

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF JULY 20, 1993
REGULAR BOARD OF DIRECTORS MEETING**

CALL TO ORDER

The regular meeting of the SSCAFCA Board of Directors was called to order by Chairman John Chaney at 1:05 p.m.

Directors in attendance were John Chaney, Dub Yarbrough, Bill Joiner and Annette Jones. Guy McDowell was noted as absent. Bernard Metzgar, legal counsel, was present. Staff members present were Bob Garman, Executive Engineer and Pam McGrath, Administrative Secretary.

APPROVAL OF AGENDA

A motion by Annette Jones, seconded by Bill Joiner, to approve the agenda as presented passed unanimously.

APPROVAL OF PRIOR MINUTES

1. Approve Minutes of June 15, 1993

A motion by Annette Jones, seconded by Bill Joiner, to approve the minutes of the regular meeting of June 15, 1993 as written and presented, carried unanimously.

2. Approve Minutes of July 6, 1993

A motion by Annette Jones, seconded by Bill Joiner, to approve the minutes of the special meeting of July 6, 1993 as written and presented, carried unanimously.

SECTION 14 PROJECT UPDATE

Phil Boawn of the Corps of Engineers presented an update on the Martin Luther King Section 14 Project. Mr. Boawn presented a comparison of costs between December 1991 and July 1993 and explained that the increase in the cost was due to a reassessment of the project and an increase in construction costs between the

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dates. The current revised cost estimate for SSCAFCA is \$79,910, which includes the 5% in cash. However, Mr. Boawn stated that the actual cost to SSCAFCA could be higher, as the Corps of Engineers is estimating the cost of the right-of-way acquisition at \$46,000 and this estimate could be low.

Jerry Fossenier, City Engineer of the City of Rio Rancho, stated that the Board could go forward with the upstream structure only at this time because the City's redevelopment of Unit 16 could affect the proposed downstream structure.

After a short discussion by the Board, Mr. Boawn was requested to attend the next Board meeting with a revised estimate of costs for the upstream structure only.

CORRALES WATERSHED DISTRICT (CWD) GENERAL MAINTENANCE CONTRACT

Bob McCormick, Chairman of CWD, stated that he felt that SSCAFCA should take over the general maintenance contract for the coming year. This would include publishing the RFP and supervising the contractor hired.

Annette Jones stated that she felt that SSCAFCA should not accept this responsibility at this time. Mr. Chaney stated that he felt SSCAFCA should.

No motion was forthcoming and therefore no further action was taken at this time.

LEGAL COUNSEL REPORT

1. Review of Conservationist Contract

Bernard Metzgar, legal counsel, stated that the conservationists contracts were not based on a \$20,000 small purchase contract as he had thought and that the request for proposal (RFP) did not state that the contracts may be extended. Mr. Metzgar therefore proposed that the extensions of Dr. Heggan's and Richard Farmer's contract not be utilized and that the Board authorize new RFP's for these services.

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Mr. Garman, Executive Engineer, stated that he needed help on some of the projects and that someone like Dr. Heggan's expertise is needed as well.

A motion by Annette Jones, seconded by Dub Yarbrough, that Mr. Garman draft and publish RFP's for services needed passed unanimously by roll call vote.

2. Regulations on Procurement Code

Mr. Metzgar stated that he has reviewed the first few pages of proposed regulations on the procurement code. He stated that a draft copy should be sent to each Board member to allow adequate time for review. This document is an important policy and adequate time is needed for review before the Board adopts such regulations.

SECRETARY'S REPORT

None.

TREASURER'S REPORT

1. Approve Expenditures 6/1/93-6/30/93

Motion by Dub Yarbrough, seconded by Annette Jones, to approve the reported expenditures of 6/1/93-6/31/93, carried unanimously.

2. Approve Treasurer's Report 7/20/93

Motion by Dub Yarbrough, seconded by Annette Jones, to approve the treasurer's report of 7/20/93, carried unanimously.

EXECUTIVE ENGINEER'S REPORT

1. FEMA Project

Mr. Garman stated there are no findings yet.

2. Section 14 Project

Mr. Garman stated that the Corps of Engineers has agreed to strengthen the street runoff outfalls that he had requested.

3. Urban Pond/Tree Farm Pond

Mr. Garman stated that negative responses were received from the Village of Corrales and City of Rio Rancho regarding the O&M responsibility that SSCAFCA requested in its letters to them. However, he reported that the City of Rio Rancho is willing to provide maintenance assistance for an initial period of three years.

John Chaney recommended that SSCAFCA accept Rio Rancho's goodwill assistance for the three years and have SSCAFCA take over The Village of Corrales' share of O&M, if the Village could not assist.

It was the consensus of the Board to have John Chaney and Annette Jones talk to the Village of Corrales regarding assistance with the O&M.

A motion was made by Annette Jones that SSCAFCA take over O&M for the Urban Pond/Tree Farm Pond Project after construction and continue to seek assistance from the City of Rio Rancho and the Village of Corrales. The motion was seconded by Bill Joiner and passed unanimously.

John Chaney stated for that he wanted the record to reflect that the motion is for O&M only.

4. State Grant of \$120,000

Mr. Garman stated that an allocation and schedule for the use of the money has been discussed with Bob McCormick of CWD and requested approval by the Board of that allocation and schedule. The allocation is \$39,700 for bank stabilization, \$60,300 for channel sediment removal and \$20,000 for general O&M.

A motion by Annette Jones, seconded by Bill Joiner, to approve the grant allocation and entering of a Joint Powers Agreement with CWD on this basis, passed unanimously.

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5. Accounting Software

Mr. Garman stated that training was continuing on the accounting software.

6. Dams 1 and 4

Mr. Garman stated that he is in the process of negotiating with the survey firm. Part of the terms of the contract are: completion date of 90 days once a letter to proceed is received; monumentation after construction. He stated that approximately 47 lots are impacted by this project.

Mr. Garman requested and got approval for an upper limit cost of \$53,000 for right-of-way survey and title work and if he can negotiate a price under this amount, the chairman can sign the contract.

7. Lomitas Negras Bank Stabilization

Mr. Garman stated that the CWD currently has a request for proposal for the stabilization with a closing date of August 6, 1993. He recommended that \$175,000 bond money be used on this project besides the \$39,700 previously discussed.

9. Northern Boulevard/Los Montoyas Project

Mr. Garman stated that the completion date is scheduled for October 15, 1993.

He stated that the first invoice for SSCAFCA's design costs was received for \$23,512.

Mr. Garman gave a property update on the lots. One owner is having his own appraisal done and the other owner has decided to trade lots.

CHAIRMAN'S REPORT

1. Resolution For Takeover of CWD

John Chaney stated that he has received telephone calls asking that SSCAFCA pass a resolution for the takeover of Corrales Watershed District.

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A motion by Annette Jones, seconded by Dub Yarbrough, to have Bernard Metzgar, legal counsel, prepare a resolution for the next Board meeting showing SSCAFCA's target date for its takeover of CWD passed unanimously by roll call vote.

2. Amended Resolution 1993-14

John Chaney presented Amended Resolution 1993-14, Budget for Fiscal Year 1993-94, correcting an error in the wording on the original resolution where it showed that the budget needed approval by the Sandoval County Commission.

A motion by Annette Jones to approve amended Resolution 1993-14, Budget for Fiscal Year 1993-94, was seconded by Dub Yarbrough. Roll call vote: Dub Yarbrough, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, abstain. Motion passed 3 to 0 with one abstention.

OTHER BUSINESS

None.

DIRECTORS COMMENTS

Dub Yarbrough stated that he thought a newsletter or a periodic update of some kind should be made to the public as the public does not know what is being accomplished by SSCAFCA.

There was a short discussion by the Board. No action was taken.

PUBLIC FORUM

None.

CLOSED SESSION

A motion by Annette Jones to go into closed session for the limited purpose of personnel matters (review of Mr. Garman after completion of probationary period) was seconded by Dub Yarbrough.

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Roll call vote: Dub Yarbrough, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes. Motion passed 4 to 0.

The Board went into closed session at 3:45 p.m.

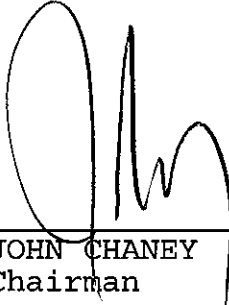
OPEN SESSION

The Board reconvened into open session at 4:35 p.m.

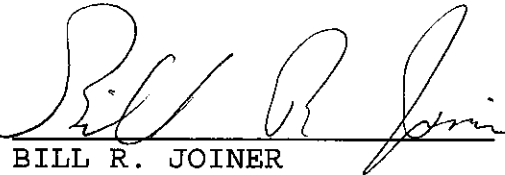
A motion by Annette Jones to retain Robert L. Garman as executive engineer was seconded by Dub Yarbrough. Roll call vote: Dub Yarbrough, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes. Motion passed 4 to 0.

ADJOURNMENT

A motion by Annette Jones, seconded by Dub Yarbrough, to adjourn the meeting was carried unanimously. Meeting adjourned at 4:36 p.m.



JOHN CHANEY
Chairman



BILL R. JOINER
Secretary

Date Approved August 12, 1993