

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF SEPTEMBER 21, 2012
BOARD OF DIRECTORS REGULAR MEETING

CALL TO ORDER.

The regular meeting of the SSCAFCA Board of Directors was called to order by Donald Rudy, Chairman, at 9:05 a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were Mark Conkling, James Fahey, Steve House and Donald Rudy. John Chaney was noted as absent. Charles Thomas, Executive Engineer, Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present.

PLEDGE OF ALLEGIANCE.

The Board was led in the Pledge of Allegiance by Donald Rudy.

APPROVAL OF AGENDA.

A motion was made by Jim Fahey to approve the Agenda as presented. It was seconded by Mark Conkling and passed unanimously.

ANNOUNCEMENTS.

Announcements were made by Donald Rudy that all electronic devices needed to be turned off during the meeting.

STAFF REPORTS:

Executive Engineer:

1. Introduction of new Environmental Services Director, David Gatterman.

Mr. Charles Thomas introduced David Gatterman, the new Environmental Services Director to the Board.

2. Action/Acceptance of Resolution 2012-14 Infrastructure Capital Improvement Plan (ICIP).

Mr. Thomas stated that Resolution 2012-14 adopts the Infrastructure Capital Improvement Plan. This is basically dictated by the Department of Finance and Administration and outlines the upcoming projects that SSCAFCA has beginning in the new fiscal year. The ICIP is mandated for any public agency. The plan is reasonably ambitious in terms of the schedule. SSCAFCA is looking at roughly \$4 million worth of projects per year. It will be predicated upon obtaining that level of funding. The first priority project of the ICIP is the third leg of the Dulcelina Curtis water quality project. The second is the La Barranca City Center Flood Control. The third priority project is the Alberta Drainage Improvements. The next project is the 19th Avenue Dam. The final priority project is the Unnamed Arroyo Water Quality Detention Facility.

A motion was made by Jim Fahey to approve Resolution 2012-14 as presented. It was seconded by Steve House. Roll call vote: Mark Conkling, yes; Jim Fahey, yes; Steve House, yes; Donald Rudy, yes. The motion passed 4-0.

3. Discussion - Request for Proposal for Environmental Mitigation Area Open Space Master Plan.

Mr. Thomas stated that this is one of the outstanding projects within the Black Watershed. As part of diverting the lower portion of the arroyo and putting it into a lined channel, the Corps determined that there was critical habitat that was going to be filled in and destroyed. The developer had to conserve some habitat and it has been turned over to SSCAFCA for stewardship. This is now a dedicated open space area within Rio Rancho to protect the habitat and for flood control and safety. Part of this project might include a walkway over the arroyo rather than having parents pick up their children from school on a 4 wheeler and driving into the arroyo.

Mr. Rudy stated that he would like Mr. Conkling to take the lead on pursuing, directing and keeping the Board informed as to the activities, directions, needs etc. and what SSCAFCA needs to consider in its planning for open space/multi use facilities. Mr. Conkling stated that he was happy to take that assignment and was grateful for the activity. He stated that it is probably appropriate due to the institutional memory. He stated that they came up with the idea of marrying the habitat needs with a park idea to shape the habitat and shape the idea of public use. Also, as developers needed property SSCAFCA owned, that SSCAFCA would have them buy that property in exchange so that there was a bank of land that they could buy for a trade. This would provide an income source in the park because the developer would need to buy one of the lots from SSCAFCA in exchange for the land they want. That land bank idea was instrumental prior to the building of the hospital. He then discussed the pluses of multi-use facilities.

4. Discussion – Collaboration with AMAFCA on Calabacillas WMP.

Mr. Thomas stated that both agencies were planning on working on the Calabacillas Arroyo Water Management Plan. This is the last system for which SSCAFCA does not have a watershed management plan. This is one project SSCAFCA is intending to pursue this year. AMAFCA is also looking at pursuing an update of the west branch of the Calabacillas, just south of SSCAFCA's jurisdiction. Staff has submitted a proposal to AMAFCA and has received a verbal favorable response from them and it will now go before the AMAFCA Board for discussion and approval as well. Once the details of the agreement have been worked out, it will come back to this Board for similar approval.

5. Harvey Jones Channel Improvements Project Update.

Mr. Thomas stated that this project is currently in the initial design phase with Bohannon Huston. The field survey has been completed. The geotechnical field investigation has been completed. The environmental field work is being held up in a discussion of who the lead agency will be, most likely the Department of Transportation. The last piece is the right of way certification required by the Department of Transportation. The surveying data that is available within the Village of Corrales is sparse and the exact right-of-way of Highway 448 through Corrales is unknown in large portions. The Department of Transportation has contracted with Parsons Brinkerhoff to survey the exact right-of-way of NM 448 and SSCAFCA is currently in discussions with them to see when they will be in the area of the Harvey Jones Channel. The next step will be to decide whether to wait for them to do it or if it would be more expedient to complete that portion itself.

6. MS4 Watershed Based Permit Update.

Mr. Thomas stated that there was a meeting on August 15, 2012 involving some of the higher level people from EPA as well as all of the 17 agencies that are part of the permitting process. One of the interesting outcomes of that meeting was a well-written letter by the County of Bernalillo to EPA outlining some deficiencies in the process that EPA has failed to address. EPA expects to have a draft available for review by the meeting in October. They did clarify several of the issues that were brought up in the letter. One is that they will not be mandating a memorandum of understanding among all of the participants. The MOUs will be more local. One of the other elements is that they actually pointed to a federal register citation that shows the ability for partners to complete tasks for the group and receive credit for that.

Chuck Easterling, of Easterly Consultants, stated that his company has been hired by the City of Albuquerque with regard to the MS4 permit. They have been tasked with changing the development process manual. Every community along the river uses some part of the DPM,

particularly as it relates to drainage. He has been encouraged by the City to include all of the drainage engineers from the immediate surrounding areas in that effort. There is a meeting next week after the AMAFCA Board meeting, which relates to water quality and the way drainage is done in the community.

7. Development Status Update.

Mr. Thomas stated that development is still fairly slow. Some items have come through. The Tres Colinas development is moving forward and has brought its plat and drainage report to SSCAFCA. This is the northern part of the Loma Colorado Development. The Mesita Vista Plat is the section of property adjacent to the Montoyas Arroyo which contains a drainage easement to SSCAFCA for the outfall area. The Rust Medical Center property is still in process as well.

The Unser Pavilion project is moving forward. The drainage report was approved for drainage improvements in one configuration. They have submitted their Phase II in another portion, which is the portion that would ultimately result in filling in the northern leg and they keep changing the hydrology. In response to a question by Mr. Conkling, Mr. Thomas stated that the original drainage report, as approved, identified additional pipe would be required to be bored under Unser in order to address the reduction in the volume of the pond, as well as adding some flood walls within the pond itself. Those features are all approved as part of the original drainage plan. The installation of those features will be required by SSCAFCA prior to the approval of any construction plans or the Phase II portion of the project for the northern leg of the pond. The downstream portion was sized to accept 6 pipes under Unser. At this point, there are only the original three, and this project will bring it up to four, but still well within the capacity of the channel.

Mr. Thomas stated that, in the Village of Corrales, there was some movement on the lands of Freedman, which is adjacent to the Montoyas Arroyo, where SSCAFCA's project is proposed to be put in place. That acreage (about 30 acres) was up for sale. Staff is not sure what happened on that yet, but the listing is no longer active. Also, the LOMR for the Ron Brown property has been submitted to FEMA.

Fiscal Services Director:

1. Recognition/Acknowledgment of the Fiscal Services Report for August 31, 2012.

Ms. Deborah Casaus presented the Fiscal Services Report for August 31, 2012. Operating property tax collections are about 1% lower than this same time last year. The debt service

collections is about 2.6% higher than last year. The bulk of the tax collections came in during June 2012. A large property tax payment will come in around December or January. SSCAFCA has received final approval of its final budget from DFA and this is included in the Board's packets under "FYI." General Fund expenditures through August 31, 2012 were 7% of the total budget and SSCAFCA is about 17% through the fiscal year.

The City of Rio Rancho issued 48 single family residential permits for the month of August. This is a total of 306 permits for the year and exceeds last year. Interest earned on the State Treasurer's local government program is about .169% for the month of August, which is still higher than a U.S. Treasury Bill of .092%. She is always looking at other alternatives, such as CDs, with the institutions who have bid on SSCAFCA's CDs in the past. Right now, they are even lower than the State Treasurer's Investment Pool, without the flexibility SSCAFCA enjoys with the Investment Pool.

2. Action/Acceptance of Resolution 2012-15 Fiscal Year 2013 Budget Adjustment.

Ms. Casaus stated that Resolution 2012-15 adopts a Fiscal Year 2013 Budget Adjustment. Bonds were sold in July 2012 and the proceeds have been received. A budget amendment must now be adopted in order to be able to spend those funds.

A motion was made by Jim Fahey to approve Resolution 2012-15 as presented. It was seconded by Steve House. Roll call vote: Mark Conkling, yes; Jim Fahey, yes; Steve House, yes; Donald Rudy, yes. The motion passed 4-0.

Mr. Thomas stated that on one of the current projects, the Montoyas Water Quality Project, SSCAFCA did apply for a Clean Water State Revolving Loan Fund. This is run by the New Mexico Environment Department. This project was ranked as the top project so SSCAFCA was the first they negotiated with. The details are \$1.25 million in a loan, coupled with \$750,000.00 in grant funds to complete that project. The current issue they are looking at is trying to identify funding to use as collateral on that loan package. There are two options. One is using existing bond funds; the other is to use a portion of the \$2.5 million in bonding authority on which bonds have not yet been issued. Staff is waiting for clarification from its bond attorney and the finance manager on which of these two options will be the most favorable for SSCAFCA. Mr. Thomas stated that SSCAFCA, because of its wise use of the public's money, is in a good position to take advantage of lending situations such as these.

3. Action/Acceptance to Certify SSCAFCA's Inventory of Capital Assets.

Ms. Casaus stated that SSCAFCA's must have its Inventory of Capital Assets certified by the Board. Everything SSCAFCA owns is depreciated, except the land that SSCAFCA owns.

A motion was made by Jim Fahey to certify the Inventory of Capital Assets as requested and presented. It was seconded by Mark Conkling and passed unanimously.

4. Action/Acceptance of Contract Renewal with AMEC Earth and Environmental for Data Asset Management Program Services with no request for changes.

Ms. Casaus stated that this is a renewal on an existing contract and no changes have been requested by the contractor.

A motion was made by Jim Fahey to accept the contract renewal with AMEC as presented. It was seconded by Steve House and passed unanimously.

5. Action/Acceptance of Contract Renewal with Manuel Lujan Agencies for Insurance Services with no request for changes.

Ms. Casaus stated that this is a renewal on an existing contract and no changes have been requested by Manuel Lujan Agencies.

A motion was made by Jim Fahey to accept the contract renewal with Manuel Lujan Agencies as presented. It was seconded by Steve House and passed unanimously.

6. Action/Acceptance of Selection/Agreement for On-Call Engineering Services.

<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>
Bohannon Huston	Bohannon Huston	Bohannon Huston
Easterling Consultants	HDR	HDR
Smith Engineering	Smith Engineering	NCS Engineering

Ms. Casaus stated that an RFP was issued for the selection of on-call engineering services. Eleven submittals to that RFP were received. Three firms for each category were selected. Category 1 is flood and erosion control engineering services; category 2 is planning, design and construction phase services; and category 3 is environmental engineering services.

Mr. Thomas stated that when projects come up, the intention is to match a firm with a project that best fits its talents. The work will be spread out among the firms selected. There is a

BOARD OF DIRECTORS REGULAR MEETING

SEPTEMBER 21, 2012

\$200,000.00 cumulative total over the four year contract self imposed cap for each of the on-call engineers.

A motion was made by Jim Fahey to accept the selections of the on-call engineering services contractors as presented. It was seconded by Steve House and passed unanimously.

Administrative Services Director

1. Presentation by Anthony Garcia from Juxtapose Media on newly renovated website.

Mr. Gerhard Schoener stated that Catherine Conran started working on renovating SSCAFCA's website to give the website a new look and to make use of some of the tools available now to make it easier for people to access information and to make it more user friendly for SSCAFCA staff to update information. Several quotes were received from local web design firms and Juxtapose was selected to do the work.

Anthony Garcia, from Juxtapose, showed the Board the new SSCAFCA website on a screen. He stated that the website had a lot of information that wasn't being presented in a very organized way. One of the things they tried to do was to determine how people respond to websites. One of them is visually. Pictures are showcased on the website. The website was updated to be much more user friendly for the public and provides a lot of information.

Field Services Director:

1. Encroachment at Lomitas Negras.

Mr. Jim Service stated that there was an encroachment noticed at the Lomitas Negras. The apparent encroachment is at Tract 37B. The property will have to be surveyed. A task order was approved yesterday for Community Sciences to go out and set the two corner stakes to see what the exact encroachment is. When he talked to the property owner, they said they bought their piece after 37A and 38A had been developed. What happened, is that they went down to the abutting people's property fence line and put their fence at that point and did not get a survey. The owner has a couple of horse stalls and a shed on the easement. Nothing is permanently affixed to the ground. He ensured the owner that SSCAFCA will be more than happy to work with them once the survey is complete.

CHAIRMAN'S REPORT.

BOARD OF DIRECTORS REGULAR MEETING

SEPTEMBER 21, 2012

None.

BOARD OF DIRECTOR'S COMMENTS.

None.

COMMITTEE REPORTS.

ACTION/APPROVAL OF THE MINUTES OF AUGUST 10, 2012.

A motion was made by Mark Conkling to accept the Minutes of August 10, 2012 as presented. It was seconded by Jim Fahey and passed unanimously.

ATTORNEY'S REPORT.

None.

PUBLIC FORUM.

None.

PROPERTY MATTERS.

None.

FOR YOUR INFORMATION:

1. Albuquerque Journal article, "Mariposa Tax Pact on the Table." (08/04/12)
2. Rio Rancho Observer article, "Mariposa PID proposes 36% mil levy increase." (08/19/12)
3. 08/23/12 Correspondence from the Department of Finance and Administration approving the Fiscal Year 2012-13 Final Budget.
4. Rio Rancho Observer article, "Couple Questions Mariposa PID." (09/02/12)

BOARD OF DIRECTORS REGULAR MEETING

SEPTEMBER 21, 2012

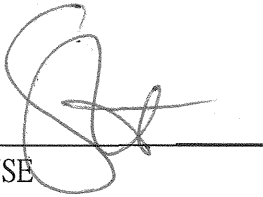
5. Rio Rancho Journal articles, "Impact Fee Reduction Spurs Debate" and "Corrales Plans to Revamp Salce Park." (09/08/12)
6. 09/13/12 correspondence from Middle Rio Grande Water Assembly regarding FY 2012-2013 Funding Request.

OTHER BUSINESS.

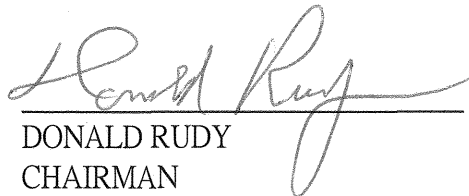
- Next Regular Board Meeting is on Friday, October 19, 2012 at 9:00 a.m.

ADJOURNMENT.

A motion was made by Jim Fahey and seconded by Mark Conkling to adjourn the meeting. It was carried unanimously. Meeting adjourned at 10:45 a.m.



STEVE HOUSE
Secretary



DONALD RUDY
CHAIRMAN

DATE APPROVED: _____

10/19/12

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