

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

**MINUTES OF JANUARY 21, 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 9:07 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.

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.

Mr. Thomas stated that an action item under Design Services needed to be removed from the current agenda. The task order authorizing Bohannon Huston to design Harley's Pond was not yet finalized. Mr. Thomas stated that the action item would be added to next month's agenda once it was ready for Board approval. A motion was made by John Chaney to approve the modified agenda as presented. It was seconded by Mark Conkling.

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

ACTION/ACCEPTANCE of the minutes of the Regular Board Meeting of December 17, 2020 and January 4, 2021.

A motion was made by Mark Conkling to accept the minutes of the Regular Board Meeting of December 17, 2020 and January 4, 2021. It was seconded by John Chaney.

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

PUBLIC FORUM.

As part of the Public Forum, Mr. Thomas acknowledged that SSCAFCA was in receipt of a letter provided by John Pearse, of the Greater Rio Rancho Neighborhood Coalition, written on behalf of multiple HOA's and Neighborhood Association's that were in support of SSCAFCA's potential acceptance of the former Rio Rancho Golf Course Open Space donation. Mr. Thomas also stated that the letter would be included as part of the Meeting Minutes official record.

Swearing in Newly Elected Board Member(s):

Ronald Abramshe was sworn in as the newly, Governor appointed, SSCAFCA Board Member. Ronald Abramshe read the Oath of Office and was welcomed by the Board. Mr. Thomas stated that Mr. Abramshe was replacing former Board Member Steve House and serving a two-year term.

Amendment to the Committee Memberships by the Chairman (m/o)*

Chairman Fahey reviewed the existing committee memberships and officially assigned them as follows:

EXECUTIVE	James F. Fahey Mark Conkling (Alt-Michael Obrey) Charles Thomas Charles Garcia
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BUDGET	John Chaney Ron Abramshe (Alt- James F. Fahey) Charles Thomas Deborah Casaus
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PERSONNEL	Mark Conkling Michael Obrey (Alt- James F. Fahey) Charles Thomas
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QUALITY OF LIFE	Mark Conkling John Chaney Dave Gatterman Charles Thomas
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LOBBYIST LIAISON AND LEGISLATIVE COMMITTEE

James F. Fahey
John Chaney
Charles Thomas

Mid Region Council of Governments (MR/COG) Representative(s)

		<u>Alternate</u>
Water Resources Board	Charles Thomas	Andrés Sanchez
Board of Directors/Executive Board	James F. Fahey	Charles Thomas
Metropolitan Transportation Board	Ron Abramshe	Charles Thomas

STAFF REPORTS.

Executive Engineer:

1. Action/Approval of Resolution 2021-05, Support for Legislative and Capital Funding Priorities for Federal Programs in Federal Fiscal Year 22 (FFY 22) (m/o)*

Mr. Thomas stated that approval of Resolution 2021-05 was for Support for Legislative and Capital Funding Priorities for Federal Programs in Federal Fiscal Year 22, which would start in October of 2021. Mr. Thomas stated that the format for this resolution was intended to identify SSCAFCA’s primary priorities for funding, and submit those priorities to Federal funding agencies. The objective was to submit the resolution and supporting documentation to the agencies while they were still in the process of developing their budgets. Mr. Thomas provided the following overview of SSCAFCA’s priorities:

1. SSCAFCA is seeking guidance and information from the Federal Emergency Management Agency (FEMA) on the operation and application of the Building Resilient Infrastructure and Communities (BRIC) Program.
2. SSCAFCA is seeking guidance and support for funding to construct pedestrian bridges to cross arroyos and provide a safe alternative to residents crossing through the arroyos at grade in multiple locations.
3. SSCAFCA is seeking funding support from the Land and Water Conservation Fund (LWCF) for the construction of dependable access routes adjacent to our major arroyos that may also be used as recreational trails to support the health and wellbeing of our residents.
4. SSCAFCA is seeking funding support from Section 595 - Western Rural Water of the Water Resources Development Act (WRDA) to support environmental infrastructure that will capture and remove trash, debris and excessive sediment from storm flows in the Venada Arroyo and reduce environmental degradation of the Rio Grande.
5. SSCAFCA is seeking funding support from FEMA for the Thermopylae Diversion Drainage Project to contain and direct storm flows to the Calabacillas Arroyo and protect human life, at risk residential properties, a major arterial road and two regional High-Pressure Gas lines from damage due to flooding.
6. SSCAFCA is seeking funding support for the acquisition of real property adjacent to our active arroyos as a method of flood mitigation and conservation of critical habitat.

In response to a question from Chairman Fahey, Mr. Thomas stated that the 2021 Annual Report on Federally Funded Capital Projects would be sent out to Board members once it was finalized.

A motion was made by Mark Conkling to approve Resolution 2021-05 for Support for Legislative and Capital Funding Priorities for Federal Programs in Federal Fiscal Year 22. It was seconded by John Chaney.

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

2. Development Review. (m/o)

Mr. Thomas stated there were multiple projects currently under review. Within the Montoyas Watershed the Cielo Azul Subdivision Townhomes preliminary plat, drainage report and construction plans were under review and not yet approved. The Stone Mountain Subdivision drainage and construction plans were not approved, as well as the Las Residencias Subdivision preliminary plat, drainage report and construction plans which were also still under review pending approval. Mr. Thomas stated that within the Calabacillas Watershed the Rainbow Subdivision drainage report and construction plans were not approved. The Los Diamantes Tract 3 Zone Map Amendment in Unit 10, to change from a business park to residential, was approved. The Los Diamantes Regional Pond and Downstream storm drain plans were still pending review as we were waiting on the submittal of final documentation prior to approving that project. Mr. Thomas noted that the Los Diamantes Regional Pond would ultimately be dedicated to SSCAFCA. Mr. Thomas stated the last item under review was The Village at Cabezon, which was a proposed commercial development. Mr. Thomas stated the agreement that SSCAFCA had with the developer included the dedication of Tax Improvement Development District funds to SSCAFCA, which were necessary for the construction of the upstream drainage improvements within the Black Arroyo Watershed. Mr. Thomas noted that those drainage improvements were necessary in order for The Village at Cabezon development to move forward. In response to a question from Chairman Fahey, Mr. Thomas stated the agreement was put in place back in 2009.

Fiscal Services Director:

1. Action/Acceptance of the Fiscal Services Report for quarter ended December 31, 2020. (m/o)

Ms. Casaus stated that the operating property tax revenue after 6 months of FY21 was 485.5% greater than collections at the same time last fiscal year, and the debt service property tax revenue was 511.6% greater. However, Ms. Casaus explained that the reason for large "increase" in tax revenue was due to a one-month delay in tax collections in the prior year due to a change in the mill levy for the public schools. Ms. Casaus stated that the General Fund expenditures fiscal year-to-date through December 31, 2020 amounted to 38% of the total budget for the year and noted that we were currently 50% through Fiscal Year 2021. Ms. Casaus stated that there were 193 Single-Family Residential permits issued by the City of Rio Rancho for the months of October through December. Interest was earned on funds invested in State Treasurer's Office local government program at a rate of 0.1153% for the month ending December

31, 2020. The current yield on a 90-day U.S. Treasury bill is 0.076%.

A motion was made by Mark Conkling to acceptance the Fiscal Services Report for quarter ended December 31, 2020. It was seconded by John Chaney.

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

2. Action/Acceptance of the Fiscal Year 2020 Audit Report. (m/o)

Ms. Casaus stated that this was the third year in which SSCAFCA had prepared a comprehensive annual financial report and submitted it to GFOA for consideration for the award for financial excellence in reporting. Ms. Casaus provided highlights of the Fiscal Year 2020 Audit Report. SSCAFCA had once again received an unmodified opinion, which was the best, highest opinion that an agency could receive. There were also no findings. Ms. Casaus stated that the 2020 audit did have some challenges as it was conducted remotely for the most part, which contributed to some delays in response times. These challenges would hopefully be avoided next year when business practices return to normal.

Ms. Casaus stated that property taxes increased approximately \$166,000 over last year. Federal and State Grant revenues also increased. Federal Grant revenues were approximately \$6 Million and State Grant revenues were approximately \$600,000. Ms. Casaus stated that SSCAFCA's personnel budget had increased with the addition of three new employees – two field maintenance positions and one construction observer. SSCAFCA's General Fund balance increased approximately \$150,000 from the previous year. There was an increase in cash and investments of approximately \$2 Million, which was primarily due to residual funds from the last bond sale. Ms. Casaus stated that SSCAFCA added approximately \$10 Million in capital assets. SSCAFCA completed two major projects, both partially federally funded, which included Lomas Negras Phase II for approximately \$5.3 Million and the Cactus Ponds Project for approximately \$2.2 Million. Ms. Casaus stated that SSCAFCA saw a decrease in PERA Pension liability of approximately \$117,000 and a decrease in OPEB (NM Retiree Healthcare) of \$247,000. Ms. Casaus encouraged the Board to review the Management's Discussion Analysis as well as the opening letter written by Mr. Thomas for a more detailed re-cap of the 2020 Audit Report. In response to a question from Chairman Fahey, Mr. Thomas stated that he would furnish Director Abramshe with a copy of the Audit Report.

Director Conkling noted for the record how impressed he was with SSCAFCA receiving an unmodified annual audit opinion year after year and thanked both the Fiscal Services Director and Executive Engineer for all their efforts.

In response to a question from Director Abramshe, Mr. Thomas explained SSCAFCA's bond sale process. Ms. Casaus also stated that she could prepare a fiscal services information packet for Director Abramshe that would provide him with an overview of SSCAFCA's financial policies and procedures.

A motion was made by John Chaney to accept the Fiscal Year 2020 Audit Report. It was seconded by Mark Conkling.

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

Facility Operations Director:

1. Presentation of National Award for Excellence in Communication by the National Association of Flood and Stormwater Management Agencies (NAFSMA)

Mr. Gatterman presented an overview of the “Know Your Arroyos” public outreach campaign that was developed in 2015 by SSCAFCA to provide awareness of arroyo safety. Mr. Gatterman stated that SSCAFCA was part of the National Association of Flood and Stormwater Management Agencies (NAFSMA), and made the decision to participate in NAFSMA’s 2020 Excellence in Communications contest. The “Know Your Arroyos” campaign was a great fit for submission under the Public Awareness of Flooding contest category as it highlighted arroyo safety in a creative way, and was developed to reach all demographics. In December of 2020, NAFSMA announced the winners of the contest and SSCAFCA took first place for Public Awareness of Flooding Campaign - Small Service Population category. SSCAFCA was provided with a unique piece of artwork with a “First Place” plaque. In response to a question from Director Chaney, Mr. Gatterman stated that the artwork was not of a SSCAFCA facility. Mr. Thomas further explained that it was created by a local artist from the town where NAFSMA held their annual meeting. Mr. Gatterman stated that the award was displayed at the SSCAFCA office for anyone who was interested in viewing it.

2. Presentation on Harvey Jones Channel Outlet Project

Mr. Gatterman presented the Board with a status update on the Harvey Jones Channel (HJC) Outlet Project. Mr. Gatterman stated that the original 2015 HJC Project solved the existing flooding issue at NM 448, however there was a residual drainage problem that needed to be corrected. Mr. Gatterman stated that the existing siphon and topography formed a permanent retention condition that prevented the facility from completely draining. Mr. Gatterman explained that this retention contributed to other issues such as stagnant water, that could potentially become contaminated before it reached the Rio Grande, as well as unwelcomed mosquito habitats.

Mr. Gatterman stated that SSCAFCA’s overall flood control goal for the HJC was to have the project drain completely, while also providing a final treatment of stormwater before it reached the river. Mr. Gatterman stated that SSCAFCA had engaged with The Nature Conservancy and other relevant agencies (MRGCD, City of Rio Rancho, Bureau of Reclamation, and the Village of Corrales) in a joint effort to correct the remaining deficiencies at the HJC. These joint efforts would not only solve the drainage issue, it would also be an opportunity to improve the protection of the river and river ecosystems, all while increasing the quality of life for the surrounding community.

Mr. Gatterman outlined the next steps involved moving forward with the preliminary plan which included public outreach and feedback, floodplain modeling of CORR Sanitary outfall, permitting with USACE, completing designs and specifications and the issuance of an IFB late summer or early fall of 2021. In response to a question from Chairman Fahey, Mr. Gatterman stated that the redirected drainage from the HJC would provide water to the Corrales Bosque area. Director Chaney thanked Mr. Gatterman for his initiative on the project.

In response to a question from Chairman Fahey, Mr. Thomas stated that SSCAFCA’s contact, Sarah Hurteau from The Nature Conservancy, had provided a link for public comment and that he would forward that link to the other Board members.

3. Monthly Maintenance Activities Report

Mr. Edmondson provided the Board with a detailed presentation on SSCAFCA's Facility Maintenance Program. Mr. Edmondson stated that the key components of the program included inspections, maintenance and record keeping. Mr. Edmondson stated that SSCAFCA was responsible for thirty-six channel sections of varying lengths, sixty-three ponds, three jurisdictional dams, four pipelines, three asphalt trails and four memorials. Mr. Edmondson stated that the maintenance resources included four in-house staff members, seven on-call contractors and five pieces of in-house maintenance equipment. Mr. Edmondson provided examples of the facility operations record-keeping forms along with record-keeping processes and procedures. The entire Board of Directors acknowledged Mr. Edmondson's efforts in maintaining the SSCAFCA facilities and for creating an organized tracking system for record keeping. Chairman Fahey and Director Conkling thanked Mr. Edmondson for his thorough, informative presentation.

Chairman Fahey stated that moving forward, the Monthly Maintenance Activities Report should be completed and presented on a quarterly basis.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT

Mr. Garcia stated that SSCAFCA had been identified as a defendant in a Quiet Title lawsuit involving property along the Rio Grande River near Bernalillo, NM. A developer attempted to construct a boardwalk in that area, however a drainage easement maintained by SSCAFCA became an impediment that needed to be addressed. Mr. Garcia stated that he was confident that we could come to an accord with the plaintiff on the matter without disrupting the existing drainage easement in question.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

Chairman Fahey thanked Director Abramshe for joining the SSCAFCA Board.

PROPERTY MATTERS.

None.

FOR YOUR INFORMATION.


1. CNBC Article, Climate Change Has Cost the US Billions in Flood Damage, (1/11/21) (m/o)
2. RR Observer Article, Officials: Fewer Rules Help Business, (1/9/21) (m/o)
3. Corrales Comment Article, Sagebrush Drive Trail Connection Coming, (12/19/20) (m/o)

OTHER BUSINESS


1. Special Board Work Study is scheduled for February 4, 2021 @ 10:00 a.m.
2. Next Regular Board Meeting is scheduled for February 18, 2021 @ 9:00 a.m.

ADJOURNMENT.

The meeting was adjourned by Chairman Fahey at 10:46 a.m.



JAMES F. FAHEY JR. M.D.
Chairman



MICHAEL OBREY
Secretary

DATE ACCEPTED: 2-18-2021