

**SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF JANUARY 18, 1994
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 1:00 p.m.

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

APPROVAL OF AGENDA

Mr. Garman requested adding Leedshill Herkenhoff to the agenda to present plans for the Lomitas Negras after Item II, Election of Officers and adding a Closed Session for Section 14 appraisals after Item XI, Public Forum.

Bill Joiner arrived at 1:03 p.m.

Mr. Metzgar requested adding a report by Richard Farmer on bank stabilization after Item III, Dams 1 & 4 Project, Mr. Easterling's report.

A motion by Annette Jones, seconded by Dub Yarbrough, to approve the agenda as amended passed unanimously.

APPROVE MINUTES OF DECEMBER 14, 1994

Dub Yarbrough stated that he had a correction on page 3, paragraph 3, change ganited to gunitied.

Annette Jones stated a correction needed to be made on page 5, paragraph 4, line 1, to add Bob Garman to the list of the attendees and delete the last sentence of the paragraph.

A motion by Annette Jones, seconded by Guy McDowell, to approve the minutes of December 14, 1993 as amended passed unanimously.

ELECTION OF OFFICERS

Mr. Chaney asked for nominations for officers for 1994.

A motion by Guy McDowell nominating and electing the same officers as 1993 was seconded by Bill Joiner and passed unanimously.

The officers elected for 1994 are: John Chaney, Chairman; Dub Yarbrough, Vice Chairman; Bill Joiner, Secretary; and Annette Jones, Treasurer.

DAMS 1 & 4 PROJECT

Mr. Garman stated that he walked the centerline of the Dams 1 & 4 project with Chuck Easterling and requested that Mr. Easterling go over the history and reasons for the route chosen by the Board.

Mr. Chuck Easterling of Easterling and Associates recounted to the Board the events leading to the alignment that was chosen for Dams 1 & 4. He went over the various alignments that were originally presented to the Board and why the Board decided on the alignment it did.

Mr. Easterling stated that on the centerline walk he discovered that there were already two prepared pads in the alignment and stated that the longer SSCAFCA takes to acquire the land, the more expensive it will be to acquire it later.

Mr. Easterling stated that in his considered opinion that his proposed alignment for Dams 1 and 4 is the only one feasible and SSCAFCA needs to get the right-of-way as soon as possible.

Mr. Easterling passed out his revised estimate of cost for Dams 1 and 4 outfall project, broken into Phase I and Phase II, to the Board members.

There was a general discussion by the Board members.

John Chaney asked Mr. Garman for his recommendation and Mr. Garman stated that his recommendation remains the same as at the last meeting which is that SSCAFCA needs to get the appraisals and do the land acquisition as soon as possible.

A motion was made by Annette Jones and seconded by Guy McDowell, to proceed with the appraisals on both Phase I and Phase II. Roll call vote: Dub Yarbrough, yes; Guy McDowell, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes. Motion passed 5 to 0.

LOMITAS NEGRAS ARROYO FROM HIGHWAY 528 TO THE DULCELINA CURTIS CHANNEL

Susan Alvarez of Leedshill-Herkenhoff went over the system of improvements for bank stabilization of the Lomitas Negras Channel from 528 to the Harvey Jones Channel using gabions, soil cement and other stabilization features for this project. Ms. Alvarez gave the Board preliminary cost estimates for the project improvements for a 25 year storm and for a 100 year storm.

UPDATE ON LOS MONTOYAS ARROYO STABILIZATION PROJECT

Richard Farmer stated that he has met with all of the apparent landowners involved with this project and has received verbal agreement from all of them to provide the necessary easements. A title search is in process now to make sure that all owners have been contacted.

Mr. Farmer stated that a meeting has been scheduled with Mr. Metzgar, legal counsel, to go over the title searches. Once all of the landowners have signed the documents granting the easements, a request for proposal for design engineering will be able to be published.

Mr. Farmer explained that this is a cost share project with the Corrales Watershed District, with CWD doing the engineering study. Also, once all of the landowners have signed off, an agreement needs to be signed between CWD and SCAFCA for completion of the project. This item will be further discussed at the next Board meeting.

SECRETARY'S REPORT

None.

TREASURER'S REPORT

1. Approve Expenditures 12/1/93-12/31/93

Motion by Annette Jones, seconded by Bill Joiner, to approve the reported expenditures of 12/1/93-12/31/93, carried unanimously.

2. Approve Treasurer's Report of 12/31/93

Motion by Annette Jones, seconded by Bill Joiner, to approve the treasurer's report of 12/31/93, carried unanimously.

3. Informational Sheet on Dams 1 & 4 Project

Annette Jones passed out an informational sheet on the monies spent from July 1, 1993-December 31, 1993 on this project.

LEGAL COUNSEL'S REPORT

1. Procurement Code Regulations

Mr. Metzgar stated that the proposed draft Procurement Regulations had been reviewed by Mr. Garman and the Board committee appointed by Mr. Chaney. A meeting was held with Mr. Metzgar and the draft Regulations were reviewed in detail and suggested changes were made.

Mr. Metzgar stated that John Chaney wanted him to go over particular items in the draft Regulations that the full Board should be aware of. Mr. Metzgar stated that the Procurement Regulations name the Executive Engineer as the Procurement Officer and SSCAFCA's office as the Central Purchasing Office. The regulations give the Procurement Officer authority to make procurements up to \$5,000 without Board approval. However, it states that the Board of Directors retains all power of the Central Purchasing Office regarding procurements over \$5,000.

There was a brief discussion by the Board on the \$5,000 figure.

Another item to be discussed is the composition and appointment of the Selection Advisory Committee for review of proposals. The language that the committee recommended be added is "The

MINUTES OF THE BOARD OF DIRECTORS MEETING JANUARY 18, 1994

Procurement Officer will advise the Board of Directors of SSCAFCA of his selection of a Selection Advisory Committee in order to allow board members to volunteer to serve as members of the Selection Advisory Committee."

The next item to be discussed is the unlawful employee participation in procurement. Mr. Metzgar went over the definition of an employee and read the section on unlawful employee participation in procurement to the Board.

Mr. Metzgar then went over the emergency procurement procedure and pointed out to the Board that even though the Procurement Officer had the authority, the Regulations provide that an emergency board meeting would have to be called at the earliest possible time.

There was also a question by the committee on the retention of procurement records. Mr. Metzgar said that the Procurement Statute required a minimum of three years for sole source and emergency procurements. Also checked with Larry Blair, Executive Engineer, AMAFCA, and Mr. Blair said that AMAFCA has a retention schedule in a separate document from their Procurement Regulations. However, they keep contract records permanently.

Mr. Metzgar suggested that all procurement records be kept a minimum of three years and that this language be added to the Regulations.

A motion was made by Annette Jones to approve the Procurement Regulations as presented subject to the addition regarding the retention of all records for three years. The motion was seconded by Guy McDowell. Roll call vote: Dub Yarbrough, yes; Guy McDowell, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, yes. Motion passed 5 to 0.

Mr. Metzgar stated that a draft Code of Conduct has also been prepared for review by the Board. Mr. Chaney stated that this would be put on the next agenda and asked that all Board members review the draft before the next meeting.

EXECUTIVE ENGINEER'S REPORT

1. Northern Boulevard/Montoyas Project

Mr. Garman stated that the final bill has been received from the City of Rio Rancho. The total cost for this project is approximately \$260,000. He is currently talking to AMREP and the City of Rio Rancho regarding a silt disposal site.

2. Dams 1 & 4 Project

Mr. Garman stated that approximately \$116,000 has been spent to date on this project.

He stated that later this week there will be a meeting between Richard Farmer, Bernie Metzgar and Gannett Fleming for a review of properties to determine which ones should be bought and which ones would only require permanent easements.

3. Section 14 Project

Mr. Garman stated that the appraisals are now complete.

4. Urban Ponds and Tree Farm Ponds Project

Mr. Garman stated that certain property acquisition problems have been resolved and the redesign has been completed.

He stated that the maintenance Memorandum of Agreement with the City of Rio Rancho has been signed.

The MOU maintenance agreement was presented to the Village of Corrales Council at its January meeting and the Village Council had a new concern regarding holding them harmless from liability. Mr. Garman understood that the Village's attorney was to contact Mr. Metzgar about this.

5. FEMA Project Update

Mr. Garman stated that a copy of letter from Resource Technology, Inc. reviewing the flows in the channel is in each Board member's folder. RTI is waiting for a reply from FEMA.

MINUTES OF THE BOARD OF DIRECTORS MEETING JANUARY 18, 1994

6. Moody's Visit

Mr. Garman stated that representatives from Moody's visited the office for an overview of the projects in anticipation of future bond sales. Mr. Powers called and said that Moody's was very impressed with the presentation.

7. Harvey Jones Channel

Mr. Garman stated that as a follow up to the annual inspection, SCS will be conducting a technical inspection of the joint seals on February 4, 1994.

8. Drainage Policy

Mr. Garman stated that he met with Hugh Rowland from the Village of Corrales reviewing the proposed Drainage Policy. He stated that in each folder is the initial version with suggested changes as a result of his meeting with Mr. Rowland. Mr. Chaney stated that all Board members should read through this and be ready for discussion at the next meeting.

9. PERA

Mr. Garman stated that Representative Vince Martinez sent SCAFCA a lukewarm response to SCAFCA's request for a suggested change to the Statute which would include SCAFCA.

10. Public Relations

Mr. Garman stated that there was one published article entitled "Flood Authority halts Dam Repair", which is in each director's folder.

Mr. Garman stated that he has been invited to give a project update at the March 1994 Kiwanis Club meeting.

CHAIRMAN'S REPORT

1. Thank You Note

Mr. Chaney read a thank you note from the Yarbrough family regarding the board member's personal donation to the scholarship fund for his grandson.

MINUTES OF THE BOARD OF DIRECTORS MEETING JANUARY 18, 1994

2. Resolution 1994-1, Notice for Meetings

A motion by Annette Jones, seconded by Dub Yarbrough, to accept Resolution 1994-1, Notice for Meetings as presented passed unanimously.

3. Resolution 1994-2, Designation of Official Newspaper

A motion by Annette Jones, seconded by Bill Joiner, to accept Resolution 1994-2, Designation of Official Newspaper as presented passed unanimously.

4. Resolution 1994-3, Designation of Legal Holidays

A motion by Annette Jones, seconded by Bill Joiner, to accept Resolution 1994-3, Designation of Legal Holidays as presented passed unanimously.

OTHER BUSINESS

None.

DIRECTOR'S COMMENTS

None.

PUBLIC FORUM

None.

MOTION FOR CLOSED SESSION

A motion by Annette Jones to go into closed session for the purpose of discussing Section 14 appraisals was seconded by Bill Joiner. Roll call vote: Dub Yarbrough, yes; Guy McDowell, yes; Bill Joiner, yes; Annette Jones, yes; John Chaney, abstain. Motion passed 4 to 0 with one abstention.

MINUTES OF THE BOARD OF DIRECTORS MEETING JANUARY 18, 1994

The Board went into closed session at 4:25 p.m.

RESUMPTION OF OPEN SESSION

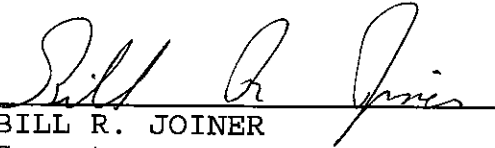
The Board reconvened into open session at 4:52 p.m.

John Chaney stated that the Board passed two motions in the closed session for amounts of monies to be paid for the purchase of lots and temporary construction easements.

ADJOURNMENT

A motion by Annette Jones, seconded by Bill Joiner, to adjourn the meeting was passed unanimously. Meeting adjourned at 4:53 p.m.



JOHN CHANEY
Chairman

BILL R. JOINER
Secretary

Date Approved 2/15/94