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Arroyo Flood Control Authority
Regular Meeting Minutes
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1. Call to Order and Roll Call

Chairman Hernandez called the Regular Board Meeting to order at 10:00 a.m. Thursday, May 26, 2011. Roll was noted as follows:

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|--------------------|---|
| Directors present: | Chairman Danny Hernandez Director Ronald D. Brown Director Bruce Thomson Director Tim Eichenberg Director Daniel Lyon |
| Directors excused: | None |
| Others present: | Jerry M. Lovato, P.E., Executive Engineer Attorney Marcus Rael, Jr. Staff Other attendees on file at AMAFCA |

A quorum was present.

2. Approval of Agenda

Director Brown made a motion to approve the agenda. Director Lyon seconded the motion, which passed unanimously (5-0).

3. Meetings Scheduled

- a. **Thursday, June 23, 2011, 10:00 a.m. – Regular Meeting**
- b. **Thursday, July 28, 2011, 10:00 a.m. – Regular Meeting**
- c. **Thursday, August 25, 2011, 10:00 a.m. – Regular Meeting**

There were no changes to the meeting schedule.

4. Items from the Floor / Public Comment

None.



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5. Approval of Minutes

a. April 28, 2011

Director Brown made a motion to approve the minutes of the April 28, 2011 Regular Board Meeting. Director Lyon seconded the motion, which passed unanimously (5-0).

Responding to a query from Chairman Hernandez, Pamela Woodruff, AMAFCA Executive Secretary, stated that the minutes of the May 24, 2011 Special Board Meeting had been prepared, and will be available for approval at the June 23, 2011 meeting.

6. Financial Matters

a. Approval of April 2011 Expenditures

Irene Jeffries, AMAFCA Business Manager, presented the April 2011 Expenditure Report. She noted that there was a typo in the subject field for check 16694, which was for publication of a legal notice for a Board meeting. There were no questions from the Board.

Director Brown made a motion to approve the April 2011 Expenditure Report. Director Thomson seconded the motion, which passed unanimously (5-0).

b. Investment Report for April 2011

Ms. Jeffries presented the investment report for April 2011. There were no questions, and no Board action was required.

c. Financial Recap April 16, 2011, through May 15, 2011

Ms. Jeffries presented the Financial Recap for April 16, 2011 through May 15, 2011. She noted that payments on two construction projects were made from the Construction Fund, along with a \$1.1 million payment to Bernalillo County for the Vista del Rio Storm Drain Project. A number of engineering invoices were also paid. There were no questions, and no Board action was required.

d. Financial Forecast May 16, 2011, through June 15, 2011

Ms. Jeffries presented the Financial Forecast for the period May 16, 2011, through June 15, 2011. She noted that the Construction Fund recommended actions include payments on three construction projects. There were no questions from the Board.



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Director Brown made a motion that the Board approve the Financial Forecast. Director Lyon seconded the motion, which passed unanimously (5-0).

7. Legal

a. Status Report

Attorney Marcus Rael, Jr., briefed the Board on the status of various legal matters, answering a question from Director Eichenberg. He stated he had not heard back from the Department of Finance and Administration's General Counsel regarding their response to AMAFCA's position letter on the applicability of the Yield Control Act.

8. Executive Engineer's Report

a. Notification of past month's activities

Mr. Lovato highlighted significant activities of the past month, answering questions from the Board during his presentation.

He stated that the Flood Fighting Workshop was a great success with nearly 150 registered participants, including government employees, private businesses, and elected officials. Vendors from all over the world brought equipment to demonstrate flood fighting techniques. Chairman Hernandez served on one of the panels. Bernalillo County and AMAFCA continue to work together on the feasibility portion of the Southwest Valley Flood Reduction Project.

He noted that AMAFCA has been working with the City of Albuquerque on agreements for bike trails, easements, and right of way transfers. Work on the City's Unser Boulevard Extension continues, with additional dirt coming from AMAFCA's Black Dam. Coordination work continues on Boca Negra Dam, and the design report and plans are in peer review. He anticipated sending them to the Office of the State Engineer on June 1, 2011.

Mr. Lovato stated that staff has held numerous discussions with the Department of Finance and Administration regarding AMAFCA's request to keep existing mill levy rates, including a meeting in Santa Fe facilitated by Chairman Hernandez.

He noted that AMAFCA also participated in the South Valley Pride Day celebration, with a float in the parade and a booth handing out storm water quality and ditch safety information. The display was similar to that used at the Hahn Arroyo public outreach event. About 1600 people attended the festivities, and about 300-500 of those visited AMAFCA's booth.

There were no further questions from the Board.



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b. Notification of On-Call Services Task Orders

Mr. Lovato stated that one on-call task order and one letter agreement had been issued this month, as outlined in his memo, giving the Board details on each. There were no questions from the Board.

9. Don Felipe Dam Watershed Draft Drainage Management Plan

Lynn Mazur, AMAFCA's Development Review Engineer, stated that AMAFCA has a contract with Bohannon Huston, Inc., to provide dam break inundation mapping and a drainage management plan (DMP) for the Don Felipe Dam watershed, which covers a 3.5 square mile drainage basin. It has taken several years, but the Probable Maximum Precipitation (PMP) hydrology has now been approved by the Office of the State Engineer (OSE). Bohannon Huston can now proceed with the dam inundation mapping and the DMP.

She noted that a public meeting was held in March 2010 to present three conceptual draft DMPs for the McCoy, Raymac, and Don Felipe Dams, and to obtain public input. The DMP recommends options to control runoff from future development. AMAFCA and Bohannon Huston are now working on finalizing the Don Felipe DMP. She noted that Mussetter Engineering, Inc., had done a study on sediment transport, and information from that study will be used to develop a prudent line on the North Pajarito Arroyo.

Ms. Mazur had provided the executive summary of the draft DMP to the Board prior to the meeting, and had a hard copy of the draft DMP available at the meeting. She introduced Craig Hoover and Alandren Etlantis, of Bohannon Huston.

Ms. Etlantis briefed the Board on the Executive Summary, first briefly describing the drainage basin, then covering the drainage options.

She stated that Option 1 used a system of 19 ponds (4-12 acre feet each), Option 2 has 5 ponds (less than 20 acre feet each) and a storm drain/channel system draining to the dam, and Option 3 involves an extensive system of storm drains and open channels draining to the dam. Bohannon Huston recommended Option 2 as the most effective at the lowest cost. Ponds would be built in the upper sections of the watershed, where development is less likely to have already occurred, and storm drains would be built in the lower sections where the land is more developed already. The ponds are small enough to be less than the Office of the State Engineer's jurisdictional size for a dam.



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Ms. Etlantis stated that the DMP will also establish prudent lines for the north branch of the Pajarito Arroyo. Mr. Hoover noted that the prudent line corridor would be about 150 feet wide, varying in width at different locations.

Ms. Etlantis answered several questions from the Board during the presentation.

Ms. Mazur's memo stated that, after incorporating comments from the Board, a draft resolution adopting the DMP will be ready for the Board's consideration at a future meeting. The memo recommended a public meeting be held to present the adopted DMP in August. The public meeting can also be used to present the adopted McCoy Dam DMP.

Consensus of the Board was to proceed with finalizing the DMP.

10. West I-40 Drainage Management Plan – Proposed West I-40 DMP Modifications – Briefing by Albuquerque Public Schools

Brad Bingham, AMAFCA Drainage Engineer, introduced Martin Eckert, of Albuquerque Public Schools, and Craig Hoover, of Bohannon Huston, Inc.

Mr. Bingham stated that the West I-40 Drainage Management Plan (DMP) was created in 2000 and modified in 2006. It identifies regional and local drainage facilities to be built in the covered area. In conjunction with the proposed purchase of two parcels of land in the Ladera Boulevard/98th Street/Arroyo Vista area from Western Albuquerque Land Holdings (WALH) by Albuquerque Public Schools (APS), WALH and APS would like to work with AMAFCA and the City of Albuquerque to further modify the DMP.

He stated that it is anticipated that the proposed APS development of a sports stadium and two schools will decrease runoff quantities from the currently approved land uses, and that the proposed modified drainage facilities will benefit the Ladera Dam system and the West I-40 DMP area.

Mr. Bingham stated that APS and WALH would like the existing temporary floodplain easements to be vacated in the future with the construction of the proposed APS projects, and they will grant AMAFCA new drainage easements for the proposed new joint use recreation and drainage facilities.

Mr. Bingham's memo also noted that, as the proposed preliminary plat needs to be submitted to the City's Development Review Board soon, APS requested preliminary approval from AMAFCA for the proposed vacation of the exiting temporary floodplain easements. This will be noted on the plat, with the indication that formal release of the easements are subject to AMAFCA approval of the upcoming Drainage Study and DMP Modification, and the approval



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of a Letter of Map Revision (LOMR) by FEMA. This will be evidenced by the future execution and recordation of a Quitclaim/Release of said easements by the AMAFCA Board, with approval subject to FEMA approval of the LOMR.

Mr. Lovato commented that the proposed development will change the property from a town center type of development to a stadium and two schools, which will reduce storm water flows.

In response to a question from Director Brown, Mr. Bingham stated that he had submitted a request to the Office of the State Engineer (OSE) to remove Ladera Dams 1-7 from their jurisdiction, as they are below the jurisdictional threshold. In 2010, the OSE deemed Dams 8 and 9 non-jurisdictional, conditioned upon the changes being made by the developer and submittal of new as-builts to the OSE. Dam 11 is also eligible to be removed from OSE jurisdiction. The OSE would retain jurisdiction over Ladera Dams 10, 12, 14, 15, and 16.

Chairman Hernandez wondered if the dams could be further altered so that the OSE would have jurisdiction over even fewer dams. Mr. Bingham stated he would look into this issue, and see if it would be cost-effective to expend the funds to accomplish this.

Mr. Eckert briefly described the project and why APS and WALH need to update the DMP, paying particular attention to how the project had changed since the most recent Board briefing. He stated that APS believes that the project will be beneficial to the entire community, and noted that voters had approved funds for a new stadium at the February 2010 election. APS would like to go into construction of the stadium, related parking, and the public infrastructure as soon as possible. The schools would follow in a later phase.

Mr. Hoover noted that the proposed land use is a change from the 2006 DMP. This update will be for a lower-density use, and the Dam 5 Diversion to the West I-40 Channel might not be necessary with the proposed land use. The need for the diversion will be evaluated during the DMP update. Instead of a concrete channel down the side of Arroyo Vista Road, there will be multi-use ponds on the west side of the southern parcel. Drainage on the northern parcel will also be modified so that the drainage easement to Ladera Dam 9 will not be necessary.

In response to a question from Director Lyon, Mr. Eckert stated that currently, WALH holds the land, with temporary floodplain easements on it. APS would like to change these temporary floodplain easements to permanent drainage easements, covering the actual drainage facilities that will be built. AMAFCA will maintain the drainage elements, and APS will maintain the recreation elements of the facilities. Director Brown noted that this is the typical action taken by AMAFCA when a parcel is developed.

Responding to a question from Director Eichenberg, Mr. Eckert stated that property is under contract at this time. One of the requirements for the purchase is that WALH has to file a replat,



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which will vacate a section of roadway. APS would like the temporary floodplain easements to be addressed at the same time. Mr. Eckert noted that approximately 10 acres of roadway right of way will be vacated by the City, and traded for ten acres of the parcel just to the west of the southern parcel. The City will purchase the rest of that parcel and it will be used for an eventual regional City park.

Responding to a question from Director Thomson regarding the timing of the City park, Christina Sandoval, of the City of Albuquerque Parks and Recreation Department, stated that the City is looking at an 81 acre parcel. They will buy 71 acres of the parcel, and trade for the other ten acres. This will be a project included in the October 2011 bond issue. Purchase of the land for a park is contingent upon three conditions: that the bonds pass, that the bonds sell, and that the APS project goes forward, as the City is planning to co-locate a number of joint facilities. She stated that the City does not anticipate requesting any AMAFCA funding. The City is currently in the acquisition process, and development of the parcel will come later.

Mr. Eckert stated that APS is not asking for any AMAFCA funding. They simply wish the Board's agreement to allow them to move forward with the project.

Responding to questions from Director Eichenberg about water quality, Kurt Wagener, AMAFCA Field Engineer, stated that staff expect water quality facilities where the APS drainage enters the AMAFCA system. Mr. Bingham added that additional locations identified for water quality facilities are just before offsite water enters the playing fields. He stated that staff will make sure that the water coming off the site will be clean.

Mr. Eckert stated that his understanding was that the water would be much cleaner than the water that currently enters the Ladera Dam system. The water quality facilities on APS land would be funded by APS.

Mr. Bingham requested Board authorization for the Executive Engineer to draft an agreement with APS, and authorize the other actions discussed.

Director Brown made a motion for the Board to authorize the Executive Engineer to draft an agreement with the Albuquerque Public Schools to modify the West I-4 DMP (2006) to address future development, and also authorize AMAFCA staff to provide preliminary approval to the proposed vacation of the existing temporary floodplain easements with appropriate notes on the proposed plat indicating that the formal release of the temporary floodplain easements will be subject to AMAFCA approval of the Drainage Study and DMP Modification, and the approval of a Letter of Map Revision by FEMA. Director Thompson seconded the motion, which passed unanimously (5-0).



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11. Calabacillas Arroyo Improvements from Coors Boulevard to Swinburne Dam

a. Prudent Line Approach to Flood Control – Design and Construction of Grade Control Structure 3b

Mr. Lovato stated that, along the Calabacillas Arroyo, bank protection and grade control structures have been used to control erosion. Bank protection is paid for by the property owner, and the cost of a Grade Control Structure (GCS) is usually split 1/3 AMAFCA, and 1/3 each to the property owners on each side of the arroyo, as was done at the Costco site at Eagle Ranch Road and the Calabacillas Arroyo.

He stated that the recent proposed development at the northwest corner of Golf Course Road and the arroyo, the subject of agenda item 11b, prompted a review of which improvements have been constructed, and which remain to be constructed. Bank protection and GCS 3c are adjacent to the property, with GCS 3b just upstream of the property. Of the four remaining recommended improvements along the Calabacillas Arroyo, AMAFCA has acquired funding contributions from developers of a portion of a \$200,000 lump sum payment towards GCS 1a, and \$65,000 for GCS 3b and bank protection. These have not yet been constructed.

Mr. Lovato added that, in the 26 years since the 1985 study identified grade control structures to be built in the arroyo, degradation of the arroyo channel has continued in areas where the improvements have not been built. Staff will be using an on-call engineer to develop construction plans for GCS 3b and associated bank protection to fulfill the agreement with that developer. Once the design is complete, it will be submitted to the Board for their consideration for a construction contract.

He noted that the next agenda item will cover the improvements associated with GCS 3c.

Mr. Lovato noted that this is an opportunity to partner with a developer to construct GCS 3b and 3c and the related bank protection, similar to what was done when Costco developed the tract at Eagle Ranch Road and the arroyo. The developer provided funding and a design for the slope protection and AMAFCA provided funding and construction management during the construction. Combining the projects is expected to result in cost savings.

There were no questions from the Board.

b. Proposed Development Upstream of Golf Course Road – Briefing by Ron Bohannon

Ms. Mazur stated that, over the last twenty years, AMAFCA and developers have been constructing improvements on the Calabacillas Arroyo between Coors Boulevard and Unser



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Boulevard, retaining a natural appearance to the arroyo. Some erosion has still occurred, but it has been slowed down by the improvements that have been built. The improvements have been based on several studies that analyzed the arroyo. The first was the April 1983 study by Simons, Li & Associates, which established an erosion setback limit, or prudent line, along both banks of the arroyo. Development was discouraged within these limits without bank protection. This limit is still referred to as the "Simons-Li line."

She noted that in 1985, Resource Technology prepared the "Calabacillas Arroyo Drainage Management Plan," which updated the hydrologic analysis, hydraulic analysis, and sediment transport study. The recommended alternative from this study was the construction of the Swinburne Dam.

She stated that the most current study, "Calabacillas Arroyo Prudent Line Study and Related Work" (MEI Study), was prepared by Mussetter Engineering in December 1998. It updated the hydraulic model and performed a detailed sediment continuity analysis to evaluate the short and long term vertical stability of the arroyo. The MEI Study outlines improvements required to maintain the Simons-Li prudent line between Coors and Unser, and has been used for more recent development to determine what improvements would be required to protect the development from bank erosion.

Ms. Mazur stated in her memo that the owner of this property, at the northwest corner of the Calabacillas Arroyo and Golf Course Road, has the option of building a stand-alone project rather than participating in a cooperative project that would include GCS 3b, but the bank protection of a stand-alone project would need to extend about 15 feet, rather than the 10 feet required if the GCS is built.

Her memo noted that the joint project could be similar to the cooperative project with Costco on Eagle Ranch Road at the Calabacillas Arroyo. Costco provided the design and a portion of the funding for GCS 7b adjacent to their property. This design is the new standard. Similarly, the owners of this parcel along Golf Course would provide the design and funding for the bank stabilization next to their property. They would also provide the design and one-third of the funding for GCS 3c. AMAFCA would provide the design and funding for GCS 3b and the associated upstream bank stabilization.

She stated that staff feels it would be beneficial for both parties to construct the entire reach of arroyo improvements at once, with AMAFCA as the project lead.

Ms. Mazur introduced Ron Bohannon of Tierra West, the engineer on the proposed commercial development, an assisted living facility on a 13.5 acre tract at the northwest intersection of Golf Course Road and the Calabacillas Arroyo. This is one of the last remaining undeveloped parcels along the arroyo from the Rio Grande to Universe Boulevard.



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Mr. Bohannon stated that the development will be a senior assisted living facility on the rear 6.5 acres of the property, with mixed-use office and retail along Golf Course Road. The developer, Spectrum Housing, is ready to do the necessary improvements along the arroyo. Spectrum can build less bank protection if GCS 3c is also built. He stated that Spectrum is ready to contribute the one-third cost of GCS 3c to AMAFCA, and proceed with design, project lead, and so on, in whatever manner makes most sense to AMAFCA.

He noted that Spectrum Housing operates 21 sites totaling 4,500 units across the country. Spectrum anticipates a closing date on the property in late July/early August, and would like to proceed quickly on the project in order to meet a tight deadline for the property's grand opening early next year.

In response to a question from Director Eichenberg, Mr. Bohannon stated that nearby development includes the Smiths Shopping Center and other retail development, several apartment complexes, a medical complex, and some single family development across the arroyo.

Mr. Bohannon stated that the development will follow the City's new drainage ordinance that is being drafted in response to the new MS4 permit, and the first flush will not be discharged to the river.

Responding to Director Lyon's questions, Mr. Bohannon stated the care facility would be assisted living, with Alzheimer and dementia care also offered. He also stated that the facility had been presented to nearby neighborhood associations.

In response to a question from Director Thomson about the bank protection and grade control structures, Mr. Lovato stated that the current design is grouted rock – which holds the rock in place, and allows equipment to drive up the structure without causing the damage that was done to soil cement steps.

Mr. Lovato noted that the party on the other side of GSC 3c had paid their portion of the fee in rock instead of in cash, in 2006. This was fortuitous, as the rock was used to repair the Calabacillas Arroyo near Coors Road, following a severe storm later in 2006.

Ms. Mazur asked for Board authorization to draft a cost share agreement with the owner, and for direction on proceeding with a funding/turnkey agreement.

In response to questions from Director Thomson, Mr. Hoover stated that the estimated cost of the grade control structures was \$350,000 – 400,000 each, and \$74,000 for the bank protection for the whole project. Mr. Lovato noted that usually AMAFCA is the lead in a project like this,



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with funds contributed from the developer. Ms. Mazur agreed, then stated that Mr. Bohannon had suggested that AMAFCA consider having the developer be the lead on this project, due to the tight timeline. The previous design for the Costco drop structure could be reused, after being adapted and customized to this location. She requested authorization to draft a cost share agreement with Spectrum Housing to fund the design and construction of GCS 3b and 3c and related bank stabilization.

The Board briefly discussed who should be the lead on the project, who would build what, and how the various parts of the project would be coordinated.

Director Thomson commented that it made sense to coordinate the project, and build the portions of it together, no matter who built what. Director Eichenberg opined that, considering the timetable required, this might be a good project for the developer to lead and coordinate the project, rather than AMAFCA – essentially treating it like a Turnkey Agreement. This would be a nice construction project to provide jobs in the area.

Director Thomson made a motion that the Board authorize the Executive Engineer to draft a cost share agreement with Spectrum Housing to fund the design and construction of Grade Control Structures 3b and 3c and related bank stabilization, for the Board's consideration at a future meeting. Director Brown seconded the motion, which passed unanimously (5-0).

12. La Presa – Proposed Cost Share Agreement with the City of Albuquerque for Design and Construction of Multi-Use Trail around the La Presa Project – Briefing by Christina Sandoval, City of Albuquerque Parks and Recreation

Mr. Lovato introduced Christina Sandoval, of the City of Albuquerque Parks and Recreation. He stated that AMAFCA has built the West I-40 Diversion Channel/Pipe as far as Paseo del Volcan, and now is working on the design for the former Unser Dam, now called La Presa.

Mr. Lovato stated that the City wants to put in a regional bike trail connection as a part of the La Presa Project, at their cost. He noted that the design of the La Presa Project is close to 90% complete. If the trail is added to the project, the City will pay for design and construction of the trail, plus 7% to cover AMAFCA's administration of the contract, construction management, inspection, testing, and surveying of the work. If the Board directed staff to proceed with drafting an agreement, then AMAFCA would request a proposal from Wilson and Company to add the trail design to the La Presa design.

Ms. Sandoval stated that this trail will be a key link in the trail system, providing access to the west side via the new I-40 bridge. The City will pay for the design and construction of the trail, if it is included as a portion of the AMAFCA project. They have funds available now to do so.



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Discussion followed, regarding the wording of the agreement. Attorney Rael stated that he could make certain that the agreement was worded appropriately to avoid any legal issues, to avoid any appearance of the City trying to bypass the Procurement Code.

Responding to a question from Director Eichenberg, Mr. Lovato stated that design of the trail would probably be about \$30,000, and construction about \$100,000. He estimated that the total amount due from the City for the addition of the trail to the project would likely be about \$150,000.

The consensus of the Board was that Attorney Rael would make certain that the agreement was worded appropriately to avoid any legal issues.

The further consensus of the Board was to authorize the drafting of a cost share agreement with the City of Albuquerque to fund the design and construction of the multipurpose trail within the I-40 Corridor as part of the La Presa Project, for the Board's consideration at a future meeting.

13. Osuna Boulevard / Singer Road Bridge Crossings – Consideration of Proposed Right of Way Dedication to the City of Albuquerque

Mr. Lovato gave a brief introduction to this agenda item, which the Board had been more thoroughly briefed on at a prior meeting. This involves the transfer of Right of Way to the City, with AMAFCA retaining a drainage easement for the North Diversion Channel.

Director Brown made a motion that the Board approve the *Agreement for Construction, Maintenance, and Transfer of Right of Way for the Osuna Boulevard/Singer Road Crossings of the North Diversion Channel* with the City of Albuquerque, and authorize the Chair to execute the agreement on behalf of AMAFCA. Director Thomson seconded the motion, which passed unanimously (5-0).

14. Jefferson Storm Drain – Proposed Cost Share Agreement for the Extension of the Jefferson Storm Drain – Briefing by Roland Penttila, City of Albuquerque Storm Drainage Section

Mr. Bingham introduced Michael Riordan, Roland Penttila, and Melissa Lozoya of the City of Albuquerque.

Mr. Bingham stated that in 2007, AMAFCA and the City jointly funded the Osuna Road Storm Drain Project. Due to budgetary and traffic constraints, it was decided to defer work within the Jefferson intersection and southward until the roadwork portion of the project could be implemented. That work has now been added to Phase I of the Osuna Road Improvement



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Project. The City is now ready to move forward with the extension of the Jefferson Storm Drain, which addresses a historical flooding problem in the area.

He noted that AMAFCA had identified the Jefferson Storm Drain project in the 2010 Project Schedule, with funding slated for FY-2014. With the decision to add the storm drain work into the roadway project, the City is asking the Board to consider moving funding for the Jefferson Storm Drain forward to FY-2012.

Mr. Penttila stated that the City is asking for AMAFCA's identified funding to be moved forward. Combined with the funds that the City has available in their FY 2011 budget, this project could be moved forward and begun.

In response to a question from Director Thomson, Mr. Penttila stated that the pipe would be 36-60" in diameter, depending on the location within the project. Responding to Director Eichenberg, he stated that if AMAFCA funds were not available, the City would build as much of this project as they could, but they would be unable to complete the entire project.

Ms. Lozoya added that this is a critical project, and would remove floodplain.

Discussion followed, with a further description of where the storm drain would be placed, and the issues that would be solved by the storm drain.

Mr. Lovato described the large amount of water that currently fills the intersection during rain events. This project will take care of that water.

Mr. Penttila stated that the City currently has \$400,000 set aside for this project. Combined with \$350,000 from AMAFCA, this leaves the balance from the City's transportation department to complete funding for the project, estimated at \$1,000,000. If the final cost goes higher, AMAFCA's contribution will be limited to \$350,000.

Director Brown made a motion that the Board give guidance to staff to proceed as recommended, and for AMAFCA to contribute \$350,000 towards the Jefferson Storm Drain project. Director Eichenberg seconded the motion, which passed unanimously (5-0).

Director Thomson noted that Mr. Penttila would be speaking at North New Mexico Section of ASCE, regarding storm water quality, that night.

Mr. Penttila added that the U.S. Fish and Wildlife Service Draft Biological Opinion had been received, which has been holding back the revised MS4 permit. He stated the permit was expected to be issued soon.



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Mr. Lovato stated that the Board would be briefed on the Biological Opinion at a future Board meeting.

15. New Transportation Corridor along the North Diversion Channel – Draft Agreement for Linda Stover Lane with the City of Albuquerque

Mr. Lovato reminded the Board of the previous briefings from the City of Albuquerque regarding the proposed roadway along the east side of the North Diversion Channel.

He noted that, although the draft document attached to the Board memo refers to it as "Linda Stover Lane," the City of Albuquerque has told him that all the planning documents and the federal grant documents referring to this road all call it "Channel Road," and the Federal money will not be paid to the City if the name is different. He concluded that, for planning and funding purposes, it might be better to re-name the road at a later date, and refer to it as "Channel Road" for now.

Michael Riordan, Director of the Department of Municipal Development for the City of Albuquerque, stated that he agreed with the suggestion to leave the name as "Channel Road" for now, so that the City can be reimbursed under the federal grant, then change the name after the City has received the money. He gave an example of a City park that had to be renamed to the name on the Federal documents so that the money could be received, then was renamed again afterwards. He requested that the Board approve the basic terms of the agreement, so that the City can move forward on the project. He stated that he would support a name change request to the City Council after project completion and reimbursement.

Chairman Hernandez stated that the point was that AMAFCA owns the land the road will be built on, and would like the right to name the road.

Attorney Rael commented that AMAFCA could retain naming rights as a term in the agreement, but that the actual name change would be approved by the City Council.

Director Eichenberg opined that the roadway was important in order to alleviate transportation issues, but that AMAFCA should retain naming rights, rather than the City Council dictating the road's name.

Mr. Riordan stated that, as this was a new roadway and there are no addresses that will have to be changed, the name change after the road was built will not be a difficult issue.

Chairman Hernandez stated that the Board's direction to staff was approval of the concept of the agreement for the transportation corridor, with AMAFCA retaining naming rights for the new road.



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Mr. Lovato stated that the name of the road in the agreement would be revised to read "Channel Road" so as to not jeopardize the Federal funds. A condition could be put in to have the issue of the name of the road come back to AMAFCA after the Federal funds were received.

Directors Brown and Thomson commented that they were opposed to AMAFCA trying to force a rename of the road as consideration for allowing the City to build the road on the property.

Director Brown stated that a "request" to rename the road would be satisfactory, but permission to build the road should not be rescinded if there is a reason the City cannot rename the road. Director Lyon agreed.

Director Eichenberg suggested that the name should be easy to pronounce and easy to spell.

Chairman Hernandez directed Mr. Lovato to work out the details so that the project could move forward.

Chairman Hernandez called a brief recess at 11:48 a.m. The meeting resumed at 12:03 p.m.

16. Field Highlights

a. Construction Report

The memo from Kurt Wagener, AMAFCA Field Engineer, contained a summary of current construction projects. There were no questions.

b. Field Report

Mr. Wagener gave a report of various projects and events over the past month, answering several questions from the Board during his presentation.

17. AMAFCA FY-2012 Budget

a. FY-2012 Operating Fund Budget

Ms. Jeffries presented the FY-2012 Operating Fund budget. She stated that the year-to-date amounts have been updated through April 30, 2011. The FY-2011 budget is projected to be at 98% of budget at the end of the year.

She noted that the proposed FY-2012 budget is \$60,189 less than the FY-2011 budget. The assumptions used were: tax revenues estimated with the current mill levy rates, with zero



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growth, and at a 95% collection rate. Other Revenues include a reduction in Sediment Sales from \$10,000 to \$5,000, and the addition of \$50,000 for a proposed transfer from the Contingency Fund for redistricting.

Ms. Jeffries stated that the Expenses include \$100,000 transferred to the Contingency Fund, and \$50,000 transferred to the Building and Yard Improvement Fund.

She requested Board approval of the FY-2012 budget, for transmittal to the Department of Finance and Administration (DFA) by the June 1, 2011 deadline.

Director Eichenberg noted that the Board was still waiting to hear from DFA regarding AMAFCA's mill levy rates. He congratulated staff for their hard work to come up with a budget under those conditions.

Director Brown made a motion that the Board approve the FY-2012 Operating Fund Budget for submittal to DFA by the June 1, 2011 deadline. Director Eichenberg seconded the motion, which passed unanimously (5-0).

b. FY-2012 Contingency Fund Budget

Mr. Lovato presented the FY-2012 Contingency Fund Budget. He stated that all of the monies in the Contingency Fund will be fenced, except \$400,000 for emergencies and the \$50,000 for transfer to the Operating Fund for redistricting. The Board will control, via resolution, the release of the fenced funds.

Ms. Jeffries noted the three new items in the Contingency Fund Reserves: \$5,000 per year would be set aside to allow for redistricting every ten years; \$55,000 would be set aside for potential future transfers to the Operating Fund for Compensated Absences Payable; and \$40,000 will be reserved for future fuel cost spikes.

Mr. Lovato requested approval of the FY-2012 Contingency Fund Budget, for transmittal to DFA by the June 1, 2011 deadline.

Director Brown made a motion that the Board approve the FY-2012 Contingency Fund Budget for submittal to DFA by the June 1, 2011 deadline. Director Thomson seconded the motion, which passed unanimously (5-0).

c. FY-2012 Building and Yard Improvement Fund Budget

Presenting the Building and Yard Improvement Fund budget, Ms. Jeffries stated that the budget revenue includes a \$50,000 transfer from the Operating Fund. No expenses were planned. She



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requested approval of the FY-2012 Building and Yard Improvement Fund Budget, for transmittal to DFA by the June 1, 2011 deadline.

Director Thomson made a motion that the Board approve the FY-2012 Building and Yard Improvement Fund Budget for submittal to DFA by the June 1, 2011 deadline. Director Brown seconded the motion, which passed unanimously (5-0).

Director Brown commented that, the next time AMAFCA has a presentation to the bond rating agencies, they will look very favorably on the fact that AMAFCA is continuing to set aside money for future expenses, in both the Contingency Fund and in the Building and Yard Improvement Fund.

d. FY-2012 Debt Service Fund Budget

Ms. Jeffries presented the FY-2012 Debt Service Fund budget. She stated that there were no changes from the draft Debt Service Fund budget. Tax revenues were projected using the abstract dated October 18, 2010, and with a zero percent growth factor. Tax collections were based on the current mill levy rate. The budget includes the projected July 2011 tax collection and the August 2011 Principal and Interest payments. She requested Board approval of the FY-2012 Debt Service Fund Budget, for transmittal to DFA by the June 1, 2011 deadline.

Director Eichenberg made a motion that the Board approve the FY-2012 Debt Service Fund Budget for submittal to DFA by the June 1, 2011 deadline. Director Lyon seconded the motion, which passed unanimously (5-0).

e. FY-2012 Construction Fund Budget

Mr. Lovato presented the FY-2012 Construction Fund budget. He stated that the only changes from last month's draft budget were updating balances or inputting as-bid costs where available. The estimated construction cost for the Boca Negra Dam was reduced, as the City of Albuquerque Unser Boulevard Extension Project had begun building portions of the dam project as a part of their project. The costs associated with the construction of the concrete box culverts and storm drains has been deleted.

He requested Board approval of the FY-2012 Construction Fund Budget, for transmittal to DFA by the June 1, 2011 deadline.

Director Brown made a motion that the Board approve the FY-2012 Construction Fund Budget for submittal to DFA by the June 1, 2011 deadline. Director Eichenberg seconded the motion, which passed unanimously (5-0).



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f. Adoption of Resolution 2011-05, Designation of Reserve Amounts in the Contingency Fund to Address Redistricting

Mr. Lovato stated that Resolution 2011-05, *Designation of Reserve Amounts in the Contingency Fund to Address Redistricting*, will transfer \$50,000 from the Contingency Fund to the Operating Fund to address redistricting this year, and will set aside money every year to address future redistricting efforts. The resolution had been reviewed by AMAFCA's legal counsel.

In response to questions and comments from the Board, Mr. Lovato stated that he expected redistricting to cost far less than \$50,000 this year, but that amount was based on the cost of redistricting ten years ago. Lacking a signed contract for a different amount, he used that amount in this year's budget.

After further discussion, Director Eichenberg made a motion that the Board adopt Resolution 2011-05, *Designation of Reserve Amounts in the Contingency Fund to Address Redistricting*, and authorize the Chair to execute the resolution. Director Lyon seconded the motion, which passed unanimously (5-0), on a roll-call vote.

g. Adoption of Resolution 2011-06, Designation of Reserve Amounts in the Contingency Fund to Address Compensated Absences Payable

Mr. Lovato stated that Resolution 2011-06, *Designation of Reserve Amounts in the Contingency Fund to Address Compensated Absences Payable*, would reserve funds that could be transferred to the Operating Fund to address any Compensated Absences Payable to AMAFCA employees that might retire. This will address a liability on AMAFCA's annual financial statements, and is a prudent action for the Board to take. The resolution had been reviewed by AMAFCA's legal counsel.

Director Brown made a motion that the Board adopt Resolution 2011-06, *Designation of Reserve Amounts in the Contingency Fund to Address Compensated Absences Payable*, and authorize the Chair to execute the resolution. Director Eichenberg seconded the motion, which passed unanimously (5-0), on a roll-call vote.

h. Adoption of Resolution 2011-07, Designation of Reserve Amounts in the Contingency Fund to Address the Cost of Fuel Spikes

Mr. Lovato stated that Resolution 2011-07, *Designation of Reserve Amounts in the Contingency Fund to Address the Cost of Fuel Spikes*, will reserve funds in the Contingency Fund to address potential spikes in the cost of fuel. These funds could be transferred to the Operating Fund if fuel costs should happen to exceed the budgeted amount. The resolution had been reviewed by AMAFCA's legal counsel.



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Director Brown made a motion that the Board adopt Resolution 2011-07, *Designation of Reserve Amounts in the Contingency Fund to Address the Cost of Fuel Spikes*, and authorize the Chair to execute the resolution. Director Eichenberg seconded the motion, which passed unanimously (5-0), on a roll-call vote.

i. Adoption of Resolution 2011-08, *Designation of Reserve Amounts in the Contingency Fund to Address the Transfer to Construction Fund*

Mr. Lovato stated that Resolution 2011-08, *Designation of Reserve Amounts in the Contingency Fund to Address the Transfer to Construction Fund*, adds a reserve for the North Diversion Channel Lower Section, north of Vinyard Inlet, and re-authorizes reserve projects and amounts listed in Resolution 2010-6. The resolution had been reviewed by AMAFCA's legal counsel.

After receiving clarification on the location of one of the projects with fenced funds, Director Brown made a motion that the Board adopt Resolution 2011-08, *Designation of Reserve Amounts in the Contingency Fund to Address the Transfer to Construction Fund*, and authorize the Chair to execute the resolution. Director Eichenberg seconded the motion, which passed unanimously (5-0), on a roll-call vote.

j. Adoption of Resolution 2011-09, *Fiscal Year 2012 Budget*

Mr. Lovato stated that Resolution 2011-09, *Fiscal Year 2012 Budget*, will be submitted to the New Mexico Department of Finance and Administration for approval by the June 1, 2011 deadline, along with copies of the summary page for each of the fund budgets. The resolution had been reviewed by AMAFCA's legal counsel.

Director Brown made a motion that the Board adopt Resolution 2011-09, *Fiscal Year 2012 Budget*, and authorize the Chair and Secretary to sign the resolution. Director Eichenberg seconded the motion, which passed unanimously (5-0), on a roll-call vote.

18. Real Estate

a. 2011 Balloon Fiesta License

Loren Hines, AMAFCA Real Estate Manager, stated that the 2011 Balloon Fiesta License was the same as in previous years, with updated dates and signatures. Landing zones remain the same as in previous years. The updated license had been reviewed and approved by AMAFCA's legal counsel and the City of Albuquerque's Legal Department.



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Director Eichenberg made a motion that the Board authorize the Chairman to execute the 2011 Balloon Fiesta License. Director Brown seconded the motion, which passed unanimously (5-0).

19. Unfinished Business

Larry Blair, Executive Engineer for Eastern Sandoval County Arroyo Flood Control Authority (ESCAFCA) and former Executive Engineer of AMAFCA, addressed the Board regarding agenda item 15. He stated that he preferred the name "Essayons Road," as it acknowledged and honored the Corps of Engineers by referring to their motto. He stated that use of that name would help cement the goodwill between the Corps and Albuquerque. He opined that it would be a non-controversial name. He also opined it seemed odd to name a transportation facility after a flood control director, when there are flood control facilities available for naming.

In response to a comment from Mr. Blair, Chairman Hernandez stated that a briefing on the current situation regarding ESCAFCA could be made at a future meeting.

Attorney Marcus Rael stated that, about ten minutes after the Board meeting had begun, he had received a phone call from Greg Shafer, General Counsel for the Department of Finance and Administration. Mr. Shafer had stated that he would provide a letter response to AMAFCA's May 13, 2011, letter by the close of business on May 31, 2011.

Director Thomson suggested having someone from Fish & Wildlife come to a future Board meeting to discuss their Biological Opinion for the Rio Grande. Mr. Lovato stated that he could set aside a half hour for the presentation and discussion. The Board brought up several issues to be discussed with Fish & Wildlife.

20. New Business

a. AMAFCA Awards

Kevin Troutman, AMAFCA GIS Technician, stated that AMAFCA will be receiving a Special Achievement in GIS Award in July, at the annual ESRI User's Conference. The award is for AMAFCA's Interactive Facilities Map, and was chosen out of over 100,000 projects internationally, to receive the award. To be considered for an award, the project has to be nominated for an award by ESRI.

He also stated that AMAFCA, SSCAFCA, the City of Rio Rancho, Wilson and Company, and Curb, Inc. had received the American Council of Engineering Companies' Engineering Excellence Award for 2011 in the Water and Storm Water category, for the Black Arroyo Dam Regional Water Quality Facility and the East Branch Channel. The water quality facility is located within the dam pool of AMAFCA's Black Arroyo Dam, and retains trash and sediment



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in one location rather than allowing it to spread across the entire area and enter the downstream channel.

21. Adjourn

There being no further business to come before the Board, Chairman Hernandez adjourned the meeting at 12:59 p.m.

Bruce M. Thomson, Secretary-Treasurer, 6/23/11

Recorded by Pamela Woodruff, Executive Secretary