

**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 1

1. Call to Order and Roll Call

Chairman Eichenberg called the Regular Board Meeting to order at 9:07 a.m. Thursday, July 22, 2004. Roll was noted as follows:

Directors present: Chairman Tim Eichenberg
Director Ronald D. Brown (arrived late)
Director Daniel Hernandez
Director Daniel Lyon

Others present: John Kelly, Executive Engineer
Sam Bregman, Attorney
Staff

A quorum was present.

2. Approval of Agenda

John Kelly, AMAFCA Executive Engineer, stated that there were no changes to the agenda.

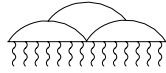
Director Hernandez made a motion to approve the agenda. Director Lyon seconded the motion, which passed unanimously (3-0).

3. Meetings Scheduled

- a. August 26, 2004, 9:00 a.m. – Regular Meeting
- b. September 23, 2004, 9:00 a.m. – Regular Meeting
- c. October 28, 2004, 9:00 a.m. – Regular Meeting

After discussion, the October 28 meeting was moved to October 21, putting it midway between the September and November meetings. The meeting schedule was revised as follows:

- a. **August 26, 2004, 9:00 a.m. – Regular Meeting**
- b. **September 23, 2004, 9:00 a.m. – Regular Meeting**
- c. **October 21, 2004, 9:00 a.m. – Regular Meeting**



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 2

Director Hernandez made a motion to approve the revised meeting schedule. Director Lyon seconded the motion, which passed unanimously (3-0).

4. Approval of Minutes

a. June 23, 2004

Director Lyon made a motion to approve the minutes of the June 23, 2004 Regular Board Meeting. Director Hernandez seconded the motion, which passed unanimously (3-0).

5. Financial Matters

a. Approval of June 2004 Expenditures

Irene Jeffries, AMAFCA Business Manager, presented the June 2004 Expenditure Report. Chairman Eichenberg had a question about check 11173 to Modrall Sperling for legal services through 4/30/04. Ms. Jeffries stated that this was Modrall Sperling's final bill under their contract which expired in May 2004.

Director Lyon made a motion to approve the June 2004 Expenditure Report. Director Hernandez seconded the motion, which passed unanimously (3-0).

b. Investment Report

For Information.

c. Financial Recap June 16, 2004 through July 15, 2004

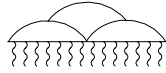
For Information.

d. Financial Forecast July 16, 2004 through August 15, 2004

Ms. Jeffries presented the Board with the Financial Forecast for the period July 16, 2004 through August 15, 2004, pointing out that it included principal and interest payments on AMAFCA's General Obligation Bonds.

Director Brown arrived at this point in the meeting.

Director Hernandez made a motion to approve the Financial Forecast. Director Lyon seconded the motion, which passed unanimously (4-0).



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 3

e. Review and Acceptance of Inventory Lists

Ms. Jeffries presented the Board with AMAFCA's Office Inventory and Maintenance Inventory, pursuant to Resolution 2002-5, Capitalization Policy. She stated that she and Larry Trujillo, Maintenance Supervisor, had conducted a physical inventory of all items, and all were accounted for.

Chairman Eichenberg asked a question about the GIS Software license from ESRI. Ms. Jeffries stated that this was an annual license for the GIS Software.

Director Brown made a motion that the Board accept the Inventory Lists. Director Hernandez seconded the motion, which passed unanimously (4-0).

6. Legal

a. Status Report

Attorney Sam Bregman gave the Board a brief report on the status of various legal matters.

7. Personnel Matters – Resignation of Maintenance Worker Alton Smith

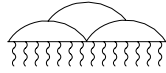
Mr. Kelly informed the Board that Alton Smith, an AMAFCA Maintenance Worker, had resigned his position to pursue a career with the Bernalillo County Sheriff's Department. He stated that the position was being advertised in the Albuquerque Journal, and that staff expected to fill the position by late August.

Directors Brown and Lyon asked questions and gave input to Mr. Kelly regarding the position.

8. Technical Standards Committee – Approval of Appointments to Committee

Mr. Kelly stated that under AMAFCA Resolution 1980-15, AMAFCA is required to have a Technical Standards Committee consisting of five qualified people, four of whom need to be professional engineers. The committee serves as an appeal panel for constituents who feel aggrieved by the application of rules, regulations, policy, and design standards.

He stated that the four engineers previously serving on the committee had been contacted and were agreeable to serve another three-year term, subject to the Board's approval. Those engineers are Aldo Vaio, Art Peterson, John Andrews, and Dr. Julie Coonrod.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 4

Mr. Kelly stated that the non-engineer on the committee, Archie Westfall, had passed away on July 13. He requested Board input on names to consider as the non-engineer committee member.

After discussion and comments from the Board, Director Hernandez made a motion that the Board approve the four engineering positions on the Technical Standards Committee, and that the Executive Engineer bring his recommendation for the non-engineering position to the Board at the August meeting.

Director Brown seconded the motion, which passed unanimously (4-0).

9. NPDES Storm Water Quality Education Program – Approval of Joint Funding Agreement Among AMAFCA, City of Albuquerque, UNM, NMDOT and Bernalillo County

Loren Meinz, AMAFCA Drainage Engineer, presented the proposed Memorandum of Understanding for joint funding of the Storm Water Quality Public Participation/Education Program, which is an agreement among the City of Albuquerque, UNM, NMDOT, Bernalillo County, and AMAFCA.

He stated that this agreement is an initial, one-time startup agreement to develop a program for storm water pollution education, and that the educational program developed may eventually become an ongoing program similar to the Ditch Safety Program. This combined effort on one education program will meet the co-permittees' EPA storm water permit requirements.

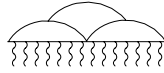
He further stated that the agreement has already been signed by Bernalillo County, the City of Albuquerque, and UNM, and is in process of approval at NMDOT.

Director Brown made a motion that the Board approve the Memorandum of Understanding for Joint Funding with AMAFCA, City of Albuquerque, UNM, NMDOT, and Bernalillo County for the Storm Water Quality Public Participation/Education Program.

Director Hernandez seconded the motion, which passed unanimously (4-0).

10. Loma Larga Roadway and Drainage Improvement Project – Approval of Cost Sharing Agreement with the Village of Corrales

Mr. Kelly introduced Mayor Kanin of the Village of Corrales, and the engineer on the project, Jim Buckman of Parsons Brinckerhoff, who were present in the audience.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 5

Mr. Kelly stated that at its June meeting, the Board was asked to participate with the Village of Corrales in the Loma Larga Roadway and Drainage Project. He reminded the Board that they had supported the proposal and had asked if AMAFCA's participation could be done out of current funds.

Mr. Kelly stated that there was enough left in the 2000 Bond authorization for this project to be funded now.

He presented the Board with the proposed Cost Sharing Agreement for Drainage Improvements to the Corrales Main Canal North of Cabezon Road. He stated that it had been reviewed and approved by legal counsel for both agencies. Brief discussion followed.

Director Brown asked Mayor Kanin how the Village felt about the maintenance provisions of the agreement. Mayor Kanin stated that this had been discussed with the Village's maintenance people, and they were confident they could handle the necessary tasks.

Director Lyon made a motion that the Board approve the Cost Share Agreement with the Village of Corrales and authorize the Chairman to execute the Agreement. Director Hernandez seconded the motion.

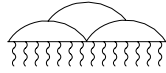
Chairman Eichenberg emphasized that AMAFCA was retaining structural maintenance of the constructed features of the pond and sediment removal simply because that is AMAFCA's area of expertise. He expressed appreciation to the Village for their willingness to remove trash and debris and do other aesthetic maintenance of the pond.

The motion passed unanimously (4-0).

Mayor Kanin expressed appreciation for AMAFCA's participation in this project, and stated that if AMAFCA has anything else come up involving the Village, AMAFCA could count on their support.

11. Lyon Boulevard Storm Drain – Review of Draft Agreement for Cooperative Funding, Construction and Maintenance of the Lyon Boulevard Storm Drain Extension Project

Lynn Mazur, AMAFCA Development Review Engineer, introduced Ron Bohannon and Vince Carrica of Tierra West LLC, who were present in the audience. Mr. Bohannon also introduced Paul and Harry Silverman of Geltmore Land Company. Mr. Bohannon stated that some of the other parties involved were unable to attend today's meeting due to prior obligations.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 6

Ms. Mazur presented the Draft Agreement for Cooperative Funding, Construction and Maintenance of the Lyon Boulevard Storm Drain Extension Project. She stated that the draft agreement outlines funding, construction, and maintenance responsibilities for the storm drain project.

Ms. Mazur requested Board input on the proposed agreement. Discussion followed.

Chairman Eichenberg stated that he was uncomfortable with paragraph 2.9 in Section Two on page 3 of the Agreement. Mr. Kelly stated that perhaps it would read better as "under the AMAFCA development process," and that it was one of the key parts of the agreement for the developers.

Mr. Kelly further stated that undeveloped flows across Paradise would be picked up by improvements to the various properties, but 10-15 years from now, a future Paradise Storm Drain would divert those flows east down Paradise.

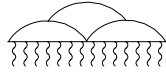
Chairman Eichenberg stated that he would like to strike paragraph 2.9 of the Agreement rather than editing it.

Director Hernandez asked if any changes have been made by the other agencies involved. Mr. Kelly stated that the City has said they cannot waive their engineering review fees because they are required by ordinance, so they would like to strike section 3.2. He stated that he had not received comments from the County yet.

Director Brown suggested that perhaps the concept of controlling the water across the road could be stated differently.

Chairman Eichenberg suggested that perhaps the property owners' cost share of the agreement could increase. Ms. Mazur stated that the estimate included both soft and hard costs, but could change as Wilson & Company's basalt analysis figures came in. Consensus was to hold off on the specific dollar amount until after Wilson & Company's analysis was complete.

Mr. Bohannon stated that they will work closely with the City, County, and AMAFCA staff to get this Agreement in place. He also stated they were close to finalizing the agreement among the property owners. He expected to have all the agreements finalized soon.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 7

12. Calabacillas Arroyo Upstream of Swinburne Dam – Proposal for Cost Sharing of Grade Control Structure by Curb Inc.

Chairman Eichenberg excused himself from discussion of this item, turning the meeting over to Director Hernandez. Chairman Eichenberg was not present during discussion of this item, and did not participate.

Mr. Kelly introduced Stan Strickman of Curb West, and Dan Aguirre of Wilson & Company, who were present at the meeting.

Mr. Aguirre presented a proposal from Curb, Inc., for AMAFCA's participation in a major grade control structure on the Calabacillas Arroyo north of the Seville Subdivision, upstream of the Swinburne Dam.

He stated that their proposal was for Curb, Inc. to contribute \$100,000 (35% share) towards the construction of a future grade control structure in the Calabacillas. When the property across the arroyo came up for development, an additional 35% contribution would be sought from that developer.

Curb, Inc. would also construct all necessary bank protection along their development. They would dedicate the prudent line area along the arroyo to City Open Space, with an AMAFCA drainage easement on it.

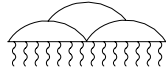
The grade control structure would be built at the same time as the City's McMahon Boulevard Crossing of the Calabacillas Arroyo, and would help protect that bridge.

Mr. Kelly requested Board input on the proposal.

After discussion, Director Brown stated the Board's concurrence with the proposal, and directed staff to continue with negotiations for the cost share agreement. Directors Hernandez and Lyon agreed.

Director Hernandez called a short recess at 9:55 a.m.

Chairman Eichenberg reconvened the meeting at 10:00 a.m.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 8

13. FY-05 Project Schedule Review

- a. Review of Proposed Text and Layout**
- b. Review of Draft Projects List**

Mr. Kelly presented the third draft of the proposed FY-05 Project Schedule, seeking the Board's opinion of the proposed text and layout of the Project Schedule.

Mr. Kelly went through the changes in the third draft of the proposed projects list, which was revised based on input at the June 23 Board Meeting and staff input. He stated those changes were mainly to adjust the funding timetable to match the city timetable on shared projects.

He said the total cost and AMAFCA participation on the La Cueva Crossings at Wyoming and Eagle Rock Project were increased due to the recent increased cost of concrete construction. The Osuna Storm Drain Project was moved from FY-08 to FY-06 to match the City's plans.

The Black Arroyo Dam Storm Water Quality Facility Project may be dropped from the current schedule if a regional water quality facility is built above the Black Arroyo Dam, as has been proposed by private developers. The proposed regional facility would treat both tributaries of the Black Arroyo before being dumped in the Dam, and would be completely privately funded as a part of the Black Ranch/Unit 13 development in Rio Rancho.

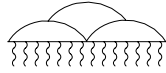
He stated that there would be a name change in the Paseo del Norte Storm Drain, to match the usual practice of naming facilities after the drainage location. It will now be known as the Middle Branch of the Piedras Marcadas Arroyo Storm Drain.

A spreadsheet correction was also made to the North Valley Miscellaneous Drainage Improvements page, listing \$250K in both FY-07 and FY-08.

He stated that the Upper Calabacillas Grade Control Structure Project discussed earlier in the meeting will need to be added to the project list.

Director Hernandez reiterated his opposition to the Paseo del Norte extension.

Mr. Kelly expected to have the final Project Schedule ready for adoption at the August meeting. The Board suggested that to save costs, Board members could retain their current drafts and then only the changed pages would need to be provided to the Board.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 9

14. Field Highlights

a. Construction Report

b. Field Report

Jerry Lovato, Field Engineer, presented a slide show depicting progress on current projects. Included were slides of the West I-40 Diversion Channel Project and the recently completed AMAFCA Parking Lot Expansion. Mr. Mainz stated that the contractor on the Parking Lot Project demonstrated great care in determining that the area would drain properly.

Mr. Lovato showed slides taken by Mr. Kelly depicting widespread street flooding along Osuna during the storm the afternoon of July 12. Approximately 230 cfs was carried in the street during the storm. Mr. Kelly stated that the City has moved the Osuna Storm Drain Project up on its schedule due to the frequent street flooding in this area.

Mr. Lovato also showed slides depicting damage to the bottom of the Hahn Arroyo during one of the recent rains. AMAFCA's maintenance crew worked with the City of Albuquerque to accomplish an immediate emergency repair of the damage.

Dan Hogan, of the City of Albuquerque's Department of Municipal Development, stated that the City is in the process of replacing the bottom of the Hahn Arroyo, beginning upstream where the condition is poorest. He stated that he expected repairs to be complete within two years.

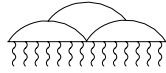
Mr. Lovato and Mr. Mainz commented on pictures of several new debris removal structures taken after recent rains, which demonstrated that they are working as designed.

c. Report on Storm Event of June 26, 2004

Mr. Lovato and Mr. Mainz gave a brief report on the storm event of June 26, 2004, which resulted in low dissolved oxygen levels in a portion of the North Diversion Outfall. Possible solutions are being studied and will be discussed at a later meeting.

15. Unfinished Business

Director Lyon asked if AMAFCA should take a position regarding the boy who recently fell into an arroyo and was rescued by a police officer and a civilian, especially concerning the ditch safety issue and the fact that two of them had gotten sick afterwards.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 22, 2004**

Page 10

Mr. Kelly stated that AMAFCA discourages rescue attempts by untrained people, and that the people involved were lucky they were able to self-rescue due to temporary construction scaffolding in the area. He stated they were also very lucky that this had been a small storm event.

Mr. Kelly also stated that we treat the water from the Rio Grande before drinking it, and these individuals had ingested quite a bit of untreated storm water contaminated with fecal coliform, pigeon droppings, and the like, so it was not surprising they had gotten sick.

He stated that AMAFCA practice is to only have rescues attempted by those who are trained in arroyo rescues, which is the fire department. He said that untrained civilians attempting a rescue can quickly lead to even more people needing to be rescued. Director Hernandez stated this was the kind of heroism that we wanted to discourage.

Director Brown pointed out that the officer who attempted the rescue had been previously trained, but that even he needed help.

Mr. Kelly stated that Joan Griffin from Ditch Safety was to interview the boy to determine if he would be a good candidate for a public service announcement. After further discussion, the Board asked Ditch Safety to report to the Board at a later meeting.

16. New Business

Chairman Eichenberg, Directors Lyon and Hernandez, and attorney Sam Bregman expressed an interest in attending the Endangered Species Act Conference in Tucson in early November. This conference will be put on the August 26 meeting agenda.

17. Items from the Floor / Public Comment

None.

18. Adjourn

With no further business to discuss, Chairman Eichenberg adjourned the meeting at 10:45 a.m.

Ronald D. Brown, Secretary-Treasurer 08/26/04

Recorded by Pam Woodruff, Secretary to the Executive Engineer