

SOUTHERN SANDAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)

MINUTES OF SEPTEMBER 15, 1998
REGULAR BOARD OF DIRECTORS MEETING

I. CALL TO ORDER.

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

Directors in attendance were John Chaney, James Dorn, Bill Joiner, and Dub Yarbrough. Staff members present were David Stoliker, Executive Director, and Pam McGrath, Administrative Secretary. Bernard Metzgar, SSCAFCA's attorney, and members of the public were also present. Guy McDowell arrived at 1:08 p.m.

APPROVAL OF AGENDA.

A motion was made by Bill Joiner to approve the Agenda as presented. It was seconded by James Dorn and passed unanimously.

APPROVAL OF MINUTES OF SPECIAL MEETING OF SEPTEMBER 1, 1998.

A motion was made by James Dorn to approve the minutes of the special meeting of September 1, 1998 as presented. It was seconded by Bill Joiner and passed unanimously.

SECRETARY'S REPORT.

None.

II. WILSON & COMPANY CONTRACT AMENDMENT FOR DESIGN SERVICES INCREASE.

Mr. Yarbrough introduced Dan Aguirre from Wilson & Company. Mr. Aguirre stated that the original lump sum contract was for the design of Phase II. The amendment which he is presenting is for additional work beyond the scope of the original contract. The original structure was designed as a grated opening with a trash-rack. Wilson & Company redesigned the intake structure. Wilson & Company totally had never intended to do work in the street, including adding parking lots, and the survey did not cover any of that. The additional work

included putting inlets along the roads, which included surveying the whole area.

A motion was made by Dub Yarbrough to approve the Wilson & Company amendment for additional expenditures of \$14,400.00. It was seconded by Bill Joiner and carried unanimously.

III. EASTERLING & ASSOCIATES CONTRACT AMENDMENT FOR CONSTRUCTION INSPECTION COST INCREASE.

Mr. Yarbrough introduced R.P. Bohannon from Easterling & Associates. Mr. Bohannon stated that their contract was a time and material contract, as opposed to a lump sum contract, which provided that Easterling & Associates be able to return to SSCAFCA to ask for additional cost increases, if necessary. The scope was more intensive in some areas than Easterling & Associates thought, but the main thing that caused the project to be delayed were some survey discrepancies that needed to be resolved. The total amount Easterling & Associates expended is \$79,385.00; the original estimate was at \$70,000.00. Easterling is asking for an additional \$9,400.00. The contract is now finished and no more increases will be asked for.

A motion was made by Guy McDowell to approve the Easterling & Associates additional expenditures of \$9,400.00. It was seconded by Bill Joiner and carried unanimously.

Mr. Yarbrough stated that the Easterling contract was very old and had been in effect through at least three executive directors and several different board members. Therefore, he felt that an audit should be done on the contract.

A motion was then made by Dub Yarbrough that an audit be done on the Easterling & Associates contract by Rice & Associates, which will cost approximately \$1,500.00. It was seconded by John Chaney and carried unanimously.

IV. PRESENTATION OF SSCAFCA POLICIES AND PROCEDURES INVESTIGATIVE FINDINGS.

Mr. Yarbrough presented Pat Stovall from Smith Engineering. Smith Engineering was hired to review SSCAFCA's drainage policy and criteria. Larry Blair, Public Works Director for the City of Albuquerque, has sent correspondence indicating that he would like a Regional Design Process Manual for all of the Albuquerque/Rio Rancho metro areas. Mr. Stovall stated that SSCAFCA should adopt the present

City of Albuquerque DPM and that SSCAFCA should create an addendum to the DPM that has specific criteria applicable to Sandoval County. Mr. Stovall stated that Smith Engineering will also look into some infiltration data that is more specific to Sandoval County; they will look into a new land treatment factor for very flat valley areas; they will address the concept of a prudent line; they will look at culvert sedimentation; and they will look at the storm drain designs. Mr. Stovall has prepared a Drainage Master Plan Report Checklist that he will submit to the consultants working for SSCAFCA, along with other entities in surrounding areas.

Mr. Stovall commented on an actual policy statement itself. He indicated that SSCAFCA does not want to get too technical in its statements because it wants to leave itself some room to negotiate. One of the main things to look at is defining a process for developers to know how a project will be taken over by SSCAFCA. The policy should also address how SSCAFCA wants to deal with easements. The policy should address retention ponds. The policy should also include some type of emergency clause in the case of a flood. The policy should specify the basic drainage criteria that SSCAFCA adopts.

Mr. Stovall stated that he has gone through the Resolutions, Joint Power Agreements, etc. and he passed out manuals with copies of these documents to the board members. Mr. Stovall would like to finish the policy revision, which is Phase I, in a couple of weeks and will return once that is finished. He stated that SSCAFCA does not currently have a Drainage Policy MOU with the Town of Bernalillo or with Sandoval County. That is something that should be done. Mr. Stoliker asked that Mr. Metzgar prepare the MOUs. Mr. Metzgar stated that all entities within SSCAFCA's boundaries should have an MOU with SSCAFCA.

Mr. Stovall stated that AMAFCA wishes now that they had become the regional flood plain administrator for Bernalillo County. The reason is that there is now a disjointed effort among the entities that have to review developments, which also causes multiple reviews. Mr. Stoliker stated that SSCAFCA should be the flood plain administrator for the its area, eliminating multiple duplication of effort. Mr. Stovall indicated that he would complete Phase I in October 1998 and prepare a list of prioritized items to be worked on in Phase II of this policy/procedures review.

V. SANDOVAL COUNTY G.I.S.

Mr. Stoliker stated that Mr. Morales could not be here today. Mr. Stoliker stated that the MOU on the G.I.S. as currently prepared by Mr. Morales does not give SSCAFCA enough authority but is a good first

step. The G.I.S. would allow SSCAFCA to call up vital information on particular properties. If SSCAFCA were to buy into the information system, it would save time and money down the road, but they are capital intensive to initiate. Mr. Morales has the G.I.S. up and Mr. Stoliker would like to take a trip to Sandoval County to have the board look at the system to get a feel for what SSCAFCA would be buying into. The initial cost is now up to \$25,000.00, plus there would be ongoing costs. The Board agreed to have Mr. Stoliker set up the meeting with the Chairman's approval.

VI. LEGAL COUNSEL REPORT.

Operation & Maintenance Liability Discussion.

Mr. Metzgar stated that in most instances SSCAFCA only wants easements on the properties where it will be responsible for O & M. This will limit SSCAFCA's liability to a great extent. Mr. Metzgar agreed to provide Mr. Stoliker with a copy of the status which delineates SSCAFCA's liability.

VII. TRINITY ESTATES SUBDIVISION DRAINAGE COST SHARING REQUEST RESPONSE.

Cinfran has responded that it is currently cost sharing by paying for a geotechnical study and a drainage report and that it will consider a reasonable cost share for the construction/land dedication for the future Pond #4.

VIII. OTHER BUSINESS.

None.

IX. DIRECTOR'S COMMENTS.

1. **Excess Property.**

Mr. Yarbrough stated that SSCAFCA has excess personal property that is no longer being used and is being stored in a storage facility. The City of Rio Rancho is having an excess property sale soon and Mr. Stoliker would like to sell SSCAFCA's excess property. SSCAFCA would probably have to get approval from the DFA for the sale. Mr. Metzgar

stated that it may be possible that DFA would give quick approval since the property would be sold in the City of Rio Rancho auction sale.

A motion was made by Bill Joiner to have the excess property sold through the City of Rio Rancho's auction, subject to DFA approval. It was seconded by James Dorn and carried unanimously.

2. Contract changes.

Mr. Yarbrough stated that he is concerned increased changes to contracts without prior authorization. Contractors should seek prior approval in all future time and material contracts for any changes beyond the estimated cost. Present on-call contracts should also be amended to include the prior approval provision.

A motion was made by Dub Yarbrough to amend present contracts and put the necessary clauses in future contracts regarding prior approval as discussed. It was seconded by John Chaney and carried unanimously.

3. Mr. Yarbrough also requested that Mr. Stoliker research and bring to the Board information on contractual changes which can be approved by the Executive Director.

4. Mr. Dorn requested that small desktop flags be purchased and provided at SSCAFCA meetings.

X. PUBLIC FORUM.

None.

XI. CLOSED SESSION.

A motion was made by Bill Joiner to go into a closed session for purposes of reviewing legal action on Dams 1 & 4, Phase I and II. It was seconded by John Chaney. Roll call vote: John Chaney, yes; James Dorn, yes; Bill Joiner, yes; Guy McDowell, yes; Dub Yarbrough, yes. Motion passed 5 to 0.

The Board went into closed session at 3:05 p.m.


XII. RESUMPTION OF OPEN MEETING

The Board reconvened in open session at 3:35 p.m.

The matter discussed in the closed meeting was limited only to that specified in the motion for closure and Mr. Yarbrough stated that no official action was taken.

XIII. ADJOURNMENT.

A motion was made by John Chaney and seconded by Bill Joiner to adjourn the meeting. It was carried unanimously. Meeting adjourned at 3:37 p.m.



BILL R. JOINER
Secretary



WM. C. YARBROUGH
Chairman

DATE APPROVED: 10/20/98