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**1. Call to Order and Roll Call**

Chairman Eichenberg called the Regular Board Meeting to order at 10:00 a.m. Thursday, May 23, 2013. Roll was noted as follows:

Directors present:	Chairman Tim Eichenberg Director Danny Hernandez (arrived at 10:02 a.m.) Director Bruce M. Thomson Director Ronald D. Brown Director Daniel F. Lyon
Directors excused:	None
Others present:	Jerry M. Lovato, P.E., Executive Engineer Marcus J. Rael, Jr., Attorney Staff Other attendees on file at AMAFCA

A quorum was present.

**2. Approval of Agenda**

Mr. Lovato stated that late mailouts had been delivered for agenda items 8a and 9a. A revised agenda had been posted Monday morning, May 20, 2013, changing the title of agenda item 12.

Director Lyon made a motion to approve the revised agenda. Director Brown seconded the motion. The motion passed (4-0).

**3. Meetings Scheduled**

- a. **Thursday, June 27, 2013, 10:00 a.m. – Regular Meeting**
- b. **Thursday, July 25, 2013, 10:00 a.m. – Regular Meeting**
- c. **Thursday, August 22, 2013, 10:00 a.m. – Regular Meeting**

Director Brown stated that he would not be able to be at the June 27, 2013 meeting due to another obligation, and may also miss the July 25, 2013 meeting.

Director Hernandez arrived at 10:02 a.m.

After comparing schedules, the Board decided to keep the June Board meeting at its scheduled day and time. No changes were made to the meeting schedule as presented.



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**4. Items from the Floor/Public Comments**

Director Thomson noted that there was a new interpretive sign on the bike trail along the North Diversion Channel near Indian School and the UNM Medical School building. Mr. Lovato stated that the sign gives the history of the North Diversion Channel and AMAFCA, and gives the phone numbers to call for issues involving the channel (AMAFCA) and the bike trail (the City of Albuquerque).

**a. Presentation of Plaque to Richard Dourte**

In recognition of his twenty-five years of service to the City of Albuquerque and area citizens, including ten years as the City Engineer, Chairman Eichenberg presented retiring Richard Dourte with a plaque of appreciation from the AMAFCA Board of Directors.

Mr. Dourte thanked the Board, expressing his pleasure and gratitude for the great working relationship he had enjoyed with AMAFCA.

Additional words of appreciation were expressed by Director Brown, former AMAFCA Executive Engineer John Kelly, and AMAFCA Drainage Engineer Brad Bingham, who worked with Mr. Dourte when he worked for the City of Albuquerque.

Mr. Lovato introduced Bryan Wolfe, the new City Engineer. Mr. Wolfe gave a brief summation of his background.

**5. Approval of Minutes**

**a. April 25, 2013 Regular Meeting**

Director Lyon made a motion to approve the minutes of the April 25, 2013 Regular Board Meeting. Director Hernandez seconded the motion, which passed (4-0). Director Brown abstained, as he was not at the meeting.

**b. May 14, 2013 Special Meeting**

Director Lyon made a motion to approve the minutes of the May 14, 2013 Special Board Meeting. Director Brown seconded the motion, which passed (4-0). Director Hernandez abstained, as he was not at the meeting.



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**6. Financial Matters**

**a. Approval of April 2013 Expenditures**

Ms. Jeffries presented the April 2013 Expenditure Report.

Director Thomson made a motion to approve the April 2013 Expenditure Report. Director Lyon seconded the motion, which passed unanimously (5-0).

**b. Investment Report for April 2013**

Ms. Jeffries presented the investment report for April 2013.

There were no questions, and no Board action was required.

**c. Financial Recap April 16, 2013, through May 15, 2013**

Ms. Jeffries presented the Financial Recap for April 16, 2013, through May 15, 2013. She noted that the forecast and actual expenditures in the Operating Fund differed because four expected payroll invoices from the City did not arrive before the cutoff date. The forecast and actual income in the Construction Fund differed because a forecast payment on the Navajo Elementary Storm Drain did not arrive before the cutoff date.

There were no questions, and no Board action was required.

**d. Financial Forecast May 16, 2013, through June 15, 2013**

Ms. Jeffries presented the Financial Forecast for the period May 16, 2013, through June 15, 2013. She noted that the recommended actions for the Operating Fund include payroll for four pay periods. The recommended actions for the Construction Fund include payments on two construction projects.

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

**e. Consideration of Finding to Delete Certain Items from Inventory**

Ms. Jeffries stated that AMAFCA Resolution 2006-16 requires the Board to approve any disposition of property by making a specific finding that the property has a current resale value of \$5,000 or less and is worn out, unusable or obsolete to the extent that the item is no longer economical or safe for continued use by AMAFCA. She requested that the original Smart



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Board, and the Ingersoll-Rand Air Compressor be removed from the inventory. Ms. Jeffries stated that the Official Finding, after execution by the Board, would be sent to the State Auditor as required by Resolution 2006-16.

She stated that the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) had expressed an interest in the Smart Board, and subject to the Board's approval, the plan was to donate it to SSCAFCA thirty days after notification of the deletion to the State Auditor.

Ms. Jeffries stated that, subject to the Board's approval, the plan was to make disposal of the old air compressor a condition of bids for a new air compressor.

Director Hernandez made a motion that the Board approve deletion/removal from AMAFCA's Capitalized Fixed Assets Inventory and authorize the disposition of inventory items listed in the memo, and that the Board execute the Official Finding for submission to the State Auditor. Director Brown seconded the motion.

Responding to a question from Director Brown, Ms. Jeffries and Mr. Lovato confirmed that the bid terms for the new air compressor would include the provision that the bid price includes accepting the old air compressor in exchange.

In response to a question from Director Lyon, Mr. Lovato stated that the cost of a new bulb for the old Smart Board did not make financial sense, in his opinion. He opined that there was little to no residual value in the Smart Board.

Chairman Eichenberg and Director Lyon opined that there was probably some residual value to the Smart Board. They were concerned that it was being donated to SSCAFCA, who is not contributing to the Ditch and Water Safety Program (covered later in the agenda).

Responding to a question from Chairman Eichenberg, Mr. Lovato stated that the engine portion of the compressor was fine, but that the drive shaft broke during use, damaging a number of other parts of the compressor. It would cost about \$12,000, more than it is worth, to repair the compressor. It would be very difficult to sell it as a result. However, it might be useful as a parts source for an air compressor dealer.

The motion passed unanimously (5-0).



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**7. AMAFCA FY-2014 Budget**

**a. FY-2014 Operating Fund Budget**

Ms. Jeffries stated that the year-to-date amounts had been updated to reflect expenditures through April 30, 2013, but no other changes had been made to the proposed FY 2014 budget.

Her memo stated that Exhibit A is the Statement of Revenues and Expenses, updated through April 30, 2013. Exhibit B, the cover page which will be submitted to the Department of Finance and Administration (DFA), is the Budget Summary and shows the change in the beginning balance which is (\$587,649.) Exhibit C is the proposed budget by line item.

Ms. Jeffries' memo also stated that the Total Projected Revenues of \$3,463,578 include property tax revenue of \$3,360,446 using the current mill levies of \$0.165 residential, \$0.477 non-residential, and \$0.477 centrally assessed for the AMAFCA district only, computed at a 95% collection rate. Additional projected revenue includes \$2,000 for the sale of Unit 106, a Dodge 4x4 pickup; \$21,450 from sediment sales, lease revenue, and film production; and a transfer of \$108,000 from the Building and Yard Improvement Fund. The proposed budget includes a \$50,000 transfer to the Contingency Fund.

The memo noted that although projections for the FY 2013 expenditures show over-runs in some line items, the projection for "Total Operations and Building Expenditures" is 99% of budget.

Ms. Jeffries requested approval of the FY 2014 Operating Fund budget for submittal to DFA by the June 1, 2013 deadline.

Mr. Lovato, Ms. Jeffries, and Kevin Troutman, AMAFCA GIS Manager, answered a number of questions about specific line items. Many expenses which had been included in other line items in previous budgets were given specific line item numbers in this budget to more accurately reflect actual expenditures, and make them easier to track in the accounting software. Some contracts, such as the UNM Hydrology Lab contract, are split among two accounting codes, thus expenses are split among two line items in the budget. The new testing required under the new watershed-based permit was given a new line item in the budget. The Information Technology line item included several other categories that were consolidated into one line item. Anticipated expenses this year include a VOIP phone system, and a new ethernet switch.

Director Thomson noted that the Municipal League had been very active in Santa Fe in regards to environmental regulations and rule making by the Water Quality Control Commission, and he supported inclusion of the Municipal League in the budget.



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Director Thomson made a motion that the Board approve the FY 2014 Operating Fund Budget for submittal to DFA by the June 1, 2013 deadline. Director Hernandez seconded the motion, which passed unanimously (5-0), on a roll-call vote.

**b. FY-2014 Contingency Fund Budget**

Ms. Jeffries stated that the FY-2014 Contingency Fund budget had not changed since the last meeting.

Ms. Jeffries' memo stated that the draft Contingency Fund budget showed a beginning balance of \$4,806,400 which included the \$2,281 in the Reserve Contingency Fund. Revenues consist of \$50,000 transferred in from the General Operating Fund and interest revenue of \$8,411 based on 0.1589% of the monthly balance in the LGIP fund. Expenditures include the normal estimate of \$400,000 for emergencies.

Her memo noted that the \$4.4M balance at June 30, 2014 included \$50,000 reserved for redistricting, \$55,000 reserved for compensated absences, \$40,000 reserved for fuel spikes, and \$3,500,000 reserved for channel repairs, modifications, and rehabilitation. The memo requested that the Board approve the budget for submission to DFA by the June 1, 2013 deadline.

In response to a question about the reserved funds, Mr. Lovato explained that fenced funds were set aside by resolution, and could be unfenced by another resolution.

Director Brown stated that, with the funds so fenced, AMAFCA is eligible for emergency relief funding if such should become necessary. AMAFCA is not adding to the fenced funds this year, but is simply identifying money which has been set aside for future costs. He stated that it is appealing to bond rating agencies that AMAFCA has set aside funds for future requirements.

Ms. Jeffries noted that \$817,000 of the balance in the fund was unreserved.

Director Hernandez made a motion that the Board approve the FY 2014 Contingency Fund Budget for submission to DFA by the June 1, 2013 deadline. Director Lyon seconded the motion, which passed unanimously (5-0), on a roll-call vote.

**c. FY-2014 Building and Yard Improvement Fund Budget**

Ms. Jeffries stated that the FY 2014 Building and Yard Improvement Fund Budget showed a beginning balance of \$108,447. Expenditures consist of a \$108,000 transfer to the Operating Fund to supplement the proposed purchase of the property to the north and northwest of and



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adjacent to the current AMAFCA property. The purchase is included in the Operating Fund Budget at a cost of \$362,000, and includes increased security and access control and security lighting. The projected balance at June 30, 2014 is \$447. She requested that the Board approve the budget.

Director Hernandez made a motion that the Board approve the FY 2014 Building and Yard Improvement Fund Budget for submittal to DFA by the June 1, 2013 deadline. Director Thomson seconded the motion.

In response to a question from Director Lyon, Mr. Lovato stated that the Board had been previously briefed on the potential purchase of the properties adjoining the AMAFCA property. Once funding for the purchase is budgeted, he stated that he would be able to approach the sellers and begin negotiations. He stated that he would report back to the Board with the details about the deal after he has done so, in order to obtain Board approval of the purchase.

The motion passed (4-1), on a roll-call vote. Director Lyon voted against the motion.

**d. FY-2014 Debt Service Fund Budget**

Ms. Jeffries stated that the draft Debt Service Fund budget showed expenditures of \$10,076,047 for bond payments, leaving an ending balance on June 30, 2014 of \$9,313,201.

Ms. Jeffries' memo stated that the FY 2014 Debt Service Fund Budget shows revenues computed by adding the total unprotested taxable values plus half the total protested values for both residential and non-residential. The property values were taken from the amended Certification Report from the Bernalillo County Assessor's office. The mill levy used was \$0.675, and the collection rate was estimated at 95%.

The memo noted that interest income is projected to be \$13,848 based on the monthly balance in the LGIP using a 0.1589% interest rate. For informational purposes, the budget includes the projected July 2014 tax collection and the August 2014 principal and interest payments.

Ms. Jeffries requested the Board approve the budget for submission to the DFA.

Director Brown made a motion that the Board approve the FY 2014 Debt Service Fund Budget for submittal to DFA by the June 1, 2013 deadline. Director Hernandez seconded the motion.

In response to a question from Director Brown, Ms. Jeffries stated that the finance plan includes accelerated bond payments. Mr. Lovato stated that AMAFCA can make a large payment early in the bond repayment schedule. This is the only way that AMAFCA can



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"prepay" its bonds. This was recommended by AMAFCA's Financial Advisor prior to the last bond sale, and the sale was structured with this feature. As a result, AMAFCA obtained the lowest interest rate in its history.

The motion passed unanimously (5-0), on a roll-call vote.

**e. FY-2014 Construction/Capital Projects Fund Budget**

Mr. Lovato stated that the FY 2014 Construction/Capital Projects Fund Budget had not changed since the May 14, 2013 Special Meeting. He noted that the budget concentrates on completing AMAFCA backbone infrastructure throughout the City and continues AMAFCA's efforts in addressing storm water quality. He requested that the Board approve the budget.

Director Brown made a motion that the Board approve the FY 2014 Construction/Capital Projects Fund Budget for submittal to DFA by the June 1, 2013 deadline. Director Lyon seconded the motion.

In response to a question from Director Thomson, Mr. Lovato stated that information obtained from some of the projects, sent to the Office of the State Engineer (OSE), would be used throughout the AMAFCA jurisdiction. The taxpayers benefit if AMAFCA can lower the cost of any dam constructed in the future, and reduce the cost of dam retrofits and reconstruction needed, as well as water quality facilities. Shortening the time for approval of AMAFCA projects also saves everyone money, by reducing the amount of OSE time and staff time needed to obtain approvals.

Mr. Lovato also stated that the budget shows anticipated cost-share funding coming into the budget from other entities.

The motion passed unanimously (5-0), on a roll-call vote.

**f. Adoption of Resolution 2013-04, *Fiscal Year 2014 Budget***

Ms. Jeffries stated that Resolution 2013-04, *Fiscal Year 2014 Budget*, was the same format as had been used in previous years, and had been reviewed by AMAFCA's legal counsel. She noted that, once passed and adopted by the Board, the summary page for each of the fund budgets would be attached to the resolution and submitted to the New Mexico Department of Finance and Administration for approval by the June 1, 2013 deadline. She requested adoption of the resolution.





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Director Thomson made a motion that the Board pass and adopt Resolution 2013-04, *Fiscal Year 2014 Budget*, and authorize the Chair and Secretary to sign. Director Brown seconded the motion, which passed unanimously (5-0), on a roll-call vote.

**8. Legal**

**a. Status Report**

Attorney Marcus Rael, Jr., stated that his memo, which had been provided as a late mailout, briefed the Board on the status of various legal matters. He answered several questions from the Board.

**9. Executive Engineer's Report**

**a. Notification of Past Month's Activities**

The Executive Engineer's Report highlighted significant activities of the past month.

Between his memo and further information given in the meeting, Mr. Lovato covered the following:

- **Corps of Engineers (COE) – Southwest Valley Flood Reduction Project Phase II.** The Albuquerque District sent additional supporting information for Amendment II to the PCA Agreement to Division. The primary reason for the amendment is to address the construction of new roadway crossing structures along the Los Padillas Drain.

*Clean Water Act 404 Jurisdictional Determinations.* AMAFCA staff had an appeal hearing on May 22, 2013 concerning the 404 jurisdictional determination for the South Pino Basin. AMAFCA appealed the COE decision to call the Pino Arroyo Basin "waters of the US." AMAFCA was represented by Attorney Chavez of the Robles, Rael and Anaya law firm and AMAFCA staff. Additional information will be shared as it becomes available.

*Levee Task Force.* The Albuquerque District of the COE briefed attendees at the last Levee Task Force meeting that funding may be available for the Montañó West Levee, through the 205 program, and requested that one of the attending agencies be the local sponsor for the Montañó West Levee Project. The City of Albuquerque is the logical sponsor for this project. Kevin Daggett, COA, has stated the COA is considering sending a formal letter requesting assistance from the COE.



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*Southwest Valley Flood Reduction Project Phase I.* AMAFCA had not received a response to the February 8, 2013 letter from the Chairman to Lieutenant Colonel Gant outlining AMAFCA's dissatisfaction with the condition of the Phase I Project at the time of turnover to the local sponsors, and requesting an auditable corrective action plan. The Executive Engineer did meet with Colonel Gant and Mr. John D'Antonio as directed by the Board, to open a dialog to address responsibility and accountability between all parties.

- **US Environmental Protection Agency (EPA) – MS4 Watershed Based Permit.** EPA Region 6 held two public meetings and one public hearing in Albuquerque on May 14 and 15, 2013. Chairman Eichenberg and Director Thomson attended the meetings. Further information in agenda item 19.
- **City of Albuquerque – Proposed Changes to the City of Albuquerque Drainage Ordinance.** The City of Albuquerque's Department of Municipal Development has drafted modifications to the current City of Albuquerque Drainage Ordinance to address storm water quality. The draft changes have been submitted to the City Council for action at a later date.

*404 Jurisdictional Determinations.* AMAFCA staff have met with City staff concerning the potential monitoring costs associated with allowing jurisdictional determinations in the greater Albuquerque area to stand. The City would like to minimize confrontations with the COE concerning 404 jurisdictional determinations.

- **Bernalillo County – Southwest Valley Flood Reduction Project Phase I.** Bernalillo County and AMAFCA continued to monitor the Los Padillas Extension. Ground water in the area has moved up and is being intercepted by the new channel. The water is moving through the system to the Los Padillas Drain. Bernalillo County and AMAFCA maintenance crews are maintaining the Los Padillas Extension.
- **The Nature Conservancy – Middle Rio Grande and Forested Watershed Task Force.** AMAFCA was approached by the Nature Conservancy to get involved in the task force, which was organized to address water security and the protection of life and property in a proactive way after a forest fire. The Los Conchas Fire of 2011, in which nearly 45% of the 156,000 acre fire burned at a high intensity, illustrated the issue. Thunderstorms over the high-severity burn areas resulted in massive debris flows in Peralta, Bland, and Santa Clara Canyons. Water withdrawals were halted for municipal use in Albuquerque and Santa Fe, and tons of debris was deposited in Cochiti Lake, closing the area to recreation and dumping excessive sediment in the reservoir. These are issues AMAFCA will have to address if a wildfire along the west face of the Sandia



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Mountains were to occur. The Nature Conservancy will address the Board at a future meeting.

- **Public Outreach** – *USEPA/Bureau of Reclamation and the Corps of Engineers.* The federal agencies held a press conference on May 14, 2013, regarding the cooperation between agencies in the purchase of Valle de Oro. AMAFCA was represented by Director Thomson.

In response to a question from Director Thomson, Mr. Lovato responded that discussions with the Nature Conservancy are preliminary at this point. They are requesting funding from different agencies. They have a large amount of funding already from private sources, and are looking at this as a public/private partnership.

Director Thomson stated that, as he was the principal investigator on one of their proposals, he would recuse himself from voting on any funding for the Nature Conservancy. He stated that he supported their efforts and believed that their efforts are very important.

**b. Notification of On-Call Services Task Orders**

Mr. Lovato stated that two on-call task orders had been issued since the last Board meeting, as listed in his memo. He gave further details on each, answering several questions from the Board.

No Board action was required.

***Consent Agenda:***

Chairman Eichenberg removed agenda item 12 from the consent agenda, to be heard on the regular agenda instead due to the proposed resolution contained in that agenda item. He noted that agenda items 10 and 11 remained on the consent agenda.

**10. On Call Design, Bidability, and Constructability Reviews – Consideration of Third and Final Extension of Agreements**

The memo from Kurt Wagener, AMAFCA Field Engineer, stated that the Board had approved Agreements for On-Call Design, Bidability, and Constructability Reviews with Salls Brothers Construction, RMCI, Inc., AUI, Inc., New Mexico Underground, TLC Plumbing & Utility, and Mountain States Constructors, at the May 27, 2010 Board meeting. The agreements allow for up to three one-year extensions. AMAFCA staff is satisfied with the services of the contractors, and each has agreed to extend the agreements for another year at the same rates. Each had provided a signed AMAFCA Campaign Contribution Disclosure Form. The memo



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requested that the Board authorize the Executive Engineer to extend each of the agreements for a third and final one-year extension.

**11. UNM Hydraulic Modeling Agreement – Approval of FY14 Agreement**

The memo from Brad Bingham, AMAFCA Drainage Engineer, stated that Dr. Julie Coonrod had been named Dean of Graduate Studies and that Dr. Mark Stone had taken over direction of the Hydraulics Lab. Dr. Stone had provided a proposal for Open Channel Modeling – Year 25, which includes continued funding for a graduate assistant intern utilized by AMAFCA to support engineering staff and the storm water quality program, and perform field inspections. Many past AMAFCA projects have been modeled in the laboratory, and staff anticipates future projects will also be modeled at the lab. The memo requested that the Board approve Year 25 of the UNM Open Channel Modeling agreement, and authorize the Executive Engineer to execute the appropriate proposal acceptance forms from UNM.

There being no further items on the Consent Agenda, and there being no questions, Director Lyon made a motion that the Board take action on consent agenda items 10 and 11 as follows:

- Authorize the Executive Engineer to extend each of the above listed Design, Bidability, and Constructability Agreements for a third and final one-year extension as per the provisions of the agreements; and
- Approve the UNM Open Channel Modeling proposal for Year 25, and that the Executive Engineer be authorized to execute the necessary proposal acceptance forms from UNM.

Director Hernandez seconded the motion, which passed (4-0). Director Thomson abstained from the vote as he is a UNM employee.

***Regular Agenda:***

**12. Group Health Insurance – Approval of Expanded Coverage and Consideration of Resolution 2013-05**

Mr. Lovato stated AMAFCA staff was successful in modifying the City of Albuquerque payroll system to change the status of AMAFCA Board members from temporary seasonal employees to elected officials. He stated that in order to complete the insurance eligibility process, the City needs minutes of a Board meeting or a resolution that identify the change in the status of the elected officials. The proposed resolution would bring AMAFCA in line with City of Albuquerque policies regarding elected officials. He noted that the resolution, which had been provided in a late mailout, had been reviewed by AMAFCA counsel.



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Director Lyon made a motion that the Board concur with actions taken by staff to date concerning group insurance coverage for all individuals in the AMAFCA organization. Director Hernandez seconded the motion.

As the actions to be taken included a resolution, Chairman Eichenberg stated that voting would be by roll call. The motion passed unanimously (5-0), on a roll-call vote.

**13. Montañó West Levee – Update**

Mr. Lovato stated that, during the last Levee Task Force meeting, the Corps of Engineers identified an opportunity to begin feasibility work on the Montañó West Levee, which would be done under the 205 program. The 205 program allows for a feasibility study to be conducted, and possibly have this be converted into a design, and be constructed.

He stated that the feasibility study requires a 50% local match, but the Corps would provide the first \$100,000. The City of Albuquerque is investigating the possibility of being the lead agency and is in discussions with the Albuquerque District. The Corps will be requesting that all willing local agencies send support letters to the congressional delegation in support of the study. The City may seek additional funding from AMAFCA and Bernalillo County.

Don Briggs, of Bernalillo County, addressed the Board. He stated that, as levee integrity is important to the community, the County supports the project and is willing to partner with the City on this project.

Responding to questions from Director Brown, Mr. Lovato stated that the Montañó West Levee would tie into La Orilla on the north, and at the Oxbow to the south. Kevin Daggett, of the City of Albuquerque, was planning the project with the Corps of Engineers. Mr. Lovato stated that he hoped to have more information for the Board at the June or July Board meeting.

In response to a question from Director Hernandez about the Corrales Levee, the tie-in at the north end, Mr. Lovato stated that the Middle Rio Grande Conservancy District (MRGCD) had been able to obtain a vegetation waiver for the Corrales Levees and the levees had been accepted by the COE. This may not allow a similar waiver for other Albuquerque levees, as the property lines along the Corrales Levee are about two to three feet away from the toe of slope.

Responding to a question from Director Lyon, Mr. Lovato stated that the City will be the lead party, as MRGCD does not have any facilities in this area to give them constituents or jurisdiction.



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In response to questions from Directors Thomson and Brown about cost and timeline, Mr. Lovato stated that the feasibility study would cost about \$1 million, at a 35% local/65% federal split. The feasibility study would result in a 25% design. Then federal funding would be authorized, followed by development of a 100% design. Construction would likely not begin until FY 2017.

Director Brown noted that partnering with the Corps of Engineers would cost \$1 million for just the feasibility study and partial design, and construction wouldn't begin for four or five years. If the project were studied and designed locally, it would probably only cost about \$500,000, and construction could start as soon as next year. Director Thomson remarked that a locally-managed project might have better construction results from the contractor, as well.

In response to a question from Director Lyon, Mr. Lovato stated that the City of Albuquerque would likely be responsible for maintenance of this stretch of levee, even though the rest of the levee system is maintained by the MRGCD, because the MRGCD does not have any constituents in this area.

Director Hernandez opined that this situation was similar to the situation in the South Valley, where AMAFCA had a responsibility to its constituents but had no jurisdiction.

Director Thomson summarized that the Board had a lot of concerns regarding the project.

No Board action was required.

**14. Calabacillas West Branch Existing Conditions – Presentation by Tetra Tech**

Brad Bingham, P.E., AMAFCA Drainage Engineer, introduced Alandren Etlantus of Bohannon Huston and Kyle Shour of Tetra Tech, who briefed the Board on the Calabacillas Arroyo West Branch Drainage and Water Quality Management Plan Existing Conditions Report.

Mr. Bingham's memo stated that the West Branch of the Calabacillas Arroyo covers 11 square miles in the northwest area of Albuquerque. It is a naturalistic arroyo with two distinct reaches. The lower basin, from Swinburne Dam to Rainbow Boulevard, is mostly developed with residential subdivisions. The upper basin, from Rainbow Boulevard to the Rio Puerco escarpment, is still largely undeveloped. The upper basin contains two large master-planned communities, Paradise West and Quail Ranch, both of which are within Rio Rancho.

Mr. Bingham's memo also stated that Mussetter Engineering completed a prudent line study of the arroyo in 1999, and a number of grade control structures were built to foster an equilibrium



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slope. The current study assessed the existing channel, observing bank stability and determine scour potential.

Mr. Shour described the findings of the field reconnaissance. He stated that near the Swinburne Dam, the typical section of the West Branch Calabacillas Arroyo is a deep channel with tall, steep banks which are degrading, and grade control structures in a developed watershed. Upstream of Universe, the typical section of the arroyo has shorter banks and is not degrading, and is in an undeveloped area.

He compared longitudinal profile data from the 1999 report (which used 1996 data) to one done with LIDAR information from 2010, which showed the effects of the grade control structures on the arroyo. The channel is degrading, causing a stair-step effect where there are grade control structures. The arroyo is generally degrading in response to the altered hydrology in the watershed, stormwater inputs, and a drop in base level at the Swinburne Dam pool.

Mr. Shour noted that the profile also showed degrading of the arroyo at the Ventana Outfall, and bank protection and a grade control structure should be built there. Grade control structure 9 has been exposed. An intermediate grade control structure should also be installed between grade control structures 4 and 5, as they are too far apart.

Ms. Etlanus stated that the West Branch Calabacillas watershed includes 50 basins and covers 11.09 square miles. The West Branch of the Calabacillas Arroyo is joined by the North Branch and Main Branch, and eventually ends up at the Swinburne Dam. A diversion from the Piedras Marcadas watershed also flows to this watershed. Comparing the HEC-HMS hydrology in 2013 to the AHYMO hydrology in 1999 shows flow rates and volumes in the lower reaches are higher than expected due to development that has occurred in the watershed, and different land use values for the upper watershed.

She noted that significant grading had been done in some of the upper watershed area, making a mixture of land use values more appropriate, as the land is no longer pristine, ungraded land. With all the updates to the assumptions made, and with the new methodology, the inflow into the upper Swinburne Dam from this area in the new study is just over 2400 cfs; under the old study, this figure was about 1600 cfs. This is in part due to development in the area, and new diversions into the West Branch which did not exist in 1999.

She stated that the next phase of the project will rectify land use conflicts with numerous planning documents adopted by the various agencies before proceeding with the developed conditions hydrologic and hydraulic modeling.



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Director Brown commented regarding the flow into Swinburne Dam, inquiring if any changes needed to be done there. Mr. Lovato stated that a joint study with SSSCAFCA was currently under way to determine the answer to that question.

Ms. Etlantus pointed out that this study of the West Branch watershed covered 11 square miles, but a total area of more than 80 square miles flows into the Swinburne Dam. The entire Calabacillas watershed is much larger than the West Branch watershed.

Mr. Lovato stated that the inflow at the Swinburne Dam from the entire watershed is calculated at about 16,000 cfs. He noted that this is a joint project, being done in conjunction with SSSCAFCA's study of the other branches of the Calabacillas. The results will be combined when the studies are complete.

Mr. Bingham noted that HEC-HMS routinely predicts values about 10-20% higher than AHYMO, simply due to the inner workings of the models. Staff will have a better idea about the needs at the Swinburne Dam at the July Board meeting.

John Kelly, of Tetra Tech, stated that the existing conditions model includes the entire watershed. The developed conditions model will include the effect of the Paseo de Volcan diversion to the Middle Branch, and the Quail Ranch Detention Pond.

In response to a question from Director Thomson regarding grade control structures, Mr. Lovato stated that the first grade control structures built on the arroyo were made of soil cement and buried. Those structures today are being exposed and are starting to work to control grades. Grade control structures being built now are grouted riprap and concrete, and cost about \$350,000 to \$500,000 to design and build. Building an interim grade control structure and making repairs to or repairing Grade Control Structure 9 would likely be accomplished in the coming year.

Chuck Thomas, Executive Engineer of the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA), stated that there is no significant increase in the flows from the north branch of the arroyo, but there is currently less development along the north branch as compared to the west branch.

Responding to a question from Director Thomson about the significant difference in the flow rates given by the two hydrology models, Gerhard Schoener, SSSCAFCA Watershed Scientist, stated that the flood routing in the two models was different. In AHYMO, the travel time of the hydrograph is artificially delayed. This is fixed in HEC-HMS. There are also small differences in water modeling, but this is mostly due to flood routing as well. He noted that SSSCAFCA was attempting to further calibrate the model with actual data, but lack of rain has led to the lack of information to do so.





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No Board action was required.

**15. Amole Hubbell Drainage Master Plan Update Final Report – Briefing by Wilson and Company**

Mr. Bingham stated that the original Amole Hubbell Drainage Master Plan (DMP) was finished in 1999, studying an area of approximately 34 square miles, and identifying approximately 10 facilities and 21 projects. Many of the projects and facilities have been built since then, and 14 square miles have been diverted out of the watershed. He introduced Tyler Ashton, of Wilson and Company, who briefed the Board on the DMP Update Final Report.

Mr. Ashton stated that the update showed that there was no longer any need for the Salsa facility, as modeling shows that the planned Guac Detention Basin and upgraded Amole Dam will have sufficient capacity. Some of the other planned facilities will also not be needed, or can be downsized. Some of the planned facilities will still be needed, including the Snow Vista-Benavides Storm Drain, additional ponding in the Snow Vista basin, the Powerline Pond, and the Hubbell Lake Dam Spillway PMF upgrade. Other developer-driven facilities are also identified.

No Board action was required. Mr. Bingham's memo stated that staff will have a resolution adopting the Drainage Master Plan Update at the June Board meeting.

**16. Valle de Oro Drainage Outfall – Presentation by Tetra Tech**

Lynn Mazur, P.E., AMAFCA Development Review Engineer, stated that the Valle de Oro drainage outfall project is the first phase of the overall drainage project on the Valle de Oro Wildlife Refuge that will convey stormwater runoff from the southeast valley to the Rio Grande. There is no drainage connection to the refuge or the river with this project, but it provides the ponding areas that will be needed later. Small storms, and the initial storm flush of larger storms, will flow into a series of fill and spill ponds. Larger flows will be conveyed overland to the river. This project is being built on New Mexico State Land Office (SLO) property in the Bosque, collaborating with their Bosque Restoration project. The ponds also serve as bosque restoration area, providing willow flycatcher habitat.

She noted that an important step was to determine the groundwater level, which is currently about 6 to 7 feet below ground level. A permanent monitoring well was put in as a part of this process, which will serve an educational use in the future. The ponds will be excavated to near, but not below, the groundwater level, and planted with a series of native vegetation, including trees.



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Using a map, she demonstrated where the construction access and staging areas for the project would be. In a later phase of the project, public pedestrian access will be created near where the temporary construction access will be for this phase, over the Riverside Drain. Director Thomson stated that UNM's Biology Department has a number of water level monitoring wells in the area that can provide data for this project if needed.

Ms. Mazur introduced Robin Cunningham, of Tetra Tech, who briefed the Board regarding the project.

Mr. Cunningham explained the project further, stating that the project is part of the Southeast Valley Drainage Management Plan. The project would provide the stormwater outfall with a series of ten ponds, creating multi-use opportunities. It would also remove the transverse jetty jack tie-backs, and enhance the habitat of the area by re-vegetation of native plants. The ponds will be designed for the ten-year flow. The excess dirt from excavation of the ponds will be used to fill in low spots adjacent to the toe of the levee. Pond slopes and the channels connecting them will be graded at 3:1 to 6:1, with land forming creating a more natural look.

He noted that there were a number of cottonwood trees beyond their prime in this area, as well as downed trees. Downed and cleared trees will be used to build log weirs between the ponds, for a "natural" look. When the Valle de Oro Wildlife Refuge becomes open to the public, it is hoped that this area will be open to the public with paths, informational signs and kiosks.

Director Hernandez noted that log weirs might require more maintenance than those built from another material. Mr. Cunningham agreed, but stated that the reduced construction cost and improved appearance made up for the potential of increased maintenance costs in the future.

Mr. Cunningham stated that the bottom of the ponds would be about one foot above the groundwater level, as he described the plan in more detail, including the vegetation which would be planted in the ponds. Staying above the groundwater elevation will eliminate any "takes" from the river, which is a concern of the Office of the State Engineer's Interstate Stream Commission (ISC). Ponds will be about 2 ½ feet deep before they spill over. He stated that if flows greater than the ten year storm were encountered, the water will spill over the final ponds and find its own way to the river.

He stated that some natural ponding areas to the north were lower in elevation than these planned excavated ponds, but they had not inundated in years due to the low flow volume in the Rio Grande.

Mr. Lovato noted that originally it was thought that the ponds could be excavated to groundwater level, which might aid in establishment of vegetation, but due to concerns of the



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ISC this plan had changed. Open water causes evaporation, which is a "taking" of water rights, but transpiration through plants is not a "taking."

Mr. Cunningham noted that holes will be bored to allow the vegetation to draw from the capillary fringe of the groundwater as it is being established. A prolonged re-vegetation plan is proposed, starting with the lowest plants (probably salt-loving grasses), in order to monitor progress as they see which plants do best.

In response to a question from Director Brown, Mr. Lovato stated that the water will eventually enter the outfall through a location near the temporary construction crossing of the Riverside Drain, with a water quality facility located in the refuge. Land forming and other methods will be used to enhance the appearance of the facility. Water will come over the top of the Riverside Drain, into the ponds, at a rate of about 1000 cfs or less. The ponds will be excavated lower than the farmland so that the water will gravity-feed. Completion of the entire project will probably take about ten years.

Ms. Mazur noted that the State Land Office is currently in the midst of their Bosque Restoration project, with grant funding, and the ponds have been incorporated into that project. This is why the outfall is being built now.

Mr. Cunningham stated that the re-vegetation plan includes plants which will be useful as feed for local wildlife. It was anticipated that the area will also be stopover habitat for migratory birds, but not nesting habitat.

Responding to a question about project timing, Ms. Mazur noted that after the final design analysis report is reviewed and approved, the project can proceed with final design. Mr. Cunningham stated that they hoped to be able to advertise for construction bids by the end of the summer. Mr. Lovato added that once the agreement between AMAFCA and SLO is signed by the SLO, federal funds for the project would be available before October, 2013.

In response to a question from Chairman Eichenberg, Ms. Mazur stated that the City of Albuquerque had indicated an interest in maintaining the project's vegetation, and they will be party to the agreement between SLO and AMAFCA.

No Board action was required.

**17. Sanchez Farm LOMRs Update – Presentation by Thompson Engineering**

Ms. Mazur stated that, at the November 2012 meeting, the Board approved Amendment No. 2 to Thompson Engineering Consultants' contract for work associated with floodplain revisions that can be done right away. Using an aerial photo map, her memo noted that the floodplain



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marked as number 4 on the map can be reduced or removed by a Letter of Map Revision (LOMR) as the result of recent construction projects. Floodplain area 6 is the Sanchez Farm Pond, which encroaches onto a private residential property. It can be reduced in size and removed from the property. This will be submitted in the same LOMR as area 4.

The memo stated that floodplain area 7 can potentially be removed in its entirety based on updated hydrological analysis and mapping. This will be submitted as a Letter of Map Amendment (LOMA).

Ms. Mazur introduced Dave Thompson, of Thompson Engineering Consultants, and Hugh Floyd, of Easterling Consultants. Mr. Thompson noted that the Gatewood Pond, the Sanchez Farm Pond, and associated storm drains had been constructed, removing floodplain from many properties. Additionally, a recent survey showed that the Sanchez Farm Pond had been constructed one foot lower than the elevation shown in the plans. This increases the volume of water that the pond can hold.

Mr. Thompson noted that the three areas can be removed from floodplain due to constructed facilities and remapping. This will unencumber a total of 16 commercial sites and 54 residential lots. Mr. Floyd stated that this totals approximately 60 acres. In response to a question from Director Hernandez, Mr. Thompson stated that they are working on completing their analysis and putting together the LOMR and LOMA for review by AMAFCA and Bernalillo County before submitting them to FEMA.

Ms. Mazur stated this could possibly be completed by the end of the year, but it depended on FEMA's schedule.

No Board action was required.

**18. Paseo del Norte Interchange Rehabilitation Project – Draft Turnkey Agreement for the Domingo Baca Water Quality Structure**

Karen Stearns, P.E., AMAFCA Storm Water Quality Engineer, introduced Tyler Ashton, of Wilson and Company, and Tim Trujillo, of New Mexico Department of Transportation (NMDOT).

Ms. Stearns stated that the NMDOT is selecting a contractor to design-build the Paseo del Norte/I-25 Interchange Reconstruction Project. Runoff from the project is within the watersheds of the South Pino, North Pino, and the Domingo Baca Arroyos, and the Alameda Storm Drain System. AMAFCA has several water quality structures downstream of the project in the North and South Pino Arroyos and at the Alameda Storm Drain System outlet into the



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North Diversion Channel. The project area upstream of the Domingo Baca Inlet is the only major project watershed which does not currently discharge to a regional water quality facility.

She reminded the Board that they had authorized staff to negotiate a draft turnkey agreement with NMDOT to construct a regional water quality facility at this location in advance of the interchange project. This facility would serve as the major BMP for the construction project, and as a regional facility during and after the construction project. Sarah Holcomb, of the New Mexico Environment Department, has expressed approval of the concept. Since this BMP will take the place of many others, including extensive silt fencing, Ms. Stearns stated that she felt it was a good idea to have the Environment Department be aware of how this project will be different as they do their construction inspection, in order to avoid the project receiving unwarranted violations.

In response to a question from Director Lyon, Mr. Lovato stated that AMAFCA will maintain the facility, which will be at the contractor's expense during the construction project. AMAFCA will take over maintenance at its expense upon completion of the construction project.

Ms. Stearns stated that the project will contain a sedimentation area and parallel baffles to remove floatables. The entire facility will be built within the boundaries of the current AMAFCA facility. She noted that the Albuquerque-Bernalillo County Water Utility Authority has slightly redesigned their waterline relocation so as to not interfere with the regional water quality facility. The waterline will be covered with a concrete cap, which will also serve as a rundown into the water quality facility.

Director Hernandez expressed support of building a permanent, long-term regional facility rather than throwaway BMPs on the construction project.

Responding to a question from Director Lyon, Mr. Rael stated that he had reviewed the draft agreement and made comments, which were being reviewed by counsel for the NMDOT.

No Board action was required.

**19. Storm Water Quality Update**

Ms. Stearns stated that the official draft Middle Rio Grande Watershed MS4 Permit had been issued on April 18, and published in the Federal Register on May 1. The 60 day public comment period is May 1 through July 1, 2013. Two public meetings and a public hearing were held in Albuquerque on May 14 and 15, 2013. The projected adoption timeframe is September, 2013, although this may be delayed slightly.



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She noted that the new permit carries over many obligations from the previous permit, but allows greater flexibility and encourages cooperative programs among the co-permittees by extending some timelines if cooperative programs are in place. She noted that two cooperative programs were currently in place: the Storm Water Team, which is involved in public education and outreach, and the storm water monitoring program with the City of Albuquerque, utilizing the U.S.G.S. to do water quality monitoring.

Ms. Stearns used an example of a generic MS4 to demonstrate how cooperative testing upstream and downstream of every "water of the U.S." along the watershed permit boundaries results in less testing needed for the watershed as a whole, saving the cooperating agencies money as compared to the situation where every agency did its own testing at its boundaries. She noted that the new permit thus reduces the number of monitoring locations, implements requirements to pinpoint the source of pollution, and allows AMAFCA to define compliance requirements.

Chairman Eichenberg thanked Director Thomson for attending the public meeting the previous week.

No Board action was required.

**20. Update on the Ditch and Water Safety Task Force**

Mr. Lovato stated that the original Ditch and Water Safety Task Force agreement had been drafted in 1996, with revisions in 1999 to add Rio Rancho, and in 2000 to add the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA). Rio Rancho and SSSCAFCA are no longer financially contributing to the task force. The current members of the task force drafted an updated agreement to allow for better accountability and more equitable funding. The draft agreement has been reviewed by the parties and their counsel. The agreement establishes an Executive Committee, with others at the agency serving on the task force itself.

In response to a funding question from Director Lyon, Chuck Thomas, Executive Engineer of SSSCAFCA, stated that SSSCAFCA had been contributing to the task force previously, but that the task force did not have an agreement with the Rio Rancho Public Schools (RRPS), and was not making presentations in Rio Rancho. SSSCAFCA started their own arroyo safety education program and have begun making presentations in RRPS schools directly for at least the past two years.

Mr. Lovato affirmed that Sandoval County is still a funding partner in the task force, as are the Middle Rio Grande Conservancy District (MRGCD), City of Albuquerque, Bernalillo County, and Albuquerque Public Schools (APS). He stated that presentations are made throughout the jurisdiction of the MRGCD: Valencia County, Bernalillo County, and Sandoval County. Also,



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advertising on radio and television impact a greater region so there are widespread benefits throughout the region, even if a particular agency is not a funding partner.

In response to a question from Director Thomson about state involvement, perhaps through either the parks or public safety, Mr. Lovato stated that Chief James Breem, Fire Chief for the City of Albuquerque, has begun asking other fire officials within the middle Rio Grande region to participate. Mr. Lovato stated that the agreement specifically states that adding additional parties in the future would expand the task force's jurisdictional area beyond its original area.

No Board action was required.

Chairman Eichenberg called a brief recess at 12:34 p.m. The meeting resumed at 12:52 p.m.

**21. Field Highlights**

**a. Construction Report**

The memo from Mr. Wagener 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.

**22. AMAFCA Real Estate**

**a. Consideration of Approval of *Turnkey Agreement for 7-Bar Channel Improvements as Related to Broadstone Cottonwood Apartments***

Mr. Lovato introduced Kurt Browning, of Titan 528 LLC.

Ms. Mazur's memo stated that the draft turnkey agreement had been presented at the March Board meeting, and the Board had directed staff to move forward with the agreement. The agreement calls for removal of excess soil along the southern embankment of the channel, grading a swale adjacent to the southern AMAFCA maintenance road and directing it into the channel with a new concrete rundown, a Grant of Slope Easement to AMAFCA and right of entry for inspection and maintenance of the southern embankment of the channel, and Grant of Access-Turnaround Easement to AMAFCA on the northeast corner of the property next to NM 528.



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Ms. Mazur stated that AMAFCA had received the easement agreements and the document was ready to sign. She recommended Board approval of the turnkey agreement.

Director Thomson made a motion that the Board approve the Agreement and authorize the Chairman to execute the *Turnkey Agreement for 7-Bar Channel Improvements as Related to Broadstone Cottonwood Apartments* with Titan 528 LLC. Director Hernandez seconded the motion, which passed unanimously (5-0).

Mr. Browning thanked the Board.

**b. Balloon Fiesta License Agreement**

Jeff Willis, AMAFCA Real Estate Manager, stated that the Balloon Fiesta License Agreement with the City of Albuquerque was in the same format as previous years, with updated dates and signature lines. It had been reviewed by the City and by Attorney Rael.

In response to a question from Director Lyon, Mr. Lovato stated that Grandma's Pond was not mentioned in this agreement because it was the subject of a separate agreement made directly with the Albuquerque International Balloon Fiesta.

Director Hernandez made a motion that the Board authorize the Chairman to execute the 2013 Balloon Fiesta License. Director Lyon seconded the motion, which passed unanimously (5-0).

**23. AMAFCA FY 2014 Project Schedule – Review of Region 1**

Mr. Bingham's memo briefed the Board on the proposed projects in Region 1, which staff and the Technical Team would like to see listed on the FY 2014 Project Schedule. Mr. Bingham had provided the information early, and had also offered to brief the Board on any other projects in those areas that they would like to learn more about.

The memo explained the rating schedule, which takes into consideration the urgency and importance of each of the proposed projects, showed the location of each project, and explained the need for each of the projects. His memo stated that the FY 2014 Project Schedule will describe the projects in detail, in a format that can easily be used by Directors and others as project flyers, similar to the FY 2012 Project Schedule.

Mr. Bingham stated that four regions had been developed, to more evenly allocate projects within AMAFCA's jurisdiction. He stated that Region 1, the subject of the briefing, was west of the Rio Grande and north of Central Avenue.

There were no questions regarding the projects in Region 1.





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Mr. Bingham concluded by covering the schedule for the rest of the Project Schedule briefings, indicating in which region several projects were located.

He stated that the City was doing an environmental and geotechnical analysis of the Arno Pond through an on-call agreement, which was due to start the next week.

Director Hernandez stated that residents of the area have some concerns about how the area is developed, but definitely want to get rid of the Interim Post Office Pond. Mr. Lovato stated that this would be covered in Region 4, along with discussion of the Broadway Pump Station.

No Board action was required. Mr. Bingham stated that he would continue to provide all the documents early, so that they could be discussed at the Directors' convenience.

**24. Unfinished Business**

None.

**25. New Business**

None.

**26. Adjourn**

There being no further business to come before the Board, Chairman Eichenberg adjourned the meeting at 1:13 p.m.

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Bruce M. Thomson, Secretary-Treasurer, 6/27/2013

Recorded by Pamela Woodruff, Executive Administrative Assistant