

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF November 18, 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 9:01 a.m.

ROLL CALL OF DIRECTORS.

Directors in attendance were Ronald Abramshe, John Chaney, Mark Conkling and James Fahey. Charles Thomas, Executive Engineer was also present as was Charles Garcia, attending as SSCAFCA's attorney. Director Obrey was not in attendance.

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 Director Ronald Abramshe to approve the agenda. It was seconded by Director Mark Conkling and passed unanimously.

ACTION/ACCEPTANCE of the minutes of the Regular Board Meeting of October 21, 2021.

A motion was made by Director Mark Conkling to accept the minutes of the Regular Board Meeting of October 21, 2021. It was seconded by Director John Chaney and passed unanimously.

CONSENT AGENDA.

All matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion. There will not be separate discussion on individual items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

None

PUBLIC FORUM.

This section is for information purposes only, not for discussion and debate, to inform the governing body of an issue or concern that would not be addressed on the agenda during the business session. Additional comments may be taken for each agenda item after presentation of the item. Because of time constraints, the public is asked to keep their comments to three minutes or less, unless approved by the Presiding Officer.

Six letters/emails were included in the Agenda Packet under Public Comment. Those letters were from: Jamie Fridirici, David and Erika James, Vincenzina Theodore, Richard Hinkle, George H. Dabbling and Barry Furman. All the letters concerned a proposed new development adjacent to the Lomas Encantadas Subdivision in Rio Rancho and a request to accept a donation of land from the developer should that offer be made. An additional email/letter came in after the deadline for inclusion in the packet. It was made available to the Board of Directors.

STAFF REPORTS.

Prior to staff reports, Mr. Thomas introduced Ms. Cassandra D'Antonio, who was present at the meeting, as the newest Board Member elect who would be joining the Board of Directors of SSCAFCA on January 3rd, 2022

Executive Engineer:

1. State Legislative Update (Larry Horan)

Mr. Thomas introduced Mr. Larry Horan to give an update on what to expect this upcoming State Legislative Session.

Mr. Horan stated the 30-day legislative session will start on January 19th. He indicated that this will be a short session or budget session, related to revenue matters, appropriations, or previously vetoed legislation. He also indicated that the Governor has announced that on her agenda for the session would be lowering the GRT rate and public safety reform. Mr. Horan reiterated that what the legislature will be concerned with is how to spend all the revenue the State of New Mexico has. He said the State of New Mexico has gone from an anticipated huge budget deficit to never seen before revenues and that the forecast for the next two years is that the State will continue to see significant revenues.

Mr. Horan said that SSCAFCA leverages their legislative funds better than anyone else and that we been very successful in having our projects fully funded. He indicated we should look for our next project asks to be funded and that we should be planning our projects asks for next two or three years. Summing up, he stated we should be ready to ask for more and look forward to getting more done.

Mr. Horan answered questions from the seated Board Members as well as incoming Board Member D'Antonio as he wrapped up his presentation.

2. Action/Approval of Resolution 2021-19 for SSCAFCA 2022 Legislative Priorities.

Mr. Thomas presented Resolution 2021-19 for the SSCAFCA 2022 Legislative Priorities. He indicated the four projects we would be seeking funding for would be:

- A. The High Range Pond Project; and
- B. The Lower Venada Arroyo Improvements; and
- C. The Black Arroyo Wildlife Park Water Resource Conservation project; and
- D. The Lisbon-Tarpon Channel Improvements.

Mr. Thomas indicated that the High Range Pond Project and the Lower Venada Arroyo Improvement Project are shovel ready projects.

A motion was made by Director Ron Abramshe to approve Resolution 2021-19 for SSCAFCA 2022 Legislative Priorities. It was seconded by Director Mark Conkling.

Roll Call Vote: John Chaney: Yes, Mark Conkling: Yes, Ron Abramshe: Yes, James Fahey: Yes

The motion carried 4-0

3. Presentation of Proposed Changes to SSCAFCA Drainage Policy

Mr. Thomas reviewed the proposed SSCAFCA Drainage Policy. He stated he removed all the strikethroughs and redlines from the working document and would just talk through the document with the Board as presented, which he proceeded to do. Mr. Thomas took questions from Board Members as he talked through the document.

Mr. Thomas indicated the policy as presented to the Board today would now be put out for public comment until at least the next Board Meeting.

There was some discussion between Mr. Thomas and the Board Members about adding references to the impact of Climate Change in the document.

4. Presentation on Impacts and Options of Papillon Village Development ROW Request

Mr. Thomas stated that in September the Board had received a brief presentation on the Papillon Village Development from the developer. He then shared a PowerPoint presentation titled Overview of Papillon Development Impacts: SSCAFCA Real property.

At this point in the meeting Director Conkling indicated a concern that perhaps some Board Members may have to leave prior to completion of the meeting and some of the upcoming items on the agenda needed to be voted on. The Board of Directors allowed for the presentation on the Impacts and Options of Papillon Village Development ROW Request to be halted while they heard from the Design Services Director.

continued... Mr. Thomas indicated this project would have significant drainage impacts but his presentation would focus on impact to SSCAFCA properties. He pointed out the existing platting and shared the proposed platting of the new development and showed how the development would impact our properties. Mr. Thomas cautioned that the development was still in the planning stages and that plans were not firm and could still change as the development moves forward. Mr. Thomas took questions from Board Members before wrapping up his presentation with a review of the rules that govern the sale of real property.

Director Chaney requested a Work Study Session on the topic of Impacts and Options of Papillon Village Development ROW Request

5. Development Review

Mr. Thomas did a quick review of the following Development Review Projects:

- Lomas Encantadas Tract C1-C2. Mr. Thomas noted that this project is the one referenced in the letters received under the Public Comment section.
- Tierra Del Norte Subdivision
- Stonegate Subdivision

Design Services Director:

1. Action/Approval of the selection of WHPacific, an NV5 Company, for the intent to award a professional services agreement for design services for Riparia Pond in an amount not to exceed the grant amount of \$260.451.49, EMT-2020-PC-0006.

Mr. Sanchez stated that he was here to seek approval of the recommendation of staff to approve the selection of WHPacific, an NV5 Company, for the intent to award a professional services agreement for design services for Riparia Pond in an amount not to exceed the grant amount of \$260.451.49, EMT-2020-PC-0006 contingent on approval by DHSEM.

A motion was made by Director Mark Conkling to approve the selection of WHPacific, an NV5 Company, for the intent to award a professional services agreement for design services for Riparia Pond in an amount not to exceed the grant amount of \$260.451.49, EMT-2020-PC-0006. It was seconded by Ron Abranshe.

Roll Call Vote: John Chaney: Yes, Mark Conkling: Yes, Ron Abramshe: Yes, James Fahey: Yes

The motion carried 4-0

Facility Operations Director:

1. Action/Approval of Selection/Agreement for the Harvey Jones Outlet Project; Effluent Component

Mr. Gatterman asked for approval of the Selection/Agreement for the Harvey Jones Outlet Project, Effluent Component. He stated the low bid of \$279,080.00 for the Effluent Component of the project was made by CBKN Earthworks. Mr. Gatterman indicated that the City of Rio Rancho has committed \$290,000.00 for this portion of the project. So once the project is complete SSCAFCA will be reimbursed the cost of the project.

A motion was made by Director Ron Abramshe to approve the selection/agreement for the Harvey Jones Outlet Project; Effluent Component. It was seconded by Director John Chaney and passed unanimously.

OTHER COMMITTEE REPORTS

ATTORNEY'S REPORT

1. Mr. Garcia Gave on update on the Catherine Conran case which regarded the summary disposition issued by the Court of Appeals and what the next steps will likely be.

CHAIRMAN'S REPORT

None

BOARD OF DIRECTOR'S COMMENTS

None

PROPERTY MATTERS

None

FOR YOUR INFORMATION

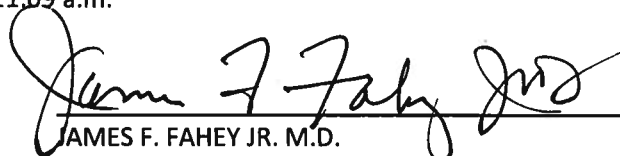
1. Corrales Comment Article – SSCAFCA policy of giving away dirt helps maintain Corrales dams, ponds ahead of monsoon season – 10/09/21

OTHER BUSINESS

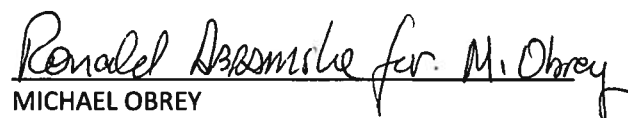
1. Next Regular Board Meeting is scheduled for December 16, 2021 @ 9:00 a.m.

ADJOURNMENT

The meeting was adjourned by Chairman Fahey at 11:09 a.m.



JAMES F. FAHEY JR. M.D.
Chairman



MICHAEL OBREY
Secretary

DATE ACCEPTED: 12/16/2021