

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF APRIL 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, John Chaney, Mark Conkling, and James Fahey. Charles Thomas, Executive Engineer was present, as well as Charles Garcia, attending as SSCAFCA's attorney. Director Ronald Abramshe joined the meeting at 9:28 a.m.

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. It was seconded by Mark Conkling.

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

ACTION/ACCEPTANCE of the minutes of the Regular Board Meeting of March 18, 2021

A motion was made by Mark Conkling to accept the minutes of the Regular Board Meeting of March 18, 2021. It was seconded by John Chaney.

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

PUBLIC FORUM.

John Pearse, HOA President of the Stonehenge Estates and representative of the Greater Rio Rancho Neighborhood Coalition, asked the Board if there were any updates regarding SSCAFCA's potential acquisition of the former Club Rio Rancho Golf Course open space. In response to Mr. Pearse's inquiry, Chairman Fahey stated that SSCAFCA did not have any new information.

STAFF REPORTS.***Executive Engineer:*****1. 2021 State Legislative Update (Larry Horan)**

Mr. Horan, SCAFCA's State Lobbyist, provided the Board with an update on the results of the 2021 State Legislative Session. Mr. Horan stated that the 60-day session began on January 19, 2021 and was conducted in a mostly virtual manner. Mr. Horan indicated that the State saw an increase in revenues, despite earlier predictions of a possible deficit. The increase in revenue was approximately \$500 million dollars. Mr. Horan stated that SCAFCA had requested Capital Outlay funding for the Ivory Channel Drainage Improvement project and the Industrial Park Drainage Improvement project. Mr. Horan stated that SCAFCA received \$650,000 of the \$750,000 requested for Ivory Channel and received \$405,000 for Industrial Park, which was \$80,000 over the requested amount. Mr. Horan stated that the annual report on capital priorities prepared by Mr. Thomas was an important component of the Capital Outlay request process. Mr. Horan stated that the annual report provided legislators with the information needed to make funding decisions, which was key to SCAFCA's success each year. Mr. Horan stated that a new piece of legislation that was passed would require legislators to publicly share a list of all Capital Outlay funded projects. The list would include who the recipients were and the amount they received.

In response to a question from Mr. Thomas, Mr. Horan stated that the recently passed Civil Rights Act would not significantly impact SCAFCA, however insurance premiums could increase even though the risk of exposure for SCAFCA remained low.

2. 2021 Federal Funding & Legislative Update (MMO Partners)

Mr. John O'Donnell and Mr. Kyriakos Pagonis, of MMO Partners, presented the Board with a 2021 Federal Funding and Legislative update. Mr. O'Donnell provided an overview of current Federal activities, which included key components of the American Rescue Plan. Mr. O'Donnell stated that the activity most relative to SCAFCA was the American Jobs Plan. Mr. O'Donnell stated that specific details pertaining to the American Jobs Plan had not been released, however stormwater and green infrastructure were mentioned in the plan. These elements included in the jobs plan proposal would have the most impact on agencies such as FEMA, USACE, NRCS and the EPA. Mr. O'Donnell stated that of the \$1.5 trillion for the FY22 discretionary budget, the approximate appropriations to local government agencies within SCAFCA's jurisdiction were as follows: Sandoval County would receive \$28.4 million, the City of Rio Rancho would receive \$15 million, the Town of Bernalillo would receive \$2.4 million and the Village of Corrales would receive \$177,000 thousand.

Mr. O'Donnell provided a brief overview of the reformed earmarking process, rebranded as "Community Project Funding" which would allow Members of Congress to have more control of how federal funds were allocated. Mr. O'Donnell stated that Members of Congress would be able to request funding support through the annual appropriations process for eligible state and local government grantees to support specific projects. In the House, each Member would be limited to ten (10) total requests for FY 22, and the total funding could not be more than 1% of discretionary spending. Mr. Pagonis further explained that with this new process, local governments like SCAFCA, would need clarification from the Treasury of allowable uses of the earmarked funds, as well as any new restrictions, reporting requirements, and timeframes, as those details were still in the process of being finalized.

Mr. O'Donnell stated that the Annual Report on Capital Priorities prepared by Mr. Thomas continued to be SCAFCA's most effective tool used to secure federal funding each year.

3. Action/Approval of the 2021 Montoyas Watershed Park Management Plan (Gerhard Schoener)

Mr. Schoener presented the Board with an overview of the 2021 Montoyas Watershed Park Management Plan. Mr. Schoener stated that the last major update to the Montoyas Watershed Park Management Plan was in 2002. Mr. Schoener noted that the Montoyas was the second largest watershed within SSCAFCA’s jurisdiction. Mr. Schoener stated that the main highlights of the new watershed plan included an updated format, current and future hydrology conditions, drainage deficiencies and proposed improvements. In response to questions from the Board, Mr. Schoener stated that the 2021 Montoyas Watershed Park Management Plan would allow SSCAFCA to be more proactive in terms of our approach to flood control. Other SSCAFCA watershed management plans for the Black and Venada watersheds are currently in the process of being updated with a similar format. Mr. Schoener stated that the ultimate goal was to get all SSCAFCA watershed management plans up to date.

A motion was made by Ronald Abramshe to accept the 2021 Montoyas Watershed Park Management Plan. It was seconded by Michael Obrey.

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

4. Discussion regarding potential sale of a portion of the SSCAFCA Office Parcel – Block A1, Lot 3-A

Mr. Thomas stated that an individual, who owned two parcels adjacent to the SSCAFCA office, had approached SSCAFCA about purchasing a portion of the SSCAFCA office parcel. In response to a question from the Board, Mr. Thomas stated that the request to purchase a portion of SSCAFCA’s property was so that the owner of the two adjacent lots could have access to their property via Commercial Drive. Mr. Thomas stated that the precise reason for wanting the access had not been discussed, however the property owner was planning to seek approval to have their properties zoned commercial. Obtaining a portion of SSCAFCA’s property was the first step in that process. In response to a question from the Board, Mr. Thomas stated that an easement was another option for the Board to consider. Mr. Thomas stated that this was a discussion item and that an action on the matter could be taken at a future Board meeting once all the details, including drainage implications, were sorted out.

5. Development Review

Mr. Thomas stated that within the Venada Watershed, the Paseo 550 Apartments in Bernalillo were still pending review. The Garza Property was still under review as the new Turnkey Agreement required for this development was still in the process of being finalized. Mr. Thomas stated that the Lomas Encantadas Drainage Master Plan Amendment was not approved. Within the Montoyas Watershed, the Stonegate and Melon Ridge Subdivision preliminary plats and constructions plans were not yet approved. Mr. Thomas stated that the last item under review was the Las Residencia Subdivision drainage report and constructions plans, which were approved.

Fiscal Services Director:

1. Action/Approval of Selection/Agreement for Bond Counsel Professional Services. (m/o)*

Ms. Casaus stated that she was seeking Board approval of the Selection/Agreement for Bond Counsel Professional Services with Modrall Sperling. Ms. Casaus stated that Modrall Sperling represented SSCAFCA for the last four years and they were the single respondent to the Bond Counsel RFP. Ms. Casaus stated that Modrall Sperling did not request an increase in their fees.

A motion was made by Mark Conkling to approve Selection/Agreement for Bond Counsel Professional Services. It was seconded by John Chaney.

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

2. Action/Acceptance of the Fiscal Services Report for Quarter ended March 31, 2021. (m/o)

Ms. Casaus presented the Board with the Fiscal Services report for quarter ended March 31, 2021. Ms. Casaus stated that the operating property tax revenue after nine 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 noted that there appeared to be a disparity between the operating and debt property tax revenue collections. Ms. Casaus stated that she would make an inquiry with the Treasurer's office to find out why this occurred and update the Board with that information.

Ms. Casaus stated that the General Fund expenditures fiscal year-to-date through March 31, 2021 amounted to 55% of the total budget for the year. Ms. Casaus stated that we were currently 75% through Fiscal Year 2021 and that there were 294 Single-Family Residential permits issued by the City of Rio Rancho for the months of January through March. Interest was earned on funds invested in State Treasurer's Office local government program at a rate of 0.085% for the month ending March 31, 2021 and the current yield on a 90-day U.S. Treasury bill was 0 .010%.

A motion was made by Ronald Abramshe to accept the Fiscal Services Report for Quarter ended March 31, 2021. It was seconded by Michael Obrey.

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

3. Action/Acceptance of Fiscal Year 2022 Preliminary Budget. (m/o)

Ms. Casaus presented the Board with the Fiscal Year 2022 Preliminary Budget. Ms. Casaus stated that upon approval by the Board, the budget would need to be submitted to the Department of Finance & Administration by the June 1st deadline. Ms. Casaus stated that the beginning cash balance was \$2,604,513, which included a \$207,000 carryover from last fiscal year. The total General Fund property tax revenue was estimated to be \$2,401,360. The total assessed value of taxable property within our jurisdiction was estimated at \$3.07 billion, which was 2.75% percent higher than the assessed value for fiscal year 2021. Ms. Casaus stated that there was a proposed merit increase for all staff ranging from 3.0% to 3.8% along with a 1.2% cost-of-living adjustment (COLA) for salaries and wages. Inflation for calendar year 2020 was measured at 1.2%. The health insurance rates would increase by 4% and the dental insurance rates would increase by 2% in FY22. Ms. Casaus stated that there was \$620,000 that would be utilized for planned facility improvements. The large storm cleanout was funded at \$600,000 which was the same amount as last fiscal year. The General Fund Reserve was proposed to be \$750,000 which was also the same as FY21. The general budget was comprised of the required 1/12 reserve of \$354,989 and an additional Board designated reserve of \$395,011. Ms. Casaus stated that the Debt Service Fund property

tax revenue was estimated to be \$3,712,654. The Construction Fund budget assumption was approximately \$1.38 Million, which would be carried over to FY22 for approved projects.

A motion was made by Mark Conkling to accept the of Fiscal Year 2022 Preliminary Budget. It was seconded by Ronald Abramshe.

Roll call vote: Mark Conkling, yes; John Chaney, yes; Michael Obrey, 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.

None.

PROPERTY MATTERS.

None.

FOR YOUR INFORMATION.

1. The Professional Surveying Services contracts have been renewed for the 4th year under the same terms and conditions with the following contractors. (m/o)
 - Bohannan-Huston
 - CSI-Cartesian Surveys, Inc.
 - Community Sciences Corporation
 - Wayjohn Surveying
 - Wilson & Company

2. The Real Estate Acquisition Services contracts have been renewed for the 2nd year under the same terms and conditions with the following contractors. (m/o)
 - Cobb Fendley
 - Select ROW
 - Tierra ROW

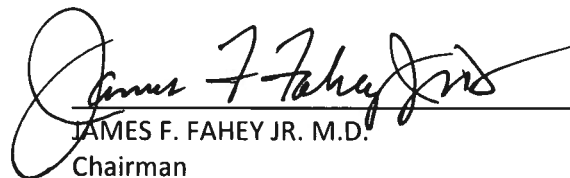
3. Corrales Comment Article, *Storm Water, Treated Sewage Would be Used for Bosque*, 3/6/21 (m/o)

OTHER BUSINESS

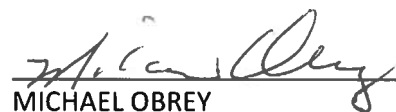
1. Next Regular Board Meeting is scheduled for May 20, 2021 @ 9:00 a.m.

ADJOURNMENT.

The meeting was adjourned by Chairman Fahey at 11:28 a.m.



JAMES F. FAHEY JR. M.D.
Chairman



MICHAEL OBREY
Secretary

DATE ACCEPTED: 5-20-2021