

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF AUGUST 20, 2020
BOARD OF DIRECTORS REGULAR MEETING**

CALL TO ORDER.

The regular meeting of the SCAFCA Board of Directors was called to order by Michael Obrey, Chairman, at 9:00 am.

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 SCAFCA's attorney.

ANNOUNCEMENTS.

An announcement was made by Chairman Obrey that all electronic devices needed to be turned off during the meeting and that the microphones are voice activated.

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

ACTION/ACCEPTANCE of the minutes of the Regular Board Meeting of July 16, 2020 and Special Board Meetings held July 29, 2020, July 30, 2020 & August 4, 2020.

A motion was made by James Fahey to accept the minutes of July 16, 2020, July 29, 2020, July 30, 2020 & August 4, 2020 as presented. It was seconded by John Chaney.

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

PUBLIC FORUM.

None.

STAFF REPORTS.***Executive Engineer:***

1. Action/Approval of Resolution 2020-16 Infrastructure Capital Improvement Plan FY 2022-2026 (ICIP).

Mr. Thomas stated that Resolution 2020-16 is for the formal adoption of the 2022-2026 Infrastructure Capital Improvement Plan as presented in July to the Board. Mr. Thomas stated that the plan was opened for mandated public comment at that meeting and no comments were received.

A motion was made by James Fahey to approve Resolution 2020-16 as presented. It was seconded by John Chaney.

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

2. Action/Approval of Agreement with the U.S. Army Corps of Engineers for Design and Construction Assistance for the Tortugas Arroyo Improvements.

Mr. Thomas explained that this Agreement was for the Industrial Park project to treat and divert storm water from the Rio Rancho Industrial Park that currently flows down the Tortugas Arroyo to the Lower Montoyas arroyo. Mr. Thomas stated that this would provide two levels of treatment for the stormwater by introducing the storm water at the headworks of the Lower Montoyas Water Quality project.

Mr. Thomas stated that this action item was to authorize the Executive Engineer to enter into the Agreement on behalf of SSCAFCA. The Agreement provides up to \$1,150,000 of grants funds as part of a 75% grant/25% match provided pursuant to Section 595 of the Water Resources Development Act. SSCAFCA would be required to provide up to the \$375,000 in match for the design and construction of the improvements.

In response to a question from the Board, Mr. Thomas stated that SSCAFCA could seek the matching funds through capital outlay or the Water Trust Board.

A motion was made by James Fahey to approve the Right of Way exchange as presented. It was seconded by James Fahey.

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

3. Action/Approval of ROW Exchange between Lot 116 and Lot 117 in Corrales.

Mr. Thomas presented information on a proposed ROW exchange between a SSCAFCA parcel, Lot 116, and a privately owned parcel, Lot 117. Mr. Thomas stated that he was contacted by the current property owner who had recently purchased the property. In completing his due diligence, he discovered that the parcel geometry shown in the Sandoval County Assessor's Office did not match the plat on record.

Mr. Thomas stated that he checked the SSCAFCA records and discovered that in 2001, a simple encroachment matching the altered plat geometry was granted by SSCAFCA to the owner of

the parcel at that time. The encroachment agreement granted the use of a small portion of the adjacent Lot 116 owned by SSCAFCA and was specific to the owner of Lot 117 in 2001 and was not intended to be permanent or extend past their ownership of the parcel.

After discussing the situation with staff, Mr. Thomas proposed exchanging identically sized parcels, incorporating a portion of Lot 117 into SSCAFCA's parcel and allowing the current owner to incorporate the area of the encroachment permanently into Lot 116.

In response to a question from the Board, Mr. Thomas stated that keeping the parcels identical in size addressed the requirement to comply with the anti-donation clause for public agencies.

In response to another question from the Board, Mr. Thomas stated that due to existing infrastructure constructed on Lot 116, some access to the SSCAFCA parcel is needed to allow the current owner of Lot 116 to have unrestricted physical access to a garage that faces the current property line.

A motion was made by James Fahey to approve the Right of Way exchange as presented. It was seconded by Mark Conkling.

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

4. Development Review.

Mr. Thomas reviewed the developments projects currently active. The drainage report for the Garza property, which is adjacent to the Venada Arroyo, is also still under review, the developer is looking into providing legal access for SSCAFCA to maintain the proposed infrastructure. The Lomas Encantadas 2B Phase 3 is still under review, they are proposing to construct a 78" storm drain outlet to the Venada Arroyo. Lastly, the review of the Los Diamantes regional pond drainage report is still ongoing. This proposed pond will be located upstream of the subdivision and will divert storm flows due south to the Calabacillas Arroyo.

OTHER COMMITTEE REPORTS.

None.

ATTORNEY'S REPORT.

None.

CHAIRMAN'S REPORT.

None.

BOARD OF DIRECTOR'S COMMENTS.

Director Chaney asked if there was any update on the development of the Rio Rancho Golf Course. He stated that he understood the developer had submitted a new proposal to the Planning & Zoning Commission. Mr. Thomas stated that he would look into the proposal and the current actions being taken at the Golf Course and present the information at the September Board meeting.

PROPERTY MATTERS.

None.

FOR YOUR INFORMATION.

- 1. Corrales Comment Article, **Climate Change Will Bring More Intense Storms**, (8/8/2020).

OTHER BUSINESS


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

ADJOURNMENT.

The meeting was adjourned by Chairman Obrey at 9:36 a.m.



 Mark Conkling
 Secretary



 MICHAEL OBREY
 Chairman

DATE ACCEPTED: 9/17/2020