



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
April 24, 2008**

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1. Call to Order and Roll Call

Chairman Hernandez called the Regular Board Meeting to order at 1:04 p.m., Thursday, April 24, 2008. Roll was noted as follows:

Directors present:	Chairman Danny Hernandez Director Janet Saiers (arrived late) Director Tim Eichenberg Director Ronald D. Brown Director Daniel Lyon
Directors excused:	None
Others present:	John Kelly, Executive Engineer Marcus J. Rael, Jr., Attorney Staff Other attendees on file at AMAFCA

A quorum was present.

2. Approval of Agenda

Director Eichenberg asked that agenda item 13 be moved from the consent agenda to the regular agenda. Chairman Hernandez concurred.

Director Eichenberg made a motion to approve the agenda, with agenda item number 13 moved from the consent agenda to the regular agenda. Director Lyon seconded the motion, which passed (4-0).

3. Ceremony for Retiring AMAFCA Employee Mariano Lucero

Mr. Kelly introduced retiring AMAFCA heavy equipment operator Mariano Lucero, reviewing his 25-year career with AMAFCA with photo highlights.

Chairman Hernandez presented him with a plaque of appreciation from the Board, congratulating him on 25 years of service.

Mr. Kelly read the plaque, which stated, "Presented to Mariano L. Lucero, in recognition of twenty-five years of dedicated public service in providing flood control and protection of life and property to the citizens of Albuquerque and Bernalillo County. AMAFCA Board of



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Directors, April 24, 2008." Mr. Lucero thanked the Board, saying he would miss AMAFCA, the staff, and the guys on the crew.

4. Meetings Scheduled

- a. May 22, 2008, 10:00 a.m. – Regular Meeting**
- b. June 26, 2008, 10:00 a.m. – Regular Meeting**
- c. July 24, 2008, 10:00 a.m. – Regular Meeting**
- d. August 28, 2008, 10:00 a.m. – Regular Meeting**

There were no changes to the meetings as scheduled.

5. Approval of Minutes

a. March 20, 2008

Director Lyon made a motion to approve the minutes of the March 20, 2008 Regular Board Meeting. Director Eichenberg seconded the motion, which passed (3-0). Director Brown abstained from the vote, as he was not present at the meeting.

b. April 4, 2008

Director Eichenberg made a motion to approve the minutes of the April 4, 2008 Special Board Meeting. Director Brown seconded the motion, which passed (4-0).

6. Financial Matters

a. Approval of March 2008 Expenditures

Irene Jeffries, AMAFCA Business Manager, presented the March 2008 Expenditure Report.

In response to a question from Director Eichenberg about budgeting for increased fuel costs, Mr. Kelly stated that he increased the budget over last year and is hopeful it will cover FY-09 costs.

Director Brown made a motion to approve the March 2008 Expenditure Report. Director Eichenberg seconded the motion, which passed (4-0).

b. Investment Report for March 2008

For information. There were no questions regarding the Investment Report.



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c. Financial Recap March 16, 2008, through April 15, 2008

For information. Ms. Jeffries noted that the New Mexico Department of Transportation has yet to bill AMAFCA for the GRIP project. The funds for the project are gathering interest in the State Short Term Fund. Mr. Kelly noted that the \$5.4 million included approximately \$2.4 million paid by SunCal, and added that, according to the terms of the funding agreement, SunCal will be paid their portion of the interest when the payment is made to NMDOT. This interest is being tracked.

d. Financial Forecast April 16, 2008, through May 15, 2008

Ms. Jeffries presented the Financial Forecast for the period April 16, 2008, through May 15, 2008. She noted that payment to NMDOT for the GRIP project is included in the forecast, along with \$1.5 million to the City of Albuquerque for the San Mateo Storm Drain

Director Brown made a motion to approve the Financial Forecast. Director Eichenberg seconded the motion, which passed (4-0).

7. Legal – Status Report

Attorney Marcus Rael, Jr., briefed the Board on the status of various legal matters, and answered several questions from the Board.

8. Notification of On-Call Services Task Orders

Mr. Kelly stated that an on-call services task order had been issued to Wilson & Company for professional engineering services, to prepare modifications to the Boca Negra Drainage Management Plan hydrology in order to meet Office of the State Engineer requirements, on a lump sum basis of \$6,120.00.

Consent Agenda (items 9-12):

9. Agency and Area-Wide Flood Control Maintenance Project – Authorization to Advertise for Construction Bids

The memo from Kurt Wagener, AMAFCA Field Engineer, stated the Agency and Area-Wide Flood Control Maintenance Project was ready to go to bid. The memo requested the Board authorize the Executive Engineer to advertise for construction bids.



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10. FY08 Audit – First Extension of Contract with Ricci & Co. for Audit Services

The memo from Ms. Jeffries stated that Ricci & Co. would like to extend their contract for Audit Services for an additional year at the price set in their proposal. This would be the first extension on the contract.

11. Out of State Travel Request, EPA Region Six MS4 Operators Conference, July 14-17, 2008, in Waco, Texas

The memo from Mr. Kelly stated that he would like to send the Drainage Engineer to the EPA Region Six MS4 Operators Conference in Waco, Texas, July 14-17, 2008, with costs not to exceed \$2,250.00.

12. Design Bidability & Constructability Reviews – Approval of Second Extension of Contracts with:

- a. **A.S. Horner, Inc.**
- b. **AUI, Inc.**
- c. **New Mexico Underground, Inc.**
- d. **RMCI, Inc.**
- e. **Salls Brothers Construction, Inc.**

The memo from Kurt Wagener, AMAFCA Field Engineer, stated that the above firms would like to extend their contracts for design bidability and constructability reviews for an additional year at the same rates. No reviews were assigned in the second year of the contracts. This would be the second one-year extension of the contracts.

There being no other items on the consent agenda, Director Lyon made a motion that the Board take the following actions on items 9 through 12 on the consent agenda:

- Authorize the Executive Engineer to advertise for construction bids for the Agency and Area-Wide Flood Control Maintenance Contract;
- Authorize the Executive Engineer to extend the Audit Contract with Ricci & Company, LLC, for a one-year term subject to final approval from the New Mexico State Auditor;
- Authorize out of state travel and expenses for Jerry Lovato, Drainage Engineer, to attend the 10th Annual MS4 Operators Conference in Waco, Texas, not to exceed \$2,250.00, pursuant to Resolution 1998-16; and



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- Authorize the Executive Engineer to extend the Design, Bidability and Constructability Agreements with A.S. Horner, Inc., A.U.I., Inc., New Mexico Underground, Inc., RMCI, Inc., and Salls Brothers Construction, Inc., for one-year terms as per the provisions of the contracts.

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

Regular Agenda:

13. Consideration of Turnkey Agreement for Construction of Storm Drain into Hubbell Lake Detention Basin to Serve Vista Verde Estates

Mr. Kelly introduced Inez Aguilar and Loretta Chavez, representing the property owner. Lynn Mazur, AMAFCA Development Review Engineer, also introduced Shahab Biazar, of Advanced Engineering, their engineer.

With the aid of a map, Ms. Mazur described the area and the property owner's proposal to split the 50-acre property into four large residential tracts, with one residence on each tract. Any further subdivision would require the property owner to go through the County subdivision process and submit a revised Grading and Drainage Plan.

The property owners propose building a storm drain to capture onsite and offsite flow, which will discharge into a detention pond. The pond will discharge through a pipe into Hubbell Lake Detention Basin. The owners have asked that AMAFCA maintain the discharge pipe. She stated that staff recommends approval of the turnkey agreement, as the storm drain benefits the Middle Rio Grande Conservancy District and AMAFCA. It will help alleviate erosion on the MRGCD and AMAFCA rights-of-way.

In response to a question from Director Lyon, Mr. Biazar stated that only grading required for the project will be done on the property. He anticipated that an entrance road, access road, driveways, and house building pads would be the only grading.

Ms. Mazur noted that the subdivision grading and drainage plan has been approved by Bernalillo County, and by AMAFCA staff.

After further discussion, Director Eichenberg made a motion that the Board approve the Agreement, substantially the same as attached, and authorize the Chairman to execute the Turnkey Agreement for Storm Drain Outfall to Hubbell Lake Detention Basin as Related to Vista Verde Estates. Director Brown seconded the motion, which passed (4-0).



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14. Adoption of Resolution 2008-3, 2008 Bond Election

Ms. Jeffries noted that AMAFCA Bond Attorney, Duane Brown, was on his way to the meeting and had not yet arrived to walk the Board through Resolution 2008-3, *2008 Bond Election*. Her memo stated that the resolution had been prepared by Mr. Brown, and gave the history of past bond authorization elections, including the date of the election, the amount of the authorization, votes for and against, and the margins by which each passed.

Director Brown made a motion that the Board adopt Resolution 2008-3, *2008 Bond Election*. Director Lyon seconded the motion, which passed (4-0) on a roll-call vote. Director Saiers was not present.

15. 2008 Board of Directors Election

a. Review of Election Schedule

Ms. Jeffries reviewed the 2008 Election Schedule. She noted that nominating petitions are due at AMAFCA by 5:00 p.m. June 24, 2008. After brief discussion about the date of the swearing-in of the Directors, Attorney Rael determined that this date, the first business day of odd-numbered years, was set by statute.

b. Adoption of Resolution 2008-4, 2008 Board of Directors Election

Ms. Jeffries stated that Resolution 2008-4, *2008 Board of Directors Election*, was the same as the resolution used in previous years, with minor revisions by Attorney Rael and with the dates updated to this year's election schedule.

Director Brown made a motion that the Board adopt Resolution 2008-4, *2008 Board of Directors Election*. Director Eichenberg seconded the motion, which passed (4-0) on a roll-call vote. Director Saiers was not present.

Responding to a question from Director Lyon, Mr. Rael stated that resolutions, ordinances, and hiring and firing had to be by a roll call vote.

Director Eichenberg suggested that in future years, the petition lines be numbered 1-20 on each page. Each page could then be copied as many times as necessary.



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16. Southwest Valley Flood Reduction Project – Review of Draft Project Cooperation Agreement by and among AMAFCA, U.S. Army Corps of Engineers and Bernalillo County

Jerry Lovato, AMAFCA Drainage Engineer, stated that the draft Project Cooperation Agreement had been through AMAFCA and Bernalillo County legal review, and was currently being reviewed by the Corps of Engineers headquarters. He introduced Pete Doles of the Corps of Engineers, the project manager for this project.

Mr. Lovato asked for Board review and comment on the Project Cooperation Agreement, and for permission to send a letter from Chairman Hernandez to the Corps of Engineers to formally request that the Albuquerque District move forward with submission of the draft Project Cooperation Agreement for the Southwest Valley Flood Reduction Project to Headquarters for review and approval. He added that once the draft agreement is approved by the Corps of Engineers for signature, it will be brought back to the AMAFCA Board for approval.

In response to a comment and question from Director Lyon, Mr. Doles stated that he would verify the correct signatories before the document is finalized. The agreement must be approved by USACE Headquarters before it will be ready to sign.

Director Saiers arrived at 1:39 p.m., during discussion of this agenda item.

In response to a follow-up question from Director Lyon, Mr. Doles stated the project was moving forward. Two major issues are being addressed: a waiver from the Bureau of Reclamation to introduce storm water, and concerns about ground water levels. The Corps is actively working to resolve these issues. \$1 million in federal money for construction of the project had been received in FY-08, which can be carried forward until construction begins.

Responding to a question from Chairman Hernandez, Mr. Doles stated that the Southwest Valley Flood Reduction Project is not dependent on the Albuquerque West Levee Project. The water being controlled mostly comes from the west mesa. Therefore river water, and the floodplain status of properties along the river, does not affect this project.

Director Eichenberg suggested that the letter from Chairman Hernandez be reworded so that instead of stating the Board "will approve" the budget, it would state the Board "is expected to approve" the budget. The Board concurred with this revision.

Director Brown made a motion that the Board authorize the Chairman to execute the letter to the Corps of Engineers, with the wording change as suggested by Director Eichenberg. Director Eichenberg seconded the motion, which passed unanimously (5-0).



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Mr. Lovato stated that there will probably be a signing ceremony of the final Project Cooperation Agreement sometime this summer, after it has been approved by all parties.

17. Albuquerque West Levee Project – Proposal from MRGCD to Phase Portion of Project with Black Mesa Three Dam Outlet Project

Mr. Lovato stated that Pete Doles is also the project manager on the Albuquerque West Levee Project/593 Program.

Mr. Lovato described the proposal from the Middle Rio Grande Conservancy District (MRGCD), which would allow a portion of the Albuquerque West Levee Project to be built in conjunction with the Black Mesa Three Dam Outlet Project. A map illustrated the section of levee that MRGCD would like to add to the Black Mesa Three Dam Outlet Project. Doing so would complete levee work in the area earlier, and would provide an access route for the remainder of the Albuquerque West Levee Project.

He stated there would be several benefits, including the following:

- All work on the Black Mesa Project is still eligible for reimbursement when the MRGCD gets reimbursed from the Corps of Engineers under the 593 program.
- The levee project requires additional fill material which is available from the Black Mesa Project and the Southwest Valley Flood Reduction Project, both of which are federal projects and eligible for reimbursement.
- Less impact to residents, as work would start on the levee project sooner, and one construction project will address three flood control projects (excavation of material for the Southwest Valley Flood Reduction Project, rebuilding 3500 linear feet of levee for the West Levee Project, and the outfall pipe and outfall structure for the Black Mesa Three Dam Outlet Project – Phase One).

Mr. Lovato recommended that the Board concur with the MRGCD proposal to allow a portion of the Albuquerque West Levee to be built with the Corps of Engineers Black Mesa Three Dam Outlet Project to minimize costs and to accelerate levee replacement.

Discussion followed. Mr. Lovato stated that Subhas Shah, of the MRGCD, had been unable to attend today's meeting but had told him that the design for this portion of the levee reconstruction was not yet complete.

In response to a question from Director Eichenberg, Mr. Doles stated that they are waiting on additional geotechnical information in order to complete the design work. Adding this levee work to the project makes sense because the outlet project will tie into certified levee.



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Mr. Kelly noted that doing so would also provide a better transition from the levee to the outlet.

Responding to comments from Chairman Hernandez and Director Eichenberg, Mr. Doles stated that Bernalillo County will pre-purchase the pipe for the project, and have it ready for whoever builds the project. This will cut down on project lead time and allow it to be constructed faster once the construction contract is awarded.

Mr. Kelly commented on the recently-issued FEMA determination letters, copies of which had been provided to the Board. Accelerating this portion of the project will allow AMAFCA to show they are moving as quickly as possible to solve the problem. He noted that finishing this portion of the project early would remove approximately 200 acres from floodplain, allowing an interim Letter of Map Revision from FEMA, and speeding completion of the Albuquerque West Levee Project.

Mr. Doles stated the design is on track to allow construction to begin in September 2008. The Black Mesa Project is fully funded. Federal funds have not yet been obtained for the Albuquerque West Levee Project, but will be obtained to reimburse the local sponsors later.

Mr. Lovato added that the engineers have been asked to fast-track the design of this portion of the Albuquerque West Levee Project. If this portion of the levee can be constructed in conjunction with the Black Mesa Three Dam Outlet Project, it will be finished by the time the remainder of the Albuquerque West Levee Project is ready to begin construction.

After further discussion, the consensus of the Board was to support the phasing of a portion of the Albuquerque West Levee Project with the Black Mesa Three Dam Outlet Project, if the design is available in time.

18. El Bordo Storm Drain Siphon Reconstruction and Barelás Storm Drain Rehab Projects – Consideration of Cost Share Agreement with City of Albuquerque

Mr. Lovato stated that Roland Penttila, of the City of Albuquerque, was unable to attend today's meeting due to a Water Quality Standards hearing at the Pueblo of Sandia. This project would reconstruct the El Bordo Storm Drain Siphon, and repair the leaky pipe of the Barelás Storm Drain.

Mr. Kelly noted that Mr. Penttila had briefed the Board at the January Board meeting about this project, and it is included in the current Project Schedule. He stated that money is available from the current bond authorization.



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Director Brown made a motion that the Board approve the Barelás Flood Relief Agreement for Construction of the El Bordo Siphon and Barelás Storm Drain Rehabilitation. Chairman Hernandez seconded the motion, for discussion purposes.

Discussion followed. The Board supported the agreement, but there was some question about the memo recommendation, which was for "review and comment" although the memo subject and agenda indicated "consideration of cost sharing agreement."

After discussion, Attorney Rael noted for the record that it had been stated the recommendation to review and comment on the agreement was a typographical error, and that, as the agenda title included "Consideration of Cost Share Agreement," the Board could approve the agreement without being in violation of the Open Meetings Act.

In response to a question from Director Saiers, Mr. Lovato confirmed that replacement of the storm drain with trenching would cut across many properties, with the resulting disruption to landscaping, trees, and sheds. Re-lining the storm drain, through one of several different technologies available, would not cause these disruptions. There was an easement created at the time the storm drain was put in, but homeowners have erected landscaping, sheds, and the like over time since the storm drain's construction.

The motion passed (4-1), with Director Eichenberg voting against the motion, stating he was in favor of the project but his concern was with the memo recommendation.

19. Boca Negra Detention Dam Project – Briefing on Project Status and Discussion Regarding Splitting Project into Two Construction Phases

Mr. Kelly described the project and the proposal to split the Boca Negra Detention Dam Project into two phases, so that Phase I (the outfall pipe and utility reconstruction), could be approved and construction begun. Phase II would be held as the dam continues to await Office of the State Engineer approval.

Director Brown cautioned that the agreement needed to be carefully crafted, to be certain all parties agree and the rest of the agreement does not change, noting that one party had already announced its plans to cease building in New Mexico. Attorney Rael stated he would review the agreement to be certain this was the case.

Mr. Kelly noted that the City of Albuquerque is holding considerable financial guarantees from that company.

The consensus of the Board was to pursue phasing construction of the project, if all parties are in agreement and the rest of the agreement does not change.



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20. Real Estate

a. Discussion Regarding License Agreement with City of Albuquerque for 2008 Balloon Fiesta – Paul Smith, Albuquerque International Balloon Fiesta

Loren Hines, AMAFCA Real Estate Manager, stated that the City of Albuquerque is interested in expanding the scope of the License Agreement for the 2008 Balloon Fiesta. He introduced Paul Smith, of the Albuquerque International Balloon Fiesta.

Mr. Smith explained that, as the city grows and develops, landing sites for balloons have become more difficult for the pilots to find. He passed around an aerial photo of the area demonstrating this fact. The requested changes to the License Agreement would supplement landing sites on private land with several AMAFCA sites, including certain dams and channel rights of way.

In response to a question from Director Saiers regarding access control and gate keys, Mr. Hines said that the City has a series of combination padlocks, all set to the same combination. In the days before the Balloon Fiesta, the City exchanges the combination locks for their keyed locks on right of way access gates. After the event, the locks are changed back. AMAFCA will use the City's combination locks on the affected gates.

Mr. Kelly stated that the North Diversion Channel proper was taken off the list, due to safety concerns. A temporary secondary gate may need to be installed between each of the inlets and the North Diversion Channel to close off the North Diversion Channel itself, and allow landings in the inlets.

Replying to questions about insurance from Attorney Rael and Director Saiers, Mr. Smith stated that AMAFCA is already named as an additional insured, and that chase vehicle damage is covered. Attorney Rael stated he would review the license agreement to be certain that if there is an accident on AMAFCA property, AMAFCA is covered and emergency vehicles have access to the site.

Mr. Hines stated that the license agreement would come before the Board for approval at the July meeting. He asked the Board if they were in agreement with the concept of expanding the license to include availability of balloon landing sites.

After further discussion, consensus of the Board was that the Balloon Fiesta license could be expanded to include AMAFCA facilities as potential landing sites. AMAFCA staff will identify potential sites that are available to use as landing sites.



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b. Consideration of Quitclaim/Release of Drainage Easement for Borrega Channel Tributary Storm Drain as Related to Albuquerque Public Schools Southwest Mesa High School

The memo from Lynn Mazur requested that the Board authorize a Quitclaim/Release of Easement for a 50-foot drainage easement that was granted to AMAFCA by bulk land plat of Paakweree. Albuquerque Public Schools is now acquiring the property for use as a high school site. The original purpose of the easement was to allow a drainage conveyance from the property north of the channel. Instead, APS will build a storm drain, drop inlets, and detention ponds to serve the site.

The memo also stated that if the document is approved by the Board, staff will hold it for recordation until APS closes on the tract on which the easement is located.

Director Eichenberg made a motion that the Board authorize the Board Chairman to execute the Quitclaim Deed/Release of Easement for the 50-foot Drainage Easement. Director Brown seconded the motion, which passed unanimously (5-0).

Chairman Hernandez noted that Albuquerque Public Schools' Director of Real Estate, Martin Eckert, Jr., was in the audience. Mr. Kelly also introduced Tom and Kristi Maley, of Paakweree, the owners of the property just south of the drainage channel.

21. FY 2008 Budget

a. Personnel and Salary Committee Recommendation for FY-09 COLA, Additional Staffing, and Changes to Employee Manual

Mr. Kelly noted that the Personnel and Salary Committee (PSC) consisted of Chairman Hernandez and Director Brown.

He stated that the PSC had met, and their report makes five recommendations for FY-09:

- Cost of Living increase, effective July 1, 2008;
- Allowance in the budget for merit increases, effective January 1, 2009;
- Creation of one new equipment operator position with a base salary of \$18.00/hr.;
- Creation of one new Engineering/Technical position with a base salary of \$24.00/hr., to be filled in January, 2009 and
- Probationary period for new employees for a period of up to twelve months, at the Executive Engineer's discretion.



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Discussion followed.

Replying to questions from Director Saiers, Mr. Kelly stated that the engineering technician position would begin in January, so as to allow time to build office space in the basement. Hiring this person would free up the GIS Manager, a professional engineer, to do more engineering and project management tasks. He added that a job description still needs to be developed. The consensus of the Board was to support the addition of this position.

In response to another question from Director Saiers regarding the originally-recommended additional Engineer position, Chairman Hernandez and Director Brown stated that hiring a Technical person to handle GIS duties would essentially give AMAFCA another engineer, by allowing the current GIS Manager to focus more on engineering tasks.

Director Lyon commented on the mileage reimbursement rate. He suggested that those interested should contact their state legislators to ask them to change the Per Diem and Mileage Act. The legislature could act to change the Act to cite the federal rate.

Director Eichenberg noted that the length of the probationary period should not be variable, but should be twelve months in all cases, rather than six months for some positions and twelve for others at the Executive Engineer's discretion. Chairman Hernandez, Director Brown, and Attorney Rael concurred with this statement.

Chairman Hernandez summarized the discussion by stating that the Board appeared to support the recommended changes, with the probationary period in the fifth item changed to a period of twelve months for all new employees.

Director Saiers brought up a question regarding the GIS Manager's salary and the salary range proposed for the new engineering technician position, in light of her background and training.

Chairman Hernandez stated that discussion of personnel issues involving specific personnel would be in closed session.

Director Eichenberg made a motion that the meeting be closed, pursuant to the Open Meetings Act, §10-15-1 NMSA 1978, Subsection H, to preserve the confidentiality of the information to be discussed, and as further described in Attorney General Madrid's document, "*The Open Meeting Act, A Compliance Guide for New Mexico Public Officials and Citizens*," fifth edition, January 2004. Director Saiers seconded the motion.

Chairman Hernandez stated that the closed session would be for purposes of discussion only, regarding confidential personnel issues. The motion passed unanimously (5-0), on a roll call vote.



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Chairman Hernandez closed the meeting at 2:37 p.m. He reopened the meeting at 2:51 p.m.

Director Brown made a motion that the meeting come out of Executive Session. Director Lyon seconded the motion, which passed unanimously (5-0), on a roll call vote.

Chairman Hernandez stated that the Board had taken no action during the closed meeting, but had discussed confidential personnel issues.

In response to a question about a member of the maintenance crew who has been serving in the National Guard, Kurt Wagener, AMAFCA Field Engineer, stated that under the Uniformed Services Employment and Reemployment Rights Act (USERRA), his position needs to be held for him for five years. Mr. Kelly added that the employee's current orders were through June 30, 2008.

Director Brown made a motion that the Board accept the recommendations of the Personnel and Salary Committee, with the probationary period changed to twelve months for all new employees, and request that the Executive Engineer and staff review the overall salary projections to be certain all anticipated salary expenses are covered in the budget. Director Lyon seconded the motion, which passed unanimously (5-0).

b. AMAFCA Equipment Analysis

The memo from Mr. Wagener provided a detailed comparative cost analysis of renting, leasing, and purchasing a 3 CY front-end loader.

After brief discussion, Director Saiers made a motion that the Board approve including the purchase of a 3 Cubic Yard Loader at \$160,000.00 in the FY-09 Operating Budget. Director Lyon seconded the motion, which passed unanimously (5-0).

Responding to a question from Director Eichenberg, Mr. Kelly stated that there was not enough available in the FY-08 budget to purchase the loader this year.

In a follow-up to the Board's question at the previous meeting regarding an insurance discount for the use of GPS tracking equipment on AMAFCA's heavy equipment, Mr. Kelly stated that the New Mexico Self Insurers Fund only gives discounts on a "whole fleet" basis. They do not offer discounts for GPS tracking. Currently, AMAFCA receives a 15% premium discount.



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c. Draft FY-09 Operating Budget

Mr. Jeffries introduced Loretta Batista, of RBC Capital Markets, AMAFCA's Financial Advisor, and stated that Kevin Powers was in Washington, D.C., at a Senate hearing.

The memo from Ms. Jeffries stated that the budget was based on Mr. Powers' recommendation of a conservative revenue growth rate of 7% for residential valuations, 3% for non-residential valuations, and a 1% growth factor for centrally assessed valuations at a 98% collection rate. The mill levy remains the same, at \$0.167 residential, \$0.438 non-residential, and \$0.438 centrally assessed.

The memo stated that the budget includes the Personnel and Salary Committee's recommendation for COLA and merit increases, and the creation of one new equipment operator position with a base salary of \$18.00 per hour and one new Engineering/Technical position with a base salary of \$24.00 per hour. The Engineering/Technical position would be filled in January 2009. Mark Sandoval of the City of Albuquerque recently informed her that the employee benefit rate will be reduced by 1% in FY 09.

She stated that building and yard repair and maintenance line items were broken out into a separate Building Fund Budget, initially funded by a transfer of \$175,000 from the Operating Fund Budget. The Minor Building Maintenance line item in the Operating Fund Budget was reduced to \$5,000, to cover such incidental expenses as window and carpet cleaning, which are beyond the scope of the janitorial contract, and plumbing repairs.

Ms. Jeffries noted the Operating Fund Budget includes purchase of a gooseneck trailer at \$10,000 and a 3 CY front end loader for \$160,000. The transfer to the Contingency Fund remains at \$250,000.

She noted that all numbers are rounded up to the nearest \$100, and that this budget draws down the Operating Fund Budget by \$135,000.

Discussion followed. In response to a question about the employee benefit rate, Mr. Kelly stated that he could provide a history of benefit rates for Director Saiers. They generally vary from year to year, mostly increasing, but sometimes decreasing slightly.

Director Saiers noted that "Building Fund" usually indicates a fundraising effort, with funds being set aside for the purchase or construction of a new building, and suggested a different name be found for that budget.

Mr. Kelly noted that this proposed budget draws down the fund budget by \$134,000, less than the figure estimated in the first draft, with a July 1 balance of \$3.61 million.



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Consensus of the Board was support of the second draft of the FY-09 Operating Fund Budget as presented.

d. Draft FY-09 Construction Fund Budget

Mr. Kelly stated that the draft Construction Fund Budget includes the remaining \$9.75M bond sale from the 2006 authorization, and the first \$9.75M bond issue from the anticipated November 2008 bond authorization. Separate spreadsheets were provided for ongoing, committed projects that will be completed under a "bond fails" scenario, as well as a spreadsheet of anticipated projects for the "bond passes" scenario.

He noted that the only changes made from last month's draft budget are that construction costs for the Area-Wide Maintenance Contract were raised from \$900K to \$1.2M, to better reflect the scope of AMAFCA's repairs, and the construction costs for the Boca Negra Detention Dam were reduced from \$4.7M to \$4.5M to account for sanitary sewer work since done by Albuquerque Public Schools.

Mr. Kelly stated that a bond sale will be scheduled for late July, 2008, for the remaining funds from the 2006 bond authorization.

There were no questions. Consensus of the Board was support of the second draft of the FY-09 Construction Fund Budget as presented.

e. Draft FY-09 Debt Service Fund Budget

Ms. Jeffries stated that the Debt Service Fund Budget interest income is projected on a conservative 1.5% interest rate projection, and keeping the mill levy the same. It does not include Sandoval County tax revenues as they are negligible. \$18,240 in income from Sandoval County is anticipated for FY-09.

Consensus of the Board was support of the draft of the FY-09 Debt Service Fund Budget as presented.

f. Draft FY-09 Contingency Fund Budget

Ms. Jeffries stated that the draft Contingency Fund Budget includes the \$4,000,000 reserved for project repair/rehab. Interest income is projected at a conservative 1.5%. The transfer from the Operating Fund is \$250,000, and the Emergency Expenditure line item has been left at \$400,000.



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Mr. Kelly added that the only project that might come up for construction in the next year from the reserve list is the Parkway Storm Drain. Design funding for this project is included in the Construction Fund Budget. AMAFCA is coordinating the project with the City and the neighborhood association, and construction could be moved up if all parties agree on a design quickly. Currently construction is anticipated for FY-10.

Discussion followed. Consensus of the Board was support of the draft of the FY-09 Contingency Fund Budget as presented.

g. Draft FY-09 Building Fund Budget

Ms. Jeffries stated the "Building Fund Budget" may be renamed, based on earlier Board input. The draft budget includes a transfer of \$175,000 from the Operating Fund Budget at the beginning of the year to establish this budget. An energy audit will be performed on the building, evaluating rehab needs over the next ten years, before specifications for a new roof are developed. Other expenditures include a new HVAC unit, downstairs office improvements, and yard improvements.

Mr. Kelly asked if a resolution creating a new fund is necessary, or is budget approval sufficient to memorialize the intention of the Board. Discussion followed. Mr. Kelly stated that he was unable to locate a resolution establishing the Contingency Fund.

After discussion, consensus of the Board was that a resolution was probably not necessary to establish the fund, but would be useful to memorialize the intended uses of the fund. Mr. Kelly stated that, for audit purposes, this fund will be considered a part of the Operating Fund, as is the Contingency Fund.

Consensus of the Board was support of the draft of the FY-09 Building Fund Budget as presented, with staff to consider renaming this fund before the budget is adopted. Ms. Jeffries stated that the budget will be back before the Board for approval in May.

22. Field Highlights

- a. Construction Report**
- b. Field Report**

At the invitation of Chairman Hernandez, Brad Bingham of the City of Albuquerque introduced his children, who were attending the AMAFCA Board meeting because it was "Take Your Son and Daughter to Work" Day.

A short video of local news coverage of the Embudo Bike Trail Ribbon Cutting was shown.



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Mr. Wagener presented a slide show of various projects, including the Vineyard Water Quality Facility, the Black Dam Water Quality Facility, the La Cueva Crossings at Wyoming and Eagle Rock, and the West I-40 Diversion Channel Extension. Due to the pressures involved, a special pipe will be used for the West I-40 Diversion Channel Extension. It is thinner, lighter, and stronger under pressure than regular reinforced concrete pipe.

Other pictures showed the crew cleaning the North Diversion Channel before the Embudo Trail Bridge Ribbon Cutting, one of the catwalks on the North Diversion Channel Trail extension from Paseo del Norte to Alameda, the El Pueblo Drainage Improvements, part of the AMAFCA Miscellaneous Projects, and the new temporary parking facility at the Las Ventanas Dam in use.

He also showed pictures of the Field Engineer, Drainage Engineer, and Maintenance Superintendent attending the Flood Fighting instructional meeting recently held in Albuquerque, sponsored by Corps of Engineers and Middle Rio Grande Conservancy District. Techniques for repairing slopes and sandbagging were covered. Numerous local agencies were involved, including representatives from several Pueblos.

Final pictures showed the AMAFCA crew doing a floor repair on the North Diversion Channel (similar to many of the repairs that will be done under the Area-Wide contract), firefighters training for channel rescues, and the Embudo Trail Bridge Ribbon Cutting.

23. Unfinished Business

None.

24. New Business

None.

25. Items from the Floor/Public Comment

In response to a question from Director Brown about the letters from FEMA regarding floodplain designations, Mr. Bingham stated that the City and County will need to officially "adopt" the new maps by ordinance within six months.

He stated that the City has put in a request for the final version of the maps, including the pending corrections. Currently, properties are covered under the old maps. After the new maps are adopted via City ordinance, the new maps will apply. If the maps are not adopted, the City can be suspended from the National Flood Insurance Program.



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Roger Paul, of the Bernalillo County Public Works Department, noted that if better mapping is available, the Floodplain Manager has the authority to use the new maps, prior to their adoption.

Responding to another question from Director Brown about notification, Mr. Bingham stated that the City was planning to notify affected parties through public meetings, government television, neighborhood association newsletters, and a mass mailing to insurers, realtors, appraisers, and mortgage companies. With approximately 13,000 affected property owners, it is not in the City budget to notify them all by direct mail. He noted that most of the changes within the city limits are properties moving out of the floodplain. Notifications should begin in about a month. The ordinance adopting the new maps will also be published in the paper.

Mr. Paul stated that in the County, most of the changes are properties moving into the floodplain as a result of the West Albuquerque Levee needing to be rebuilt. The effective date of the new mapping is September 26, 2008. He stated the County will probably mail a notification to the affected property owners, with that mailing going out around July 1.

Brad Bingham noted that FEMA also has to approve the ordinances adopting the new floodplain mapping.

26. Adjourn

There being no further business to come before the Board, Chairman Hernandez adjourned the meeting at 3:50 p.m.

Tim Eichenberg, Secretary-Treasurer 5/22/08

Recorded by Pam Woodruff, Secretary to the Executive Engineer