agreement with DBG Properties, LLC for 550 Paseo Apartments. (m/o)*

Mr. Thomas stated that approval of the Turnkey Agreement with DBG Properties, LLC for 550 Paseo Apartments was necessary before the developer, DBG Properties, could proceed with a multi-family development. The proposed development would include two storm drain outfalls that would flow to a SSCAFCA-owned easement. The Turnkey Agreement outlined SSCAFCA's responsibilities and the requirements that would need to be met by the developer prior to SSCAFCA accepting storm water run-off from the proposed development to SSCAFCA's drainage easement.

A motion was made by Mark Conkling to approve the Turnkey Agreement with DBG Properties, LLC for 550 Paseo Apartments. It was seconded by John Chaney.

Roll call vote: Ronald Abramshe, yes; Michael Obrey, yes; Mark Conkling, yes; John Chaney, yes; James Fahey, yes. The motion carried 5-0.

2. Action/Approval of Task Order with Cobb Fendley for Acquisition of Property for the Honduras Drainage Improvement Project (m/o)*

Mr. Thomas stated that he was seeking Board approval of the Task Order with Cobb Fendley for Acquisition of Property for the Honduras Drainage Improvement Project. The scope of work included acquisition of 15 whole properties and one partial take. Mr. Thomas stated that Cobb Fendley was one of the three contractors that SSCAFCA used for on-call acquisition services.

A motion was made by Michael Obrey to approve the Task Order with Cobb Fendley for Acquisition of Property for the Honduras Drainage Improvement Project. It was seconded by John Chaney.

Roll call vote: Ronald Abramshe, yes; Michael Obrey, yes; Mark Conkling, yes; John Chaney, yes; James Fahey, yes. The motion carried 5-0.

3. Development Review (m/o)

Mr. Thomas stated that within the Venada watershed, the drainage report and construction plans for the 550-PDV Apartments were still pending review with only two minor comments remaining and that the Turnkey Agreement for that development had been presented as an earlier action item. The drainage report and construction plan for Lomas Encantadas 1G & 4A were also still pending review. Mr. Thomas stated that within the Montoyas watershed, the construction plans for Stonegate Subdivision Phase 1 and the drainage report and construction plans for Melon Ridge Subdivision were both under review. Mr. Thomas stated that the last item under development review was the Site Plan for a commercial development consisting of a 12-acre tract at the NE corner of Westside Blvd & Unser Blvd, an area where SSCAFCA had an existing easement. Further review of the construction plans along with a Turnkey Agreement between SSCAFCA and Developer would be required if the development were to move forward.

Fiscal Services Director:

1. Action/Approval of Resolution 2021-08 Notice of Bond Sale and Delegation of Authority (m/o)*

Ms. Casaus introduced Art Melendrez, the SSCAFCA Bond Attorney. Mr. Melendrez stated that Resolution 2021-08 was a public notification of a pending bond sale, as well as a delegation of authority to the Executive Engineer to approve the best final offer on August 25, 2021. Mr. Melendrez explained that this would be for the sale of new bonds and re-financing of existing debt. In response to a question from the Board, Ms. Casaus stated that SSCAFCA's Moody's Bond Rating was Aa2, which is favorable for the upcoming sale.

A motion was made by Ronald Abramshe to approve Resolution 2021-08 Notice of Bond Sale and Delegation of Authority. It was seconded by Michael Obrey.

Roll call vote: John Chaney, yes; Michael Obrey, yes; Mark Conkling, yes; Ronald Abramshe, yes; James Fahey, yes. The motion carried 5-0.

2. Action/Acceptance of the Fiscal Services Report for June 30, 2021 (m/o)

Ms. Casaus presented the Board with the Fiscal Services Report for June 30, 2021. Ms. Casaus stated that the operating property tax revenue after 12 months of FY21 was 0.9% greater than collections at the same time last fiscal year, and the debt service property tax revenue was 5.2% greater. Ms. Casaus stated that the General Fund expenditures fiscal year-to-date through June 30, 2021 amounted to 75% of the total budget for the year and that we were currently 100% through Fiscal Year 2021. Ms. Casaus stated that there were 367 Single-Family Residential permits issued by the City of Rio Rancho for the months of April through June. Interest was earned on funds invested in State Treasurer's Office local government program at a rate of 0.0661% for the month ending June 30, 2021 and the current yield on a 90-day U.S. Treasury bill was 0.043%.

A motion was made by Mark Conkling to accept the Fiscal Services Report for June 30, 2021. It was seconded by Michael Obrey.

Roll call vote: John Chaney, yes; Michael Obrey, yes; Mark Conkling, yes; Ronald Abramshe, yes; James Fahey, yes. The motion carried 5-0.

3. Action/Approval of Resolution 2021-09 Fiscal Year 2021 Budget Amendment (m/o)*

Ms. Casaus stated that approval of Resolution 2021-09 Fiscal Year 2021 Budget Amendment was to approve two budget adjustments. The Debt Service Fund exceeded the budget by one dollar (\$1.00) and the Construction Fund had a negative fund balance of approximately \$550,000. Ms. Casaus stated that Resolution 2021-09 would approve appropriations in the Debt Service Fund to be increased by \$1 and would also allow for a temporary increase from the General Fund to the Construction Fund of \$550,000, which would be repaid in Fiscal Year 2022. Ms. Casaus stated that the General fund had a sufficient cash balance to allow for the temporary transfer. In response to a question from the Board, Ms. Casaus stated that the reimbursement from the State on expended grant funds was received on July 2, 2021, forty-eight hours too late to be deposited for the end of FY21. Ms. Casaus clarified that the reimbursement was already deposited in the Debt Service fund and that Resolution 2021-09 was only needed to administratively correct the FY21 budget due to the late payment.

A motion was made by Ronald Abramshe approve to Resolution 2021-09 Fiscal Year 2021 Budget Amendment. It was seconded by John Chaney.

Roll call vote: John Chaney, yes; Michael Obrey, yes; Mark Conkling, yes; Ronald Abramshe, yes; James Fahey, yes. The motion carried 5-0.

4. Action/Approval of Resolution 2021-10 Budget for Fiscal Year Ending June 30, 2022. (FY 2022)(m/o)*

Ms. Casaus stated that Resolution 2021-10 Budget for Fiscal Year Ending June 30, 2022 was to approve next year's upcoming budget and was required by the Department of Finance and Administration (DFA). Ms. Casaus provided a brief summary of the budget.

A motion was made by Mark Conkling to approve Resolution 2021-10 Budget for Fiscal Year Ending June 30, 2022. (FY 2022). It was seconded by Ronald Abramshe.

Roll call vote: John Chaney, yes; Michael Obrey, yes; Mark Conkling, yes; Ronald Abramshe, yes; James Fahey, yes. The motion carried 5-0.

5. Action/Approval of Resolution 2021-11 Ad Valorem Tax Levy for Tax Year 2021 (FY 2022) Applicable to General Operating Fund. (m/o)*

Ms. Casaus stated that Resolution 2021-11 set the mill levy rates for the general operating fund for tax year 2021 (FY 2022). Ms. Casaus stated that the levy for tax year 2021 was adjusted due to yield control to 0.820 mills for residential property but remained at 0.828 mills for non-residential property.

A motion was made by John Chaney to approve Resolution 2021-11 Ad Valorem Tax Levy for Tax Year 2021 (FY 2022) Applicable to General Operating Fund It was seconded by Michael Obrey.

Roll call vote: John Chaney, yes; Michael Obrey, yes; Mark Conkling, yes; Ronald Abramshe, yes; James Fahey, yes. The motion carried 5-0.

6. Action/Approval of Resolution 2021-12 Ad Valorem Tax Levy for Tax Year 2021 (FY 2022) Applicable to Debt Service Fund. (m/o)*

Ms. Casaus stated that Resolution 2021-12 set the mill levy rates for the Debt Service Fund. The current levy for tax year 2020 was 1.244 dollars per thousand dollars of assessed value for residential and non-residential property. Ms. Casaus stated that the debt service fund would see an increase to an ad valorem tax of 1.247 dollars per thousand dollars of assessed value on all taxable real and personal property within the Authority, which together with cash on hand would be sufficient to produce net revenue for the tax year 2021 (fiscal year 2022.)

A motion was made by John Chaney to approve Resolution 2021-12 Ad Valorem Tax Levy for Tax Year 2021 (FY 2022) Applicable to Debt Service Fund. It was seconded by Mark Conkling

Roll call vote: John Chaney, yes; Michael Obrey, yes; Mark Conkling, yes; Ronald Abramshe, yes; James Fahey, yes. The motion carried 5-0.

7. Action/Approval of Resolution 2021-13 Final Quarter Financial Report for Year Ending June 30, 2021. (m/o)*

Ms. Casaus stated that Resolution 2021-13 was to certify the final cash balances carried over to FY22. Ms. Casaus stated that the Department of Finance and Administration required this balance to be certified by the Board.

A motion was made by Mark Conkling to approve Resolution 2021-13 Final Quarter Financial Report for Year Ending June 30, 2021. It was seconded by John Chaney.

Roll call vote: John Chaney, yes; Michael Obrey, yes; Mark Conkling, yes; Ronald Abramshe, yes; James Fahey, yes. The motion carried 5-0.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

The Board discussed the RR Golf Course press release.

PROPERTY MATTERS.

1. Action/Acceptance of Lomas Encantadas Tract A – 2.0 acres
2. Action/Acceptance of Star Villa East Parcel A – 0.326 acres

Mr. Thomas stated that the two parcels presented were donations from AMREP. The first parcel was just downstream of Enchanted Hills dam and consisted of the Venada arroyo bank and the outlet for the Enchanted Hills Dam. The second parcel was adjacent to an existing drainage pond and was a landlocked parcel that would provide an area for local sediment storage and staging for maintenance activities.

A motion was made by Ronald Abramshe to accept the Lomas Encantadas Tract A and Star Villa East Parcel A properties. It was seconded by John Chaney.

Roll call vote: John Chaney, yes; Michael Obrey, yes; Mark Conkling, yes; Ronald Abramshe, yes; James Fahey, yes. The motion carried 5-0.

FOR YOUR INFORMATION.

1. The General Counsel/Legal Services contract has been renewed for the second year with Cuddy & McCarthy under the same terms and conditions. (m/o)
2. The Professional Public Relations and Outreach Services contract has been renewed for a fourth year with The Waite Company under the same terms and conditions. (m/o)

OTHER BUSINESS


1. Next Regular Board Meeting is scheduled for August 19, 2021 @ 9:00 a.m.

ADJOURNMENT.

The meeting was adjourned by Chairman Fahey at 10:00 a.m.



JAMES F. FAHEY JR. M.D.
Chairman


MICHAEL OBREY
Secretary

DATE ACCEPTED: 8/19/2021