

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)**

**MINUTES OF November 19, 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 9:05 a.m.

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.

At the direction of Chairman Obrey, Mr. Thomas announced that there would be two opportunities for public comment. The first opportunity would be during the "Public Forum" for non-agenda related items and the second opportunity for public comments and/or questions would be allowed for all other agenda items as they were presented. Mr. Thomas noted that there were a large number of public participants and asked members of the public, who wished to comment on the Rio Rancho Golf Course, to do so by using the Zoom chat function. Mr. Thomas stated that each individual comment or question would be addressed in the order in which it was submitted. Mr. Thomas asked members of the public to keep their comments to three minutes or less.

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: John Chaney, yes; James Fahey, yes; Michael Obrey, yes. The motion carried 3-0.

ACTION/ACCEPTANCE of the minutes of the Regular Board Meeting of October 15, 2020

A motion was made by James Fahey to accept the minutes of October 15, 2020 as presented. It was seconded by John Chaney.

Roll call vote: John Chaney, yes; James Fahey, yes; Michael Obrey, yes. The motion carried 3-0.

PUBLIC FORUM.

Ron Abramshe representing Alegria HOA was present. On behalf of the residents of the Alegria community, Mr. Abramshe thanked SSCAFCA for all the work done in the Santiago Channel.

STAFF REPORTS.

Executive Engineer:

1. Action/Approval of Resolution 2020-18 Authorizing the Execution and Delivery of a Water Project Fund Grant Agreement in the total amount of \$535,000. (m/o)*

Mr. Thomas stated that Resolution 2020-18 was for the Authorization of Execution and Delivery of a Water Project Fund Grant Agreement in the total amount of \$535,000. Mr. Thomas stated that this was a grant agreement with the NM Finance Authority's Water Trust Board. The approval of the agreement would authorize the sale of bonds in the amount of \$535,000.00 in support of the Harley Pond Project, previously identified as Tributary A Pond in Unit 10. In response to a question from Director Fahey, Mr. Thomas stated that the grant funds were part of the 2020 Severance Tax Bond Funds distributed by the Water Trust Board to approved applicants for projects that met the necessary criteria for support funding. SSCAFCA was a successful applicant for the program.

A motion was made by James Fahey to approve Resolution 2020-18 Authorizing the Execution and Delivery of a Water Project Fund Grant Agreement in the total amount of \$535,000. It was seconded by John Chaney.

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

2. Action/Approval to Refinance Existing Clean Water SRF Loans to save \$222,414.54.

Mr. Thomas explained the benefit of refinancing SSCAFCA's existing Clean Water SRF loans. Mr. Thomas stated that SSCAFCA had two loans, one for the Lower Montoya's Water Quality Project in Corrales, which was already in the repayment process, and a second loan for the Playa Acquisition Project in the Calabacillas, which was not complete and not yet in the repayment process. Mr. Thomas explained that the SFR loan obtained in 2013 for the Lower Montoya's Water Quality Project had an interest rate of 3.5%. However, refinancing at today's rate of 0.50% would save SSCAFCA \$222,414.54, which was a net savings after the refinance charges were applied. Mr. Thomas noted that a refinance on the SRF loan for the Playa Acquisition Project would result in additional savings once that project was complete. Mr. Thomas requested Board approval to refinance both of SSCAFCA's existing Clean Water SRF loans.

A motion was made by James Fahey to approve the Refinance of the Existing Clean Water SRF Loans and save \$222,414.54 on the active loan. It was seconded by John Chaney.

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

3. Presentation on Offer to Receive Rio Rancho Golf Course Open Space Property.

Mr. Thomas acknowledged the members of the public who had requested to comment and or/ask questions regarding the Rio Rancho Golf Course open space property offer. Mr. Thomas announced that they would have the opportunity to comment at the conclusion of the presentation. Mr. Thomas introduced Josh Skarsgard, Principle of Land Development 2, LLC and owner of the Rio Rancho Golf Course. Mr. Skarsgard addressed the SSCAFCA Board and presented them with an offer to accept a charitable donation of 185 acres of open space located on the former Rio Rancho Golf Course. Mr. Skarsgard explained that in 2018, the City of Rio Rancho's Governing Body had approved a Zone Map Amendment and Master Plan that allowed for 66 acres of the former golf course to be used for residential development, 6 acres of property zoned commercial (where the former Clubhouse used to be), and 185 acres zoned open space and recreational. Mr. Skarsgard stated that he thought it would be appropriate for SSCAFCA to accept the offer for the purpose of flood control and possible public use. Mr. Skarsgard noted that along with the 185 acres of zoned open space, the CORR Governing Body had also allowed for 5% or approximately 9 acres of the open space to be used for ancillary purposes (e.g., a parking lot or a maintenance building.) In response to a question from Director Chaney, Mr. Skarsgard said that there was \$50,000.00 earmarked for fencing and clean-up around the open space property that could be utilized by SSCAFCA should they accept the charitable offer previously mentioned. Mr. Skarsgard further noted that the charitable donation of the 185 acres did not include any responsibility of the wet ponds surrounding the Islands HOA community.

Mr. Thomas presented information on the current status of the Rio Rancho Golf Course property. An updated Master Plan was submitted by Land Development 2, LLC to the CORR on August 3, 2020. On September 22, 2020, the proposed Master Plan was denied. Per documentation provided by the CORR, the request was denied due to a lack of a plan for long term ownership and maintenance of the open space. Mr. Thomas explained that currently, there was a lack of interest in any Public Agency or Private Party accepting the open space property. Mr. Thomas further explained the responsibilities that SSCAFCA would potentially have if they were to accept the 185 acres of open space, specifically the flood control and general maintenance efforts that would be needed. Mr. Thomas also presented information on some of the acceptance concerns, which included the status of the existing NMED Discharge Permit 1629, the condition of the old golf course maintenance yard, various dated infrastructure, and dead and dying trees. Additional acceptance concerns were the improper usage by some adjacent residential properties, and other encroachments that could become problematic in the future.

In response to a question from Director Chaney, Mr. Thomas stated that the open space in question could be incorporated into the existing watershed park network. In response to a question from Director Conkling, Mr. Thomas stated that the current condition of the Trevino Channel would not be suitable for a public walking trail at this time due to significant erosion.

Mr. Thomas addressed the members of the public who wished to provide public comments following his presentation. John Pearce, President of the Stonehenge HOA provided a short presentation to express the Stonehenge HOA's support of SSCAFCA's potential acceptance of the 185 acre charitable donation from Land Development 2, LLC. Other members of the public who commented on Mr. Thomas' presentation were also in support of SSCAFCA's potential acceptance of the open space property and thanked the Board for their consideration. Mr. Thomas noted that SSCAFCA was in receipt of Bill Glassman's letter, written on behalf of the North Nine Neighborhood Association, which was included in the November Board packet.

Director Conkling and Director Chaney stated that they were in favor of approving the acceptance of the Rio Rancho Golf Course open space property. Director Fahey was opposed to taking action at the

current meeting. In response to a question on allowable actions, Charles Garcia, SSCAFCA's legal counsel, stated that the acceptance of the Rio Rancho Golf Course open space property was not currently an action item on the agenda that the Board could vote on. However, Mr. Garcia stated that the discussion item in question could be added to another agenda at a future date. All Board Directors agreed to add the acceptance of the Rio Rancho Golf Course property matter to the December 2020 Board Meeting Agenda where it could be formally addressed.

4. Development Review

Mr. Thomas stated that there were currently three main development items under review. First, the Lomas Encantadas Unit 2A-Tract 9 preliminary plat, drainage report and construction plans located in the Venada Watershed were not yet approved. Second, the Las Residencias Subdivision preliminary plat, drainage report and construction plans were still under review and not yet approved. The last development item under review was the Los Diamantes Regional Pond storm drain drainage report and construction plans which were not approved. Mr. Thomas stated that SSCAFCA was still waiting on some final submittals for that project.

Facility Operations Director:

1. Update on Rio Mora.

Dave Gatterman presented an update on the Rio Mora Improvement Project starting with an overview of the project details. Mr. Gatterman stated that Junko Boat of SSCAFCA was the Engineer of record for this project and that Salls Brothers Construction Company, Inc. was the Contractor. The original construction contract amount was \$217,787.96 not including NMGRT. Mr. Gatterman stated that SSCAFCA issued the Notice to Proceed to the contractor on October 5, 2020. The Substantial Completion walk-through was held on November 17, 2020, which identified several minor items that needed review. Final Completion was projected to be complete on November 18, 2020. Mr. Gatterman provided photos of the pre-construction conditions of Rio Mora Rd as well as photos of the completed project. In response to a question from Director Fahey, Mr. Gatterman stated that Rio Mora Rd. was a public road in Rio Rancho and would be maintained by the City. In response to a second question from Director Fahey, Mr. Gatterman stated that the improvements to the road were not limited to correcting drainage deficiencies, that all private land-owners with property along Rio Mora Rd. now had full access to their property, which was an additional benefit of this project.

Mr. Thomas acknowledged Representative Powdrell-Culbert's instrumental role in getting this project prioritized and funded. Mr. Thomas stated that Rep. Powdrell-Culbert provided the funding to SSCAFCA through Capital Outlay. Mr. Thomas stated that he wanted to recognize Representative Powdrell-Culbert's efforts in getting this project funded as it had been an outstanding issue for many years. Mr. Gatterman further recognized all of the SSCAFCA staff that played a role in getting this project complete.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

Director Fahey asked Mr. Thomas if the Governor had made a final decision on the appointment for the new Board member. In response to his question, Mr. Thomas stated that we had not yet received a response.

PROPERTY MATTERS.

NONE.

FOR YOUR INFORMATION.

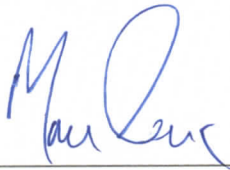
1. RR Observer Article, Dems Win Clerk, Treasurer Jobs; GOP Holds Commission, (11/8/20) (m/o)
2. RR Observer Article, Incumbent legislators Are Mostly Winners in RR, (11/8/20) (m/o)

OTHER BUSINESS

1. **Next Regular Board Meeting is scheduled for December 17, 2020 @ 9:00 a.m.**

ADJOURNMENT.

The meeting was adjourned by Chairman Obrey at 10:44 a.m.



Mark Conkling
Secretary



MICHAEL OBREY
Chairman

DATE ACCEPTED: 12/17/2020