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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, June 27, 2013. Roll was noted as follows:

Directors present:	Chairman Tim Eichenberg Director Danny Hernandez Director Bruce M. Thomson Director Ronald D. Brown (arrived at 10:01 a.m.) 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 mailout memos had been provided for agenda items 9a, 16, and 17a/b/c/d.

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

3. Meetings Scheduled

- a. **Thursday, July 25, 2013, 10:00 a.m. – Regular Meeting**
- b. **Thursday, August 22, 2013, 10:00 a.m. – Regular Meeting**
- c. **Thursday, September 26, 2013, 10:00 a.m. – Regular Meeting**

No changes were made to the meeting schedule as presented.

4. Items from the Floor/Public Comments

Director Brown arrived at 10:01 a.m., stating that his departure had been delayed and he was able to attend the meeting after all.



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Mr. Lovato introduced Timothy Parker, the new Acting District Three Engineer for the New Mexico Department of Transportation. Mr. Parker addressed the Board, giving a summary of his background and experience. Chairman Eichenberg welcomed him on behalf of the Board.

Mr. Lovato introduced André Geoffrion, AMAFCA's newest maintenance crew member. Mr. Geoffrion addressed the Board, giving a summary of his background and experience, and stating that he looked forward to being an asset to AMAFCA for many years. Chairman Eichenberg welcomed him to AMAFCA on behalf of the Board.

Chairman Eichenberg recognized former Director and Board Chair Geneva Meeker, who was in attendance.

5. Approval of Minutes

a. May 23, 2013 Regular Meeting

Director Lyon made a motion to approve the minutes of the May 23, 2013 Regular Board Meeting. Director Thomson seconded the motion, which passed unanimously (5-0).

6. Financial Matters

a. Approval of May 2013 Expenditures

Ms. Jeffries presented the May 2013 Expenditure Report.

In response to a question from Director Thomson, Mr. Lovato stated that AMAFCA obtained three quotes before purchasing the used wall barriers, which are used for access control.

Mr. Lovato also noted that AMAFCA and AMAFCA counsel are reviewing changes to the state's Procurement Code to develop a new procurement policy for AMAFCA. For purchases up to \$5,000, AMAFCA must seek the best price. For purchases over \$5,000, AMAFCA must advertise for bids.

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

b. Investment Report for May 2013

Ms. Jeffries presented the Investment Report for May 2013.

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



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c. Financial Recap May 16, 2013, through June 15, 2013

Ms. Jeffries presented the Financial Recap for May 16, 2013, through June 15, 2013.

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

d. Financial Forecast June 16, 2013, through July 15, 2013

Ms. Jeffries presented the Financial Forecast for the period June 16, 2013, through July 15, 2013. She noted that the recommended actions for the Operating Fund include payroll payments to the City of Albuquerque for five pay periods, as well as payment of other operating expenses. The recommended actions for the Construction Fund include payments on two construction projects, and payments on various engineering invoices.

Director Brown made a motion that the Board approve the Financial Forecast. Director Hernandez seconded the motion.

Responding to a question from Chairman Eichenberg, Ms. Jeffries stated that the interest rate on the funds in the Local Government Investment Pool was 0.1251% in May 2013.

The motion passed unanimously (5-0).

e. Acceptance of Inventories

Ms. Jeffries stated that she and Maintenance Superintendent Herman Gabaldon had performed the annual inventory inspection. She requested that the Board accept the inventories, and answered several questions from the Board. In response to a request from Director Lyon, she stated that she would research the purchase date for the older items still on the inventories, and add that information to future inventories. The dates had only recently been added to the inventories.

Director Brown made a motion that the Board accept the inventories as attached to the memo. Director Lyon seconded the motion, which passed unanimously (5-0).

f. Certification of FY-2014 Interim Budget

Ms. Jeffries stated that AMAFCA had received a letter from the state's Department of Finance and Administration (DFA) certifying AMAFCA's FY-2014 Interim Budget, with approval of the final budget pending close of books at the end of FY 2013, preparation of quarterly reports, and approval of a resolution from the Board at the July 25, 2013 Board meeting.



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g. Approval of "Exhibit A," Resolution 2006-8, *Reimbursement for AMAFCA Goods and Services*

Ms. Jeffries stated that the memo listed the amounts of income from miscellaneous AMAFCA goods and services over the past year. Real Estate Quitclaim/Encroachment/Licenses totaled \$1,982.71, Film Production reimbursements and fees totaled \$7,805.00, and Sediment Sales totaled \$12,806.00. All amounts given were through the end of May, 2013. She recommended that the fee schedule remain the same for FY 2014.

In response to questions from Directors Hernandez and Lyon, Ms. Jeffries stated that the total listed for "Quitclaim Encroachment License" included New Mexico Gross Receipts Tax, and included fees from Quitclaim/Releases, Encroachments, Licenses, and Recording.

Director Lyon requested a breakdown of the fees into Quitclaims, Licenses, Recording Fees, and so on. Ms. Jeffries stated that she would provide this information to the Board.

Director Lyon noted that Bernalillo County has proposed charging for access to its rights of way, including utility use. He suggested that AMAFCA consider doing the same.

Director Brown cautioned against spending more money than the item is worth, in order to provide a complete breakdown of a small amount such as \$1,900.

Director Brown made a motion that the Board approve "Exhibit A" of Resolution 2006-8, *Reimbursement for AMAFCA Goods and Services*. Director Hernandez seconded the motion, which passed (4-1), Director Lyon voting against the motion.

7. Personnel and Salary Committee Report

Director Hernandez, Chairman of the Personnel and Salary Committee, stated that the committee had met once and will need to meet again before submitting its recommendation to the Board.

8. Legal

a. Status Report

Attorney Marcus Rael, Jr., stated that his memo briefed the Board on the status of various legal matters. He answered several questions from the Board.



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Mr. Lovato explained that the "Power Pole Agreement" would allow PNM to donate used power poles to AMAFCA. PNM will deliver some of the poles to AMAFCA facilities, and AMAFCA will pick up the rest. The power poles will be used for access control to prevent ATVs and 4x4s from using AMAFCA facilities. They will be elevated on piles of dirt so that it will be harder to get over them. He also noted that steel fence posts had been stolen in the past, so AMAFCA was trying a different method of access control.

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.* Bernalillo County, AMAFCA, and the COE have met concerning the schedule for Phase II. For the past eight months, AMAFCA and Bernalillo County have been pursuing an amendment to the Project Cooperation Agreement (PCA) which will allow Bernalillo County to design and construct new roadway crossing structures along the Los Padillas Drain. That agreement is in Washington, D.C., being reviewed and is expected to be signed by the end of August. The COE work plan, identifying funding to be spent during the fiscal year, will not include these crossing structures. The COE will fund design and construction of Pond 187 and cleaning and deepening the Los Padillas Drain and the Isleta Drain. Funding for Phase III will pay for the design and construction of Pond 187. The inlet and outlet pipes to Pond 187 will be constructed as a separate AMAFCA project in the future. If the design work on Pond 187 is complete by August 15, the COE expects to award the construction contract in September, 2013. AMAFCA is working with the Middle Rio Grande Conservancy District to gain access to Pond 187 along one of the ditches behind Rio Grande High School. He noted that rather than Phases II and III, the remaining phases of this project will likely be called Phases IIa, IIb, and IIc.

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. The City of Albuquerque has sent a letter requesting funding assistance for the Montañó West Levee Project. The City of Albuquerque has proposed that the City, AMAFCA, and Bernalillo County fund the construction of the project and that the Middle Rio Grande Conservancy District (MRGCD) accept maintenance of the new levee. The tentative schedule for the design will include a feasibility report and is



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expected to take two years. Once that is done, the COE will submit the project to Congress for authorization (funding) to construct. It is expected that the earliest a construction contract can be advertised would be the summer of 2017, or more likely seven years from now. The feasibility report will be cost shared 50-50. The design and construction will be cost shared with the COE 65:35. Bernalillo County and AMAFCA are concerned about this schedule.

FEMA Remapping. FEMA gave a presentation concerning remapping Bernalillo County. The majority of the levees protecting the north and south valleys and the downtown will not be certified by the COE in the future. Certification will need to be done by the maintaining agency – the MRGCD or possibly the BOR will need to certify the levees in the future. This re-mapping could be six to ten years in the future.

Director Brown noted that the local sponsors would be waiting approximately seven years before federal funds would become available. He opined that perhaps the local sponsors should just build the project themselves, without federal funding.

Mr. Lovato stated that Bernalillo County had limited funds to put towards the project at this time. He was unsure when the local agencies would be able to build the project on their own, but is looking into the issue. He would be meeting with the City of Albuquerque the next week. He stated that the City of Albuquerque is concerned about the open space, and did not want a large swath of cottonwoods removed during the project. Senate Bill 601 has an exemption for vegetation, stating that it only has to be removed to the property line. Re-platting the area could save a lot of vegetation.

Responding to a question from Director Hernandez regarding the cost savings AMAFCA could realize by letting the contract itself, rather than having the state do so, Mr. Lovato stated that the ultimate cost share for the project would be 65% federal, 35% local.

Director Hernandez noted that AMAFCA routinely enjoyed lower bids on their projects, and stated that, by seeking federal funding, the local sponsors would end up paying 35 cents on the dollar at some point in the future. With its typical cost-savings, AMAFCA and the local sponsors would end up paying, perhaps, 75 cents on the dollar now, due to receiving a lower construction bid price. It might be interesting to determine how much less the project would cost if designed and constructed locally rather than with federal assistance.

Citing some figures from memory, Mr. Lovato stated that the COE proposal estimates about \$1,000,000 for the feasibility study, \$1,000,000 for the design, plus construction costs, if the project is built through the COE program. In contrast, the West Albuquerque Levee, which was locally-designed and built, cost \$500,000 to design. He noted that this was a \$1.5 million savings right there.



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Director Brown stated his support of continuing to investigate the option of designing and building this project locally rather than with a federal cost share.

In response to a question from Director Thomson, Mr. Lovato stated that the COE could not certify the levees because they were not a federal project, and the COE was not maintaining them. The MRGCD is responsible for maintenance and certification of the Albuquerque levees, and thus is responsible for certifying them. He then briefly explained the process involved in certifying a levee.

Director Lyon commented about Senate Bill 601, which is currently before the U.S. Senate. He was under the impression that funding for the Montañó West Levee was in this bill. He noted the local beneficiaries would include the City of Albuquerque (lead agency) and AMAFCA and Bernalillo County.

Southwest Valley Flood Reduction Project Phase I. As Bernalillo County and AMAFCA move forward with Phase II and Phase III of the Southwest Valley Flood Reduction Project, both local sponsors are requesting that the COE provide an auditable corrective action to address design and construction management of issues seen in Phase I.

- **US Environmental Protection Agency (EPA) – MS4 Watershed Based Permit.** Karen Stearns, AMAFCA Storm Water Quality Engineer, gave a presentation on Arid Southwest Best Management Practices to a packed house. In addition to showcasing AMAFCA on a national stage, she met with EPA officials to address AMAFCA's concerns on the new permit. The new permit would be discussed later in the meeting.
- **City of Albuquerque – Proposed Changes to the City of Albuquerque Drainage Ordinance.** The City of Albuquerque's (COA) Department of Municipal Development has drafted modifications to the current City of Albuquerque Drainage Ordinance to address storm water quality, which were submitted to the City Council for action. Additional changes were recently submitted. At the last Council meeting, the changes to the ordinance were accepted, but any action on the new drainage ordinance was tabled until August. Staff will be meeting with representatives of NAIOP to discuss their concerns with the ordinance and the new NPDES watershed based permit.

In response to a question from Director Thomson, Mr. Lovato stated that AMAFCA had not been involved in developing the modifications to the drainage ordinance. Responding to a question from Chairman Eichenberg, Mr. Lovato stated that AMAFCA would be affected by the ordinance indirectly, as during construction of projects AMAFCA would be required to get



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flow disturbance permits. It is unclear how long a project would need to be inspected after construction is complete.

Expo New Mexico and the Louisiana Storm Drain. The City of Albuquerque is working with Expo New Mexico (Expo NM) to address stormwater runoff that enters Expo from the Louisiana storm drain into the racetrack pond and then travels to the San Pedro storm drain. The racetrack pond will be modified to allow more storage and to keep the flows traveling through Expo NM. This solution does not address the capacity issues in the San Pedro storm drain and does not address the CAFO pond installed at the corner of San Pedro and Lomas on Expo NM property. AMAFCA has had discussions with the COA and Expo NM concerning regional water quality features and/or additional ponding that would address the capacity issues in the San Pedro storm drain. Creation of an additional 30 acre feet of ponding east of Louisiana would reduce flooding along San Pedro. The City is no longer proposing a storm drain down Lomas Boulevard.

Channel Road. The COA has modified Phase I of the project to include the installation of a bridge across the North Diversion Channel north of Osuna, which will tie in at a full intersection. The bridge will require one building to be taken down. This will delay Phase I about a year. The COA is planning to move Phase II construction forward, therefore work on the design of Phase II has started. Phase II is between Masthead and El Pueblo. Mr. Lovato stated that he will revoke the previous temporary construction easement and re-issue it, now that the design has changed.

In response to a question from Chairman Eichenberg about which building would be taken, Kevin Daggett, of the City of Albuquerque, stated that Melissa Lozoya is handling the Channel Road Project, and will be at the next AMAFCA Board meeting to discuss changes in the phasing. He did not know any details about the project.

Chairman Eichenberg stated he would like to hear a presentation from the City regarding this new plan, wondering if AMAFCA wanted to continue to support the project. He requested that the presentation cover all the phases of the project.

- **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.
- **Albuquerque International Balloon Fiesta (Balloon Fiesta)** – *New Bridge Crossing over North Diversion Channel.* The Balloon Fiesta would like to install a new bridge across the North Diversion Channel to connect a property owned by Balloon Fiesta to



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the Balloon Fiesta Park. The bridge will be used for emergency access and for pedestrian access to allow staff to cross the North Diversion Channel for parking. Geotechnical information has been gathered for two potential sites. AMAFCA prefers the site to the south. A license from AMAFCA will be required before construction can be approved.

Grandma's Pond. Balloon Fiesta has installed a new lock at Grandma's Pond for the Balloon Fiesta's use. AMAFCA will work with Balloon Fiesta to make sure that access into and out of the pond is safe.

- **Public Outreach** – *Bernalillo County Commission.* At their June 11, 2013 Administrative Meeting, the Bernalillo County Commission acknowledged AMAFCA's 50 years of service. He noted that June 27, 2013 had been declared AMAFCA Day.

Spectrum. On June 18, 2013, the Executive Engineer taped an interview on the public affairs program Spectrum, on KLQA. The interview dealt with general aspects of flood control and AMAFCA.

In response to a question from Director Thomson regarding the budget for the Southwest Valley Flood Reduction project Phases II and III, Mr. Lovato stated that the budget for all three phases was \$23.6 million. Kurt Wagener, AMAFCA Field Engineer, stated that, to date, approximately \$18.4 million had already been spent in Phase I of the project, leaving \$5.2 million available. Originally, \$5.7 million was supposed to be available for Phases II and III.

Responding to a followup question regarding if the COE was making any changes to their contracting procedures to avoid issues such as arose during Phase I, Mr. Lovato stated that he had met with the COE the day before. He stated that Bernalillo County and AMAFCA believe that the COE's standard specifications were weak. Bernalillo County and AMAFCA would like to re-write those specifications in order to strengthen them. He has also asked that the COE respond in writing to the concerns expressed by the Chairman in February, 2013.

He also stated that the local sponsors would seek to re-write the contract so that they are able to inspect and accept portions of the project during construction. Director Thomson stated that it was important that the COE know that the AMAFCA Board is watching and is concerned.

Mr. Wagener stated that due to time constraints, the selection of the next contractor would likely be a negotiated selection rather than a bid process. He was unsure if this would be a good thing or a bad thing for the local sponsors.



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b. Notification of On-Call Services Task Orders

Mr. Lovato stated that four 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 noted that agenda items 10, 11, 12, and 13 were on the consent agenda.

10. Authorization to Advertise for Bids for 35,000 GVW Single-Axle Dump Truck

The memo from Mr. Wagener stated that the Board had approved funding for a replacement dump truck in the FY 2014 budget. The memo requested that the Board authorize the Executive Engineer to advertise for bids for a 35,000 GVW Single-Axle Dump Truck. Staff will recommend award at the July 2013 Board meeting.

11. Authorization to Advertise for Bids for a 185 CFM Trailer Mounted Air Compressor

The memo from Mr. Wagener stated that the Board had approved funds for a replacement air compressor in the FY 2014 budget. The bid documents require that the winning bidder take the old air compressor in trade. The memo requested that the Board authorize the Executive Engineer to advertise for bids for a 185 CFM Trailer Mounted Air Compressor. Staff will recommend award at the July 2013 Board meeting.

12. Authorization to Advertise Request for Proposals for Agency and Area-Wide Flood Control Maintenance Design and Construction Management Services Contract

The memo from Mr. Wagener stated that AMAFCA, the City of Albuquerque, and the New Mexico Department of Transportation all agree to continue the Agency and Area-Wide Flood Control Maintenance Contract. The memo requested that the Board authorize the Executive Engineer to advertise a request for proposals for the Agency and Area-Wide Flood Control Maintenance Design and Construction Management Services Contract. Staff will have a Selection Advisory Committee recommendation at the July 2013 Board meeting. This schedule will ensure that there is a construction contract in place for scheduled construction work in Fall 2013 and any emergency work during the 2013-2014 storm season.



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13. United States Geologic Survey Cooperation Program – Approval of the FY-14 Program

The memo from Karen Stearns, AMAFCA Storm Water Quality Engineer, stated that AMAFCA, the City of Albuquerque, and the United States Geological Survey (USGS) have participated in the Cooperation Program for collecting surface water data since 1976. The FY-14 Cooperative Program will continue the monitoring program for the existing MS4 permit and bridge to the beginning of the new watershed based MS4 permit. The cost of AMAFCA's portion of the program will decrease this year due to the drought, as ten wet-weather samples were not taken last year. The memo requested that the Board authorize the Executive Engineer to execute the Cooperative Agreement, with the AMAFCA share not to exceed \$134,585.00.

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, 11, 12, and 13 as follows:

- Authorize the Executive Engineer to advertise for bids for a Single-Axle Dump Truck;
- Authorize the Executive Engineer to advertise for bids for a 185 CFM Trailer Mounted Air Compressor;
- Authorize advertisement of the Request for Proposals for Agency and Area-Wide Flood Control Maintenance Design and Construction Management Services Contract 2013-2014; and
- Authorize the Executive Engineer to execute the Cooperative Agreement with the USGS and the City of Albuquerque, with the AMAFCA share not to exceed \$134,585.00.

Director Brown seconded the motion, which passed unanimously (5-0).

Regular Agenda:

14. Paseo del Norte Intersection Rehabilitation Project – Consideration of the Turnkey Agreement for the Domingo Baca Water Quality Structure

Ms. Stearns stated that she had drafted the turnkey agreement for the Domingo Baca Water Quality Structure using the format preferred by the New Mexico Department of Transportation (NMDOT). It had been reviewed by the AMAFCA attorney and the attorney comments were incorporated. The agreement was currently being reviewed by the NMDOT attorney, who was



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expected to approve the incorporation of the comments. Only upon AMAFCA's approval of the design and the actual construction will AMAFCA agree to take the facility over for perpetual maintenance.

Referring to the draft document, Director Lyon made the point that AMAFCA might not want to maintain the structure in perpetuity – or forever – as it might be torn down and replaced as the state-of-the-art changes in perhaps 30 or 40 years. He opined that different language should be used in this section of the contract. He suggested that the AMAFCA attorney take another look at this paragraph. He also had some questions about taking over maintenance on the facility when the "Project" hasn't even been completed yet, as was stated in the contract.

Ms. Stearns clarified that the "Project" is defined in the agreement as the interchange project. AMAFCA will take over maintenance of the water quality facility upon completion to AMAFCA's approval and acceptance of the water quality facility, which will happen before the "Project" is completed.

Attorney Rael stated that he had added language to paragraph 3.4 stating that AMAFCA is not obligated to accept the completed water quality facility for maintenance, if it has not been constructed satisfactorily. He stated that he would take another look at the "perpetual maintenance" wording and find another way to express the intended meaning.

Director Hernandez noted that AMAFCA needs a regional water quality structure in this area, and building it before the intersection reconstruction project so that it also provides stormwater quality benefits to the construction project was a better idea than the normal SWPPP (Stormwater Pollution Prevention Plan). He noted the evolution of water quality facilities over the years, and stated that the highest quality structure possible could be planned and built now and AMAFCA can improve it later as "state-of-the-art" changes, as AMAFCA will own the facility.

Director Hernandez made a motion that the Board approve the agreement, substantially as attached to the memo, and authorize the Chairman to execute the *Cooperative Funding and Maintenance Agreement between the New Mexico Department of Transportation and the Albuquerque Metropolitan Arroyo Flood Control Authority for Domingo Baca Water Quality Facility*. Director Brown seconded the motion.

Director Brown commented that AMAFCA would retain and maintain the water quality structure as long as it was needed. Chairman Eichenberg agreed. Director Hernandez noted that AMAFCA owns the property and can modify the structure in the future as technology changes – as it has with other water quality facilities.



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Director Lyon stated that he would like counsel to review the agreement again before it is signed, as a couple of words might need to be changed.

Noting NMDOT Acting District 3 Engineer Tim Parker's presence in the audience, Chairman Eichenberg asked if he had anything to add. Mr. Parker stated that he was scheduled to have a briefing on the project later that afternoon, so did not have any comments at this time.

Chairman Eichenberg stated that the NMDOT might still have some changes to make to the agreement, so the "substantially as attached" language in the motion was appropriate in this case.

Mr. Parker noted that the "perpetual maintenance" language is most commonly used where the NMDOT puts in a traffic signal or some other feature and turns it over to the municipality, and the municipality agrees to maintain it thereafter.

The motion passed unanimously (5-0).

15. Valle de Oro Drainage Site Plan – Authorization to Advertise Request for Proposals for Design Engineering Services

Lynn Mazur, AMAFCA Development Review Engineer, introduced Jennifer Owen-White, the new Fish and Wildlife Service (FWS) Refuge Manager for the Valle de Oro Wildlife Refuge.

Ms. Mazur explained the forces which were driving the design engineering for the preliminary site plan at this time. A site layout based on a 35% design can be used in the FWS Environmental Assessment (EA), if one is required. It will also lay the foundation to be used in all subsequent planning. FWS wants to be ready with a conceptual plan by January 2014. To ensure that all drainage options remain open as the FWS finalizes the final land purchases, AMAFCA will need to take the lead to identify general drainage facilities to be located within the Valle de Oro Wildlife Refuge (VdO). The drainage design will be wholly funded by AMAFCA and will benefit AMAFCA in the future by establishing limits and boundaries in the planning documents for VdO.

She noted that the community is behind this project, with a group of people forming the "Friends of Valle de Oro" citizens group to help support the refuge.

She requested that the Board approve advertisements for proposals for design and engineering services for the preparation of a Site Plan for Valle de Oro Wildlife Refuge and Drainage Facility. She stated that she would like to present the Selection Advisory Committee's recommendation to the Board at the July meeting, and present a contract for approval at the



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August meeting. The contract cost was roughly estimated at \$100,000. This figure includes some work which will be completed after the January 2014 date.

In response to a question from Director Thomson regarding the drainage inputs, Ms. Mazur stated that the Southeast Valley Drainage Management Plan identifies the inputs to the facility. This DMP was adopted by the AMAFCA Board in April 2012. The inputs to this property are along Second Street, the Barr Drain, and the Barr Extension.

Director Brown made a motion that the Board approve the issuance of the Request for Proposals for Design Engineering Services to prepare a Site Plan for the Valle de Oro Wildlife Refuge and Drainage Facility Project. Director Hernandez seconded the motion.

Director Thomson stated that he would like to see a schedule of when funds for the contract were expected to be spent, at the July Board meeting. Mr. Lovato stated that he expected a 35% plan to be completed by January 2014, expending about half of the contract amount in that time, but that the balance of the money to be spent would be in public meetings to present that plan, held after January 2014.

The motion passed unanimously (5-0).

16. Storm Water Quality Update

Karen Stearns, P.E., AMAFCA Storm Water Quality Engineer, stated that she had attended the EPA Region 6 Stormwater Conference the previous week. She stated that it was an excellent conference with a number of good presentations. Other area agencies with representatives at the conference included the Southern Sandoval County Arroyo and Flood Control Authority (SSCAFCA), Bernalillo County, and the Cities of Albuquerque, Bernalillo, Las Cruces, and Farmington.

She stated that her presentation, *Effective End of Pipe Structural BMPs for the Arid Southwest*, showed how AMAFCA has retrofitted the flood control system with a water quality treatment "train." There has been an evolution of engineering since 2001 in which AMAFCA has increased its water quality treatment from 2% of the 100-year storm, up to 50% for non-dam BMPs. AMAFCA's network of water quality structures is effective at reducing the storm water pollutant load from the metropolitan area. Other Albuquerque-area presentations included one on E. coli in the Rio Grande, and the City of Albuquerque's Industrial and High-Risk Facility Inspection Program.

Ms. Stearns noted that EPA Region 6 gave an update on their Storm Water Program, and the Urban Waters Federal Partnership presented the seven pilot locations for which their goal is to work closely with local partners to restore urban waterways. The Partnership also announced



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that the Middle Rio Grande is one of eleven newly-selected locations for the nation's Urban Waters Federal Partnership. The Middle Rio Grande projects included in the initiative are: the Valle de Oro National Wildlife Refuge, the Bosque Restoration Project, Water Quality Improvements and Data Collection, and the Bridge Boulevard Corridor Redevelopment Plan.

She stated that she also went on a field trip to New Orleans' Ninth Ward, to view the redeveloping effort post-Katrina. Leadership in Energy and Environmental Design (LEED) and Low-Impact Development (LID) is being used, along with porous concrete where applicable. She stated the MS4 partners had also met with Nelly Smith of EPA Region 6 regarding the upcoming permit, their concerns, and their comments. The partners will submit written comments to EPA by July 1, 2013. AMAFCA currently has over 100 comments on the permit, as well as a number of valuable comments from the AMAFCA attorney.

Director Thomson asked who the local partners in the Urban Waters Federal Partnership are, and what responsibilities the partnership brings with it. Ms. Stearns stated that the Fish and Wildlife Service, Environmental Protection Agency, and Corps of Engineers have obligations under the permit, but the local agencies do not. The federal agencies are committing their resources to help the local projects happen. There are no commitments on AMAFCA other than what we have chosen to do already at the Valle de Oro. This is the federal government's effort to overcome the perception that the federal government tends to slow projects down with their bureaucracy, by getting behind local programs.

Director Hernandez noted that the federal government tends to slow things down sometimes, but AMAFCA improves its water quality facilities with each design, and this is the opportunity for another improved water quality facility. Regardless of what EPA does, AMAFCA will continue to improve the water quality of the water discharged to the Rio Grande.

Ms. Stearns stated that this was an opportunity to identify any obstacles that may exist, and request assistance to break down those obstacles.

Director Thomson agreed. He stated that it was an opportunity to get EPA to work more closely with AMAFCA. The challenge to the local agencies is to figure out, specifically, what we want EPA to do to make our lives easier.

Director Hernandez noted that, based on his attendance at an earlier event, the hard part is getting EPA officials to understand the special circumstances here. They think of the Rio Grande and they envision the Mississippi River. Right now it is so dry here that water runs off instead of soaking in. Water issues are different in Albuquerque and the arid southwest. Getting them to understand this would result in fewer suggestions that just will not work here, such as testing the water in our channels every month when most of them are normally dry.



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No Board action was required

17. AMAFCA Projects

Mr. Lovato stated that staff has been working hard to keep a number of AMAFCA projects on track. He updated the Board on four of them.

a. Boca Negra Dam Update

Mr. Lovato stated the Boca Negra Dam project has experienced some delays due to the presence of rock where dirt had been expected, the blasting required to remove the rock, and the need for fill dirt to be brought to the site to complete the embankment. The PNM substation will be coming online a week late, as it would be turned on the day after the Board meeting, instead of the previous week. There may be a ribbon-cutting for the substation, and if there is, he stated he would make certain the Board was invited.

In response to a question from Director Lyon, Mr. Lovato stated that there may be a few more blasts to connect the low points in the dam pool so that they will drain, and along Atrisco. He stated that fill material is being brought in from the Swinburne Dam. He was unsure of the status of the soil cement plant, as it may be too warm to use soil cement at this time. He stated that substantial completion was still possible by the end of the year.

Responding to a question from Director Brown, Mr. Lovato explained more about soil cement, which is mixed on-site with native soil, run through a pug mill, mixed with a small amount of cement and a little bit of water. The soil and water will both be hot. Cement warms up as it cures, and sets up too quickly if it is too warm. Conventional concrete can have ice added to the mixture to cool it down and increase workable time, but this is not possible with soil cement due to how and where it is made.

No Board action was required.

b. Black Mesa Phase 1a Project Update

Mr. Lovato gave the Board an update on the Black Mesa Phase 1a Pipe Extension Project. He stated that AMAFCA was obtaining appraisals and was holding discussions regarding obtaining the necessary right of way along the Middle Rio Grande Conservancy District's (MRGCD) Gun Club Lateral.

He stated that AMAFCA had wanted to put the pipe alongside the Gun Club Lateral, without making any changes to the ditch. The MRGCD and Bureau of Reclamation (BOR) are against this idea. Both would like to see the ditch concreted.



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He noted that staff was considering using cast-in-place concrete for the ditch instead of reinforced concrete. The ditch would be moved to the eastern half of the right of way. This will straighten the dam outlet pipe, removing the need for some manholes, and reduces the cost somewhat. The original \$6 million project, which had risen to \$8 million with some added manholes, will stay at \$8 million with this change to the design, rather than climbing to a higher cost. This maximizes the available right of way for the AMAFCA pipe and maintenance road on the western half of the right of way. Offsite flows will be intercepted and directed into the Gun Club Lateral at specific points. He asked for direction from the Board.

Responding to a question from Director Brown, Mr. Lovato stated that offsite flows are currently uncontrolled, flowing directly into the Gun Club Lateral. Controlling these flows is the price to use the right of way.

Director Thomson noted that concreting the ditch improves flows and reduces water loss. Mr. Lovato agreed, stating it would decrease maintenance costs, and make their facility much more efficient.

Director Brown noted this was similar to what was done at the Corrales Main Canal, near Coors north of Paseo del Norte. Mr. Lovato stated that this section had been shotcreted by AMAFCA, and AMAFCA and the MRGCD share maintenance. The difference is that in the Corrales Main Canal, AMAFCA is putting storm water into the MRGCD facility. In this case, the AMAFCA water would all be in a pipe, and not in the MRGCD ditch.

Mr. Lovato explained the concept further. The upstream side of the maintenance road will have a "linear pond" swale to intercept offsite flows, and deliver them to the ditch at controlled locations. The concept is sort of a mini-South Diversion Channel. The offsite flows will decrease over the years as additional development and drainage goes in.

In response to questions from Director Brown, Mr. Lovato stated that, in order to use the drain itself to drain the three dams, only one dam could be drained at a time. With the Phase 1a Pipe Extension Project, all three will be able to be drained at the same time.

He noted that in the past, offsite flows had sometimes caused the Gun Club Lateral to become silted in, which caused it to spillover. Intercepting offsite flows will prevent the ditch from silting in. If the right of way can become available to Bernalillo County and AMAFCA to put in this pipe, it will save money on other future projects in the area because they can be downsized, maximizing the use of the three dams.

Mr. Lovato noted that, currently, the three dams are gated dams, and they drain across Coors into the Isleta Drain. With new regulations coming into effect, the Office of the State Engineer



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will require the gated dams to be modified, as gated dams are assumed to normally hold water and these dams, as normally-dry dams, are not set up to be watertight. Modifications will be required so that they do not seep. Waivers might be possible. However, the downstream connection has already been built, and this project would connect with that portion.

He stated that the next cheapest alternative would be to take the pipe down the center of Coors Boulevard, at a cost of \$8 million. This would also require dealing with numerous traffic disruptions and about one hundred utility conflicts.

Responding to a comment from Director Brown, Mr. Lovato noted that the \$8 million for the option of running alongside the Gun Club Lateral, and putting the lateral into a cast-in-place pipe, includes the cost of addressing offsite flows.

Director Thomson stated that, from a technical perspective, using cast in place concrete was the best solution, as the MRGCD did not seem willing to change its position.

Mr. Lovato stated that the Bureau of Reclamation (BOR) had a fund to concrete-in irrigation ditches, but there was no money in the fund at the present time. He stated that he had suggested a credit against future projects or an IOU, but did not know if that suggestion would be accepted.

Chairman Eichenberg requested that staff bring back a cost analysis of the options to show the differences between running the pipeline down Coors and along the Gun Club Lateral with cast-in-place concrete, since both options are similar in cost.

In response to a question from Director Lyon, Mr. Lovato stated that his meeting the day before had been with MRGCD staff. Mr. Lovato stated that the MRGCD Board had agreed to support the project along the Gun Club Lateral, subject to meeting the MRGCD staff's concerns and appropriate licensing from the Bureau of Reclamation.

John Kelly of Tetra Tech, formerly of AMAFCA and now serving on the MRGCD Board, stated that the MRGCD Board had taken action to concur with joint use of the Gun Club Lateral right of way, subject to working out the engineering issues with MRGCD staff and the Bureau of Reclamation. It was documented and on the record that the MRGCD Board supported a licensing agreement for this project subject to the engineering details. He noted that the Bureau of Reclamation claims to own some of the right of way, so a two-pronged approach was necessary.

Mr. Lovato stated that a third option would be to rebuild the Gun Club Lateral as an earthen channel; putting in a straightened Phase 1a pipe, linear swale and rundowns to deal with offsite flow; and have AMAFCA maintain this section of the Gun Club Lateral, as it does the Corrales



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Main Canal. This section of the lateral would cost approximately \$20,000 a year to maintain. Construction with a rebuilt earthen channel and concrete rundowns would cost approximately \$5 million.

Chairman Eichenberg asked that this option also be brought before the Board, so that the Board could compare the three options and their costs in more detail.

Responding to a question from Director Lyon about the BOR, Mr. Lovato stated that AMAFCA will need to get a Letter of Concurrence or Technical Letter of Compliance from the BOR for areas where the right of way is not owned in fee simple, and a License where the BOR owns the right of way.

Director Hernandez noted that the easements were done in a patchwork fashion, but the area has been used as an easement over the years. Mr. Lovato responded that Jeff Willis, AMAFCA Real Estate Manager, had given the Board a presentation regarding the easement approximately a year ago.

Director Hernandez stated that if it would only cost \$20,000/year to maintain three miles of rebuilt earthen channel, at a savings of \$3 million, giving AMAFCA more control over that stretch, he was leaning towards that option. He agreed that all three options needed to be carefully compared before a decision was made.

Director Thomson stated that it sounded like the MRGCD Board was supportive, but a formal proposal had not been made, so they were unable to take definitive action. Mr. Lovato confirmed this, and stated that he could make another presentation of the three options to the MRGCD Board requesting their feedback, if the Board desired. Chairman Eichenberg suggested instead that the AMAFCA Board decide which option they preferred, and that only that option be presented to the MRGCD Board for their concurrence.

Director Lyon noted that AMAFCA would be maintaining our pipe and maintenance road on that three mile stretch, and asked how much more that would be over just maintaining the dirt ditch.

Mr. Lovato stated that the \$20,000 figure was based on the cost of maintaining a ditch, per linear foot. He did not know the exact amount needed to maintain the pipe, but stated that it was significantly less than the amount needed to maintain a dirt ditch. He added that he would get that figure to the Board.

No Board action was required. Chairman Eichenberg noted that the three options would be brought back to the Board, with cost estimates, next month.



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c. Southwest Valley Flood Reduction Project Phase II Update

Mr. Lovato gave the Board an update on the Southwest Valley Flood Reduction Project Phase II. He stated that the Corps of Engineers' (COE) workplan, published the previous day, did not include Phase II of the Southwest Valley Flood Reduction Project. As a result, the COE will have \$5.1 million for this phase of the project instead of the \$5.7 million budgeted earlier.

He noted that approximately ten drain crossings of the Las Padillas and Isleta Drains need to be upgraded, which will be done by Bernalillo County. They are currently at about 90% design on those crossings. Pond 187 behind the Rio Grande High School needs to be built, along with its outfall, now that the pipe is in place. The Corps of Engineers is willing to do this work. Access to the pond will require a license agreement with the MRGCD, as the most logical location for access is along the ditch. Bernalillo County will design the access, and AMAFCA will design the inlets and outlets of the pond.

In the future, AMAFCA will be constructing the outfalls to Pond 187. Per the terms of the Four Party Agreement, AMAFCA will maintain the water quality structures, the County will maintain the conveyance channels, and AMAFCA will build Pond 187. AMAFCA wants to make sure the pond is built correctly so that we can maintain it.

No Board action was required.

d. Southwest Valley Flood Reduction Project OMRRR

Mr. Lovato gave the Board an update on the Southwest Valley Flood Reduction Project's OMRRR, basically an operation and maintenance manual, which is a part of the Four Party Agreement. He stated that the maintenance manual transfers projects to Bernalillo County and AMAFCA for maintenance. The Middle Rio Grande Conservancy District (MRGCD) has not approved the OMRRR yet. Bernalillo County and AMAFCA are setting up a timetable to express when certain facilities will be added to the list maintained by Bernalillo County and AMAFCA. Facilities will be moved gradually, a few each year. He gave several examples.

In response to a question about the development going in at the location pictured near Coors and Rio Bravo, Roger Paul, of Bernalillo County Public Works, stated that the Las Estancias Development will be a shopping center with a skilled nursing facility going in on the southeast corner of the property.

Mr. Paul and Mr. Lovato answered a question about drainage of the property. Mr. Paul stated that the drainage drops into a pond on the property, through a water quality feature, then into the Isleta Diversion Structure. Mr. Lovato stated that water from the Walmart site drains into what they call the Walmart Channel behind the property, which empties to the Isleta Drain.



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No Board action was required.

18. AMAFCA Technical Standards Committee

a. Consideration of Extension of Terms for Four of Five Appointees

Mr. Lovato stated that the terms of the members of the AMAFCA Technical Standards Committee would be ending soon. The committee consists of four engineers and one non-engineer. It meets to hear appeals of AMAFCA decisions, and has only met twice since 1980.

He stated that the four engineers on the committee have agreed to serve again. Those willing to serve again were Aldo Vaio, Art Peterson, John Andrews, and Dr. Julie Coonrod. Teresa Cordova, the non-engineer member, thanked the Board for the opportunity, but declined to serve another term as she had moved out of state. Therefore the non-engineer member of the committee needs to be replaced.

Director Lyon made a motion that the Board approve reappointment of four of the five existing members of the Technical Standards Committee as listed above, for an additional three-year term through July 31, 2016. Director Brown seconded the motion, which passed unanimously (5-0).

b. Input on Fifth Member

Director Lyon made a motion to nominate Janet Saiers to the Technical Standards Committee, and ask the Executive Engineer to approach her regarding serving as the "non-engineer" on the AMAFCA Technical Standards Committee. Director Brown seconded the motion, then after some discussion regarding the proper procedure to use, withdrew his second, and Director Lyon withdrew his motion.

Mr. Lovato stated that he could approach Ms. Saiers to find out if she would be willing to serve on the committee.

Director Lyon made a motion that the Executive Engineer seek Janet Saiers' acceptance of the non-engineer position on the AMAFCA Technical Standards Committee. Director Brown seconded the motion, which passed (4-0). Director Hernandez abstained from the vote.

Directors Brown and Hernandez stated that they wanted to be sure that Ms. Saiers would be willing to serve before actually appointing her to the committee.



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19. AMAFCA Day – Presentation of the Bernalillo County Commission Acknowledgement to the Board of Directors

Mr. Lovato introduced Roger Paul, of Bernalillo County Public Works. Mr. Paul stated that, on June 11, 2013, the Bernalillo County Commission had declared June 27, 2013 as "AMAFCA Day" in acknowledgement of AMAFCA's 50th Anniversary. He stated that video of the event was available on the County's website. He noted that Chairman Eichenberg, Director Thomson, and Mr. Lovato had been present to accept the certificate. He then quickly introduced the Bernalillo County Public Works employees in the audience who have worked closely with AMAFCA staff on a number of projects: Brad Catanach, Nolan Bennett, and Kevin Grovert.

Chairman Eichenberg noted that Mr. Paul had done a very nice presentation to the County Commission, and he thanked Mr. Lovato and Director Thomson for also being there.

Chairman Eichenberg passed around the plaque that had been given to them at the County Commission meeting.

No Board action was required.

Chairman Eichenberg called a brief recess at 11:58 a.m. The meeting resumed at 12:16 p.m.

20. 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. He noted that, due to the rock encountered in the Boca Negra Dam, recreation opportunities may be limited to a trail and trailhead parking. Questions about the dollar amount spent on the Boca Negra Dam Project to date were answered by the Construction Report.



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21. AMAFCA Real Estate – Consideration of Quitclaim/Vacation/Replat of Easements and Dedication of Right-of-Way to AMAFCA on North Domingo Baca Window G Channel

Lynn Mazur, AMAFCA Development Review Engineer, stated that staff was requesting Board concurrence to clear up AMAFCA easements on the North Domingo Baca Channel west of Barstow Street, also known as the Window G Channel. The channel is currently in a variety of easements and fee rights-of-way. A replat will make the right-of-way whole on this section of the channel.

She noted that this was a clean-up action to clean up the AMAFCA easements and consolidate several parcels. She stated that the original easements were given to the limit of the floodplain, before construction of the channel. Construction of the channel in 1998 resulted in a Letter of Map Revision (LOMR) which reduced the floodplain. The LOMR showed that water is now limited to the channel. Using a map of the channel, lots, and easements, she noted that the property owners are paying property taxes on the entire lot, a major portion of which is easement (up to two-thirds on some lots).

Ms. Mazur stated the easement had not been quitclaimed back to the owners after the LOMR was received from FEMA. Staff proposes to contact each of the nine affected property owners about the vacation/quitclaim of AMAFCA easements on their properties. At least four owners will be asked to dedicate fee right-of-way to AMAFCA to the limit of the channel maintenance road in exchange for the easement vacation/quitclaim. If they refuse, the easement will not change on their parcel. As the easements were granted by plat, the subdivision will then be partially re-platted to vacate the AMAFCA easements and dedicate new fee rights-of-way for the channel and maintenance road. AMAFCA will not move any property walls or remove any remnant soil cement or riprap from the Window G Project.

She requested Board concurrence with the proposed action.

In response to a comment from Director Brown about this being "no man's land," Mr. Lovato stated that a few homeowners have obtained landscaping license agreements from AMAFCA to landscape their own land within the easement, but in most cases the land is bare.

Director Brown made a motion that the Board concur with plans to proceed with the platting action to vacate remnant AMAFCA easements and to quitclaim/release the easements on the North Domingo Baca Window G. Channel. Director Thomson seconded the motion.

Responding to a question from Director Hernandez, Ms. Mazur stated that existing AMAFCA-owned parcels would be consolidated into one parcel.



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In response to a question from Chairman Eichenberg, Ms. Mazur stated that she had received a number of inquiries over the years from property owners seeking this change. This action was predicated by such a request.

The motion passed unanimously (5-0).

22. AMAFCA FY 2014 Project Schedule – Review of Region 2

Brad Bingham, AMAFCA Drainage Engineer, briefed the Board on the proposed projects in Region 2 which staff and the Technical Team would like to see listed on the FY 2014 Project Schedule. Mr. Bingham had provided the information a week before the normal mailout date, 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 2, the subject of the current briefing, was in the northeast and southeast area upland of the North Diversion Channel and South Diversion Channel, north of Gibson Boulevard.

He explained that new projects planned for this region included the Hamilton Dam, Avulsion One, continued progress on Emergency Action Plans for existing AMAFCA dams, AFFIS, and numerous water quality projects. He noted that AFFIS is a flood early warning system in the Embudo Arroyo corridor planned by the Albuquerque Fire Department, which AMAFCA would like to expand.

In response to questions about the early warning system, Mr. Bingham and Kevin Troutman, AMAFCA GIS Manager, described it in greater detail. It will provide a visual and audible signal that water has been detected upstream in the channel, giving people the advanced warning needed to get out of the channel in time. The sensors will also trigger in the fire department's alarm room, letting them know that water is flowing and they might need to deploy the swiftwater rescue team for potential rescues.

Mr. Bingham stated that having such a system in place will improve Albuquerque's CRS rating, which will give residents larger discounts on their flood insurance.



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There were no questions regarding the other projects in Region 2.

Mr. Bingham concluded by covering the schedule for the rest of the Project Schedule briefings.

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.

23. Unfinished Business

None.

24. New Business

a. Bernalillo County Re-Assessments

Referring to an *Albuquerque Journal* article which had been included in their meeting folders, Director Hernandez asked about the impact on AMAFCA of the planned re-assessments of all real properties in Bernalillo County.

Chairman Eichenberg stated that such re-assessments generally result in adding to the tax roll a number of additional improvements to properties, such as garages and added rooms, which had not been added to property descriptions. Due to property tax caps, this will result in only a very small increase in total property tax revenue. However, there will be an overall increase in assessed valuations as a result.

b. Proposed Bernalillo County Fee

Director Lyon noted that Bernalillo County had proposed charging a fee for the use of their rights of way. He stated the hope that AMAFCA would be excluded from any such fees.

Mr. Lovato stated that the proposed ordinance sets the fees at 3% of revenue generated by the entity's use of Bernalillo County rights of way. As AMAFCA does not generate any revenue, there should be no fees incurred by AMAFCA. He noted that the proposed ordinance had been tabled until August, and suggested that AMAFCA and Bernalillo County could enter into an inter-governmental agreement to not charge each other these fees.

Chairman Eichenberg disagreed, stating that the provision to not charge other government agencies those fees should be in the ordinance rather than in a separate agreement.



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c. AMAFCA Website Rebuild

Mr. Lovato commented that Pamela Woodruff, AMAFCA's Executive Administrative Assistant, had been re-building AMAFCA's website over the past month.

Ms. Woodruff stated that the main focus of the upgrade had been to consolidate pages, update the look of the site, and make it more accessible to alternative web browsers such as tablets and smart phones. She noted that the original site held over 60 separate pages of information with a complicated tree structure navigation, and it was nearly impossible for those with tablets and phones to navigate. With the rebuild, most of the site's information resided on only 12 tabbed pages which responded much more quickly, and resized more gracefully. The color scheme and navigation had been updated, and new interactive features added. She stated the site rebuild was very near to completion.

25. Adjourn

There being no further business to come before the Board, Chairman Eichenberg adjourned the meeting at 1:00 p.m.

Bruce M. Thomson, Secretary-Treasurer, 7/25/2013

Recorded by Pamela Woodruff, Executive Administrative Assistant