



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
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**1. Call to Order and Roll Call**

Chairman Hernandez called the Regular Board Meeting to order at 10:04 a.m. Thursday, April 24, 2014. Roll was noted as follows:

Directors present:	Chairman Danny Hernandez Director Ronald D. Brown Director Bruce Thomson Director Daniel Lyon
Directors absent:	Director Tim Eichenberg
Attorney Present:	Attorney Vanessa Chavez, Robles, Rael and Anaya
Others present:	Jerry M. Lovato, P.E., Executive Engineer Staff Other attendees on file at AMAFCA

A quorum was present.

**2. Approval of Agenda**

Chairman Hernandez asked that Item 16. Design, Bidability, and Constructability be removed from the Consent Agenda. He stated he did not have any problems with the item, however he wanted more information.

Director Brown made a motion to approve the agenda as amended. Director Lyon seconded the motion, which passed (4-0).

**3. Meetings Scheduled**

- a. May 22, 2014, 10:00 a.m. – Regular Meeting
- b. June 26, 2014, 10:00 a.m. – Regular Meeting
- c. July 24, 2014, 10:00 a.m. – Regular Meeting

No changes were made to the meeting schedule as presented

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

None.



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**5. Approval of Minutes**

**a. March 27, 2014 Regular Meeting**

Director Thomson referred to page 10, Item 15a., **Validation/interpretation/release of USGS Data**. He asked that the minutes reflect that during the discussion with USGS staff, AMAFCA and Director Thomson asked whether the USGS report would include SONDE data for field monitoring instrumentation and it was noted that the SONDE data would not be included in the report.

Director Brown made a motion to approve the minutes as amended. Director Thomson seconded the motion, which passed (4-0).

**6. Financial Matters**

**a. Approval of March 2014 Expenditures**

Ms. Irene Jeffries presented the March 2014 Expenditure Report. There were no questions.

Director Lyon made a motion to approve the March 2014 Expenditure Report. Director Thomson seconded the motion, which passed (4-0).

**b. Bank Reconciliation Fiscal Agent Funds**

Ms. Irene Jeffries presented the Bank Reconciliation Fiscal Agent Funds. Director Thomson asked what FCMC stood for and Ms. Jeffries advised the acronym stands for Flood Control Maintenance Contract. This was an information only item.

**c. Investment Report for March 2014**

Ms. Jeffries presented the investment report for March 2014. Director Thomson asked if the bonds had been sold why they not listed on the Investment Report. Ms. Jeffries advised that they would be reflected on the Investment Report for April 2014. No Board action was required.

**d. Financial Recap March 16, 2014 through April 15, 2014**

Ms. Jeffries presented the Financial Recap for March 16, 2014 through April 15, 2014. Ms. Jeffries pointed out that the bond proceeds come in and have been invested in the LGIP.



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**e. Financial Forecast March 16, 2014 through April 15, 2014**

Ms. Jeffries presented the Financial Forecast for the period March 16, 2014 through April 15, 2014. She noted that the Operating Fund recommended actions included two pay periods. Recommended actions for the Capital Projects Fund include \$300,000.00 for engineering services on various projects. There are not any construction costs forecasted.

Director Brown made a motion that the Board approve the Financial Forecast. Director Thomson seconded the motion, which passed (4-0), on a roll call vote.

**7. Legal**

**a. Status Report**

Ms. Vanessa Chavez asked if there were any questions pertaining to the Legal Status Report for February to March 2014. No questions were asked.

**b. Closed Session - pending litigation**

Chairman Hernandez stated that discussion of pending litigation would be in closed session.

Director Brown made a motion that the meeting be closed, pursuant to the Open Meetings Act, §10-15-1 NMSA 1978, Subsection H, to preserve the confidentiality of the information to be discussed, and as further described in "*The Open Meeting Act, A Compliance Guide for New Mexico Public Officials and Citizens*," seventh edition, 2010, to discuss pending litigation. Director Hernandez seconded the motion. Director Thomson seconded the motion, which passed (4-0), on a roll call vote.

Chairman Hernandez stated that the closed session would be for purposes of discussion only, regarding pending litigation. Chairman Hernandez closed the meeting at 10:10 a.m. Mr. Lovato asked that both Mr. Brad Bingham and Ms. Karen Stearns remain for the closed session.

At 11:01 a.m., Chairman Hernandez stated he would hear a motion to come out of closed session.

Director Brown made a motion that the meeting be re-opened, Director Thomson seconded the motion. Chairman Hernandez stated that the Board had taken no action and made no decisions during the closed meeting, but had discussed pending litigation. The motion passed (4-0), on a roll call vote.



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**8. Executive Engineer's Report**

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

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

- Mr. Lovato state that he has been dealing with EPAT, extreme precipitation events and PMP for dams. AMAFCA is currently working with the Technical Committee for the Central New Mexico Climate Change Scenario Planning Project funded by the Federal Highway Administration that will be run out of Cambridge, MA. They will be working to see what the change in climate and global warming will do to the precipitation events and get a PMP event involved. This is an 18-24 month project. The Dam Safety Bureau is waiting to receive the Colorado Extreme Storm Precipitation Data Study which is a reevaluation of extreme precipitation data used for their EPAT tool. It is going on now and should be done by the end of this calendar year. The NM State Engineers office will be looking at this information. This will be discussed during the upcoming Dam Owners Coalition Meeting in May 2014.

Director Thomson asked for confirmation of the fact that Colorado is doing a peer review of the tool for the analysis and if it will be duplicated. Mr. Lovato advised that no duplication will be done, but information would be added to it. Colorado does use a few of New Mexico's scans in this analysis. AMAFCA has been talking to the City of Albuquerque and the Technical Standards Committee regarding the PMP and the difference between AHYMO and HEC-HMS. The older version of AHYMO that runs on XP is fine, but it is not being maintained. AMAFCA is working on changing from AHYMO to HEC-HMS and will be moving forward. Mr. Chuck Easterling with Easterling Consultants has been contacted to write a White Paper on this and is approximately fifty percent done.

- **Corps of Engineers (COE) – Southwest Valley Flood Reduction Project Phase I (SWVFRP):** As part of the Southwest Valley Flood Reduction Project an Operation, Maintenance, Repair, Replacement, (OMRRR) manual needs to be completed which is also identified in the four-party agreement. The four-party agreement in concert with the OMRRR, transfers projects to Bernalillo County and AMAFCA for maintenance. The Middle Rio Grande Conservancy District (MRGCD) has not approved the OMRRR to date. Bernalillo County and AMAFCA have set a timetable to document when certain facilities will be added to the list maintained by Bernalillo County and AMAFCA to help MRGCD move forward with the approval of the document. With the start of Phase II



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starting soon, both AMAFCA and Bernalillo County will start the discussions with MRGCD again.

- **City of Albuquerque – Marble Arno Pond:** The City of Albuquerque is continuing with its due diligence concerning the purchase of the property and completing a phase II investigation.

*Web EOC:* Roger Ebner, Director of the Albuquerque APD/Office of Emergency Management, is finalizing the request for proposal to be sent out soon. City staff has requested a presentation to the Board in the future to demonstrate the program.

*Emergency Action Plan Flood Exercise:* AMAFCA participated in an Emergency Action Plan Exercise in April with the City of Albuquerque.

**Kirtland Air Force Base - Gibson / Louisiana Pond:** Staff from KAFB has been in contact with Mr. Brad Bingham, AMAFCA Drainage Engineer, concerning the size of the proposed pond and the location of access for maintenance. The Board will be updated once more information is known.

**U.S. Environmental Protection Agency - Green Infrastructure Technical Assistance Program:** AMAFCA had submitted a proposal to EPA in January pertaining to technical assistance for the implementation of green infrastructure. AMAFCA has been on the leading edge with respect to developing and implementing structural best management practices (BMPs) to treat storm water runoff and this assistance program would assist AMAFCA to bring green infrastructure practices to the arid Southwest. The technical assistance program will help shape our region for a more sustainable and economically viable future. Mr. Lovato has been informed that AMAFCA has been selected to participate in the program.

Director Thomson inquired what this program is about. Mr. Lovato advised this is a grant proposal that was presented to the Board in January. This is a project being done with a private developer who is building a grocery store downtown and will be part of a rooftop project. In trying to comply with the new City Ordinance to take water and discharge it at a slower rate and deal with water quality the footprint downtown for the grocery store is big. AMAFCA has not embraced LID design for the simple reason that we are a flood control agency and want to make sure the facilities work all the time. \$60,000.00 is for AMAFCA to be established as a center of expertise for the Arid Southwest. The program will be run out of Washington, DC, EPA Headquarters. They will be using their contractors. There is no management for AMAFCA other than providing technical expertise and direction.



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Director Brown asked what LID stood for and Mr. Lovato replied that the acronym stands for Low Impact Design.

Mr. Lovato made it very clear in his letter that this is the arid Southwest and AMAFCA would not conform to their rules. He stated that there were over 100 applications and only 14 were awarded.

After some discussion Director Thomson requested that this item be on the May 2014 agenda. Mr. Lovato advised that there is a kick-off meeting tomorrow, April 25, 2014 and will have more information for the Board, next month.

**Rio Grande Water Fund Advisory Board:** AMAFCA has been working with the Rio Grande Water Fund Advisory Board to address current and potential damage to watersheds that feed the Rio Grande. AMAFCA is particularly concerned with debris flows associated with forests damaged by fire. The group hopes to have a comprehensive plan ready for public review by August 2014. Mr. Lovato mentioned that Director Thomson attended the April 11, 2014 meeting.

**Public Outreach:**

*New Mexico Society of Professional Engineers:* Ms. Lynn Mazur, AMAFCA Development Review Engineer, presented, “AMAFCA: Who We Are and What We Do” to a full house of engineers during the organization’s April luncheon.

*Valle de Oro Bridge and Habitat Restoration Celebration:* A ground blessing was held on April 23, 2014 at 9:00 a.m. in the Bosque at the Valle de Oro site. Chairman Hernandez spoke and approximately 70 individuals attended.

*Valle de Oro Site Plan Update:* The second and last public meeting to unveil the Valle de Oro site plan will be held at the Mountain View Community Center, June 4, 2014 at 5:30 p.m.

*South Valley Pride day parade:* AMAFCA is entered in the parade to be held May 4, 2014 at 9:00 a.m. on Isleta Blvd between Arenal and Blake SW.

*Durand Open Space “Soar”:* AMAFCA will be working with Bernalillo County for the second year in a row to provide parking for the Durand Open Space “Soar” event to be held on May 10, 2014 at 7:30 a.m. The AMAFCA property will be used for parking.



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*Southwest Valley Flood Reduction Program Phase II Public Meeting:* An update will be held at Rio Grande High School on April 30, 2014 at 5:30 p.m.

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

Mr. Lovato referred to his memo on the on-call task orders that had been issued since the last Board meeting. There were no questions and no Board action was required.

***Consent Agenda:***

**9. Amole-Hubbell Dam System Analysis – Consideration of Engineering Services Agreement with Bohannon Huston, Inc.**

The memo from Mr. Brad Bingham, AMAFCA Drainage Engineer, stated that the contract provides for modeling a multiple dam-pool system with up to four alternatives that will have outfalls either into Middle Rio Grande Conservancy District (MRGCD) facilities, the Rio Grande or both. An outfall using only the MRGCD facilities will likely require a huge, slow-draining dam pool(s) that will exceed the OSE-mandated 96-hour rule. An outfall to the river would require three miles of large diameter storm drain. A hybrid option may be the solution to control the 100 year event. The contract provides for a conceptual design and estimated construction cost for the selected alternative, the PMP analysis. Numerous coordination meetings with the Office of the State Engineer, MRGCD and Bernalillo County, at specific milestones of the project, are anticipated. The agreement with Bohannon Huston, Inc. has been reviewed and approved by AMAFCA legal counsel. Staff recommends the Board approve the Agreement to provide Engineering Services for the Amole-Hubbell Lake Dam System Analysis with Bohannon Huston, Inc., and authorize the Chairman to execute the contract in the amount of \$224,560.00, plus New Mexico Gross Receipts Tax.

**10. Miscellaneous AMAFCA Construction Projects 2014 – Award to the lowest responsible bidder**

The memo from Mr. Kevin Troutman, AMAFCA GIS Manager, stated that two bids were received for the Miscellaneous AMAFCA Construction Projects 2014. AECOM recommends award of the construction contract to RMCI, Inc., in the amount of \$512,559.00, plus New Mexico Gross Receipts Tax. Staff concurs with the recommendation and asks the Board accept RMCI, Inc., as the lowest responsible bidder and authorize the Chair to execute the contract for the Miscellaneous AMAFCA Construction Project 2014 in the amount of \$512,559.00, plus New Mexico Gross Receipts Tax.



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**11. Miranda Property – Authorization to Advertise for Agricultural Lease**

The memo from Mr. Jeff Willis, AMAFCA Real Estate Manager, stated that on January 4, 2010, AMAFCA purchased approximately 14.85 acres from Patrick and Ramona Miranda. The “Miranda Property” is located south of Metzgar Road, between the Los Padillas Drain and Isleta Road. The property was purchased for a part of the Southwest Valley Flood Reduction Project and construction of the flood control facility is complete. Approximately 7 acres of the property has had irrigation installed, been laser leveled and is planted with alfalfa. As a result of last year’s drought most of the alfalfa has died off. The current farmer is not interested in a lease extension. Staff is requesting permission to advertise for a new lease for agricultural uses to fulfill best management practices (BMPs) requirements from the biological assessment associated with AMAFCA’s MS4 permit.

Based on similar leases in this area, the Miranda Property is expected to lease for \$100.00 per net usable acres per year. As proposed, the lease specifies that the term of the agreement would be one year, but could be extended up to three additional years, subject to mutual consent of the parties. Since the flood control facilities have been completed, the property is not anticipated to be needed in the near future. However, the lease allows for early termination, and rent rebate, in the event the property is needed for additional flood control facilities before the lease period expires. An additional clause has been added to the lease notifying the lessee of the potential for flooding and loss of crops.

All necessary documents were provided to Attorney Rael for review and have been prepared in accordance with requirements contained in AMAFCA Resolution 2006-12, *Real Property Lease Policy*. It is estimated that the annual lease rate will be somewhere in the neighborhood of \$700.00 per year. AMAFCA staff recommends that the Board authorize the Executive Engineer to advertise the Miranda Property for lease.

**12. Mechanical Trash and Debris Removal – Consideration of Third Extension of Contract with Southwest Sewer Services, Inc.**

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, stated that Southwest Sewer Service, Inc. is currently providing satisfactory service under the Mechanical Trash and Debris Removal contract. The agreement specifies that the term of the agreement would be one year, but could be extended up to three additional years, subject to mutual consent of the parties. Southwest Sewer Service is agreeable to the extension of the contract with no increase in the current hourly unit prices. Subject to Board approval, this will be the third and final extension of the original contract approved by the Board on April 28, 2011. Staff recommends that the Board authorize the Executive Engineer to extend the Mechanical Trash and Debris Removal from Flood Control Facilities Contract with Southwest Sewer Service for a one-year term with no increase in current the hourly unit prices.





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**13. Manual Trash and Debris Removal – Consideration of Third Extension of Contract with Black Forest Tree Service**

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, stated that Black Forest Tree Service is currently providing satisfactory service under the Manual Trash and Debris Removal contract. The agreement specifies that the term of the agreement would be one year, but could be extended up to three additional years, subject to mutual consent of the parties. Black Forest Tree Service is agreeable to extension of the contract with no increase in the hourly unit prices. Subject to Board approval, this will be the third and final extension of the original contract approved by the Board on April 28, 2011. Staff recommends that the Board authorize the Executive Engineer to extend the Manual Trash and Debris Removal from Flood Control Facilities Contract with Black Forest Tree Service for a one-year term with no increase in the hourly unit prices.

**14. North Diversion Channel Outfall “Bathtub” Structure Project – Approval of the SAC Recommendation**

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, stated that seven proposals were received for the design and construction of the North Diversion Channel Outfall “Bathtub” Structure Project. All proposals were found to be responsive. The Selection Advisory Committee recommends Weston Solutions for the design and construction management services for the North Diversion Channel Outfall “Bathtub” Structure Project. Staff recommends that the Board accept the recommendation of the Selection Advisory Committee and authorize the Executive Engineer to commence negotiations with Weston Solutions for design and construction management services for the North Diversion Channel Outfall “Bathtub” Structure Project.

**15. AMAFCA Audit Services – Consideration of first extension of agreement with Atkinson & Co., LTD**

The memo from Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that Atkinson & Company, LTD was selected to perform audit services through an RFP process at the May 14, 2013 Special Board meeting. Per direction of the Board at its April 2014 meeting, a letter was sent, under the Chairman’s signature, to Atkinson & Company, LTD stating concerns which occurred during the last audit.

Staff met with Mr. Martin Mathisen and discussed how milestones for the upcoming audit would be met. As a result of the meeting, staff and Mr. Mathisen are confident that the upcoming audit will progress more efficiently.



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Mr. Lovato noted that the audit recommendations are due to the Office of the State Auditor by May 15, 2014. Staff recommends the Board approve the first extension of the agreement with Atkinson & Company, LTD for a one-year term.

There being no further items on the consent agenda, and there being no questions, Director Lyon made a motion that the Board:

- Accept the recommendation of the Selection Advisory Committee and authorize the Executive Engineer to commence negotiations with Bohannon Houston, Inc. for the Amole-Hubbell Dam System Analysis project;
- Accept RMCI, Inc. as the lowest responsible bidder and authorize the Chair to execute the contract with them for the Miscellaneous AMAFCA Construction Projects 2014 in the amount of \$512,559.00, plus New Mexico Gross Receipts Tax;
- Authorize the Executive Engineer to advertise for the Miranda Property Agricultural Lease;
- Authorize the Executive Engineer to extend the Mechanical Trash and Debris Removal from Flood Control Facilities Contract with Southwest Sewer Service for a one-year term with no increase in the hourly unit prices;
- Authorize the Executive Engineer to extend the Manual Trash and Debris Removal from Flood Control Facilities Contract with Black Forest Tree Service for a one-year term with no increase in the hourly unit prices; and
- Approve the first extension of the agreement with Atkinson & Company, LTD for a one-year term.

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

***Regular Agenda:***

**16. Design, Bidability, and Constructability Services - Request authorization to advertise for Request for Proposals**

This item was moved to the regular agenda, per the amended agenda.

Mr. Kurt Wagener, AMAFCA Field Engineer, briefed the Board on the importance of utilizing certified contactors for the Design, Bidability, and Constructability On-Call contracts. These are not engineers, but local contractors who are experts in their particular fields that help to provide more ideas on how to do things better. AMAFCA takes their opinions and the engineer does the design. He gave an example of when he was a certified contractor working an On-Call contract with AMAFCA and BHI for the La Cueva Plan Review and noted that there was 50,000 cubic yards of excess dirt that was stockpiled and he had suggested that the Pueblo be contacted to see if



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they wanted the dirt. AMAFCA contacted the Pueblo who took the dirt saving money on the project.

Director Brown stated that he believes that is one of the best things that AMAFCA does and that a contractor will be able to provide additional insight into what can be done. It may help to alleviate gaps in the work.

Director Brown made a motion that the Board authorize the Executive Engineer to advertise for Request for Proposals for the Design, Bidability, and Constructability On-Call services. Director Thomson seconded the motion, which passed (4-0).

**17. Consideration of Resolution 2014-06 – Board of Directors Election**

Mr. Jerry Lovato, AMAFCA Executive Engineer, presented the Resolution 2014-06 – Board of Directors Election. There were no questions.

Director Brown made a motion that the Board approve the adoption of Resolution 2014-06 – Board of Directors Election. Director Thomson seconded the motion, which passed (4-0), on a roll call vote.

**18. Consideration of Resolution 2014-07 – Bond Election**

Mr. Jerry Lovato, AMAFCA Executive Engineer, presented the Resolution 2014-07 – Bond Election. There were no questions.

Director Brown made a motion that the Board approve the adoption of Resolution 2014-07 – Bond Election. Director Thomson seconded the motion, which passed (4-0), on a roll call vote.

**19. Consideration of Resolution 2014-08 – Post Issuance Compliance Procedures**

Mr. Jerry Lovato, AMAFCA Executive Engineer, presented the Resolution 2014-08 – Post Issuance Compliance Procedures. Mr. Duane Brown with Modrall Law Firm advised that the reason this subject is coming up as a policy is because the IRS is continually updating their forms. The Authority has been following the rules in the past; however, the Form 8038G from the IRS has been updated and specifically asks if a written policy and procedures are in place to ensure compliance. He stated that there may be changes next year as the Security Exchange Commission (SEC) is updating information on their end.

Director Thomson asked if AMAFCA had done this in the past. Chairman Hernandez advised that, no, AMAFCA did not have a formal policy. Director Thomson also noted that the



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Resolution mentions a compliance officer, whom he assumed is Ms. Irene Jeffries and Mr. Lovato confirmed that, yes, she would be listed as such.

Director Brown made a motion that the Board approve the adoption of Resolution 2014-08 - Post Issuance Compliance Procedures. Director Thomson seconded the motion, which passed (4-0), on a roll call vote.

**20. I-40 Diversion Channel between Unser & 98<sup>th</sup> Street – Consideration of Funding agreement with I-40 South**

Along with the memo from Mr. Jerry Lovato, AMAFCA Executive Engineer, outlining the project, the business agreement was presented to the Board outlining the cost specifics and additional information on the agreement.

AMAFCA met with Mr. Tom Keleher, who represents I-40 South, LLC that owns the property directly south of I-40 and east of 98<sup>th</sup> Street. An agreement was drafted to provide for the design and construction of temporary and permanent diversions of the Mirehaven Arroyo into the West I-40 Diversion Channel and the submittal of a LOMR to remove flood plain associated with the Mirehaven Arroyo. Today it is an earthen channel with a lot of rock. It is on the AMAFCA project schedule to become a concrete channel.

The agreement identifies funding and outlines a schedule for payment and execution for the work. \$10K is provided upfront, \$100K in 90 days, another \$100K in seven years for upgraded maintenance, and the remainder of the funding at conclusion of the agreement. This is very similar to the funding agreement that was done for the Chamisa Storm Drain.

The temporary diversion will be immediately funded by I-40 South, LLC and will be designed and constructed by AMAFCA. I-40 South, LLC will fund additional design and construction associated with the permanent diversion of the Mirehaven Arroyo. The temporary channel between the 98<sup>th</sup> Street and La Presa Dam, currently maintained by AMAFCA, will be the subject of an AMAFCA project to install concrete channel lining and grade control structures. That work will include the additional flows from the Mirehaven Arroyo diversion.

I-40 South, LLC will provide a drainage easement or other acceptable form of security interest to AMAFCA over Tract 6 of the Avalon Subdivision, Unit 5, which will be in full force and effect until AMAFCA receives the total payment identified in the agreement.

Director Thomson inquired about the total cost for design and construction of the project. Mr. Lovato advised it is approximately \$3.1M. \$2.6M for construction and the remaining will be design work.



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Director Thomson asked how much is the total commitment from I-40 South, LLC. Mr. Lovato advised it is approximately \$230K. That does not include the money that they will need to invest in their property.

Chairman Hernandez asked if there is a possibility of more contributions in the future. Mr. Lovato advised he is talking to WAHL, (an adjacent owner). He stated that they may contribute since they need to develop their portion of the land when the channel is installed.

Chairman Hernandez inquired about the schedule. Mr. Lovato advised that there is a timeline for the agreement and he would like to get the temporary contract within 45 days. AMAFCA would need to let Mr. Curtis Cherne with the City of Albuquerque know that flows are not flowing through Mirehaven Arroyo. By the end of the year Mr. Lovato would like the design done for the installation of the permanent channel.

Director Brown made a motion that the Board authorize the Chair to execute the agreement for the Design, Construction, and Construction Engineering Services for Drainage Improvements required by the West I-40 DMP between 98<sup>th</sup> Street and La Presa, including the Diversion of the Mirehaven Arroyo with the I-40 South, LLC. Director Lyon seconded the motion, which passed (4-0).

Mr. Mike Keleher, sitting in the audience representing Mr. Tom Keleher thanked the Mr. Lovato for his help on the agreement and thanked the Board for approving the agreement.

**21. I-25/Paseo del Norte Interchange Project – Update on the New Mexico Department of Transportation Project**

Ms. Karen Steans, AMAFCA Stormwater Quality Engineer, introduced Ms. Patti Watson with Cooney Watson, Public Relations Officer for the Project. Also present was Mr. Paul Westerheid from Kiewitt, the primary contractor for the project.

Ms. Watson advised that there are 250 people from Kiewitt and 50 subcontractor employees working six days a week, day and night on the project

Mr. Paul Westerheid referred to the PowerPoint presentation which included some of the following information on the Paseo de Norte/I-25 Interchange: view of the I-25 Interchange looking north, west Paseo del Norte Bridge over Jefferson looking north, and status of the Water Quality Feature.

The phasing project schedule is as follows:

- Notice to Proceed 1 – 9/20/2013
- Notice to Proceed 2 – 10/15/2013



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- Traffic on Paseo del Norte Frontage Road Detour – Completed Feb 23 2014
- Traffic on new San Antonio on & off ramp – May 2014
- Traffic on new Eastbound Paseo del Norte lanes – July 2014
- Flyover Construction Complete – November 2014
- Substantial Completion – 12/20/2014

Chairman Hernandez asked how pedestrians and bicycles are crossing. He stated his concern, citing that two members of the board utilize the paths in the city and they know that this is a serious concern for the bicycling community. Mr. Westerheid with Kiewitt stated that currently there is no direct connectivity north of Jefferson at this time. There will be a pedestrian bridge about 20 feet south of the Paseo del Norte bridge, which is its own structure. The bicycle trail is part of a multi-use path along, but separate from, north bound frontage road from Target; then along Paseo del Norte east bound with a separate pedestrian bridge. There will also be a trail along Jefferson south bound. Ms. Karen Stearns advised that there is a PowerPoint presentation on the bicycle path and she would send the link. Chairman Hernandez advised he is concerned with the lack of crossing for bicycles and pedestrians, but did want to see the PowerPoint.

Director Thomson questioned where handrails were located on the Water Quality Feature. Ms. Patti Watson stated that handrails are located along the concrete wingwalls and retaining walls. They will not be anywhere else as the idea is not to promote walking down in the Water Quality Feature. Ms. Watson advised that a press release will be done once the project is completed as it something that should be heralded.

Ms. Patti Watson mentioned that she sends out about 5,000 texts daily to individuals who have signed up for them. The public can check out cameras that show the traffic flow through the travel center. They also have a Hotline number that the public may utilize as well.

## **22. Legislative Liaison Update**

Ms. Vanessa Alarid with Alarid Consulting was present and presented her report and introduced her new baby, Mateo, born on March 2, 2014.

Director Thomson asked if there were any projects in Bernalillo County that received funds for water infrastructure. Ms. Alarid advised that there was one in the East Mountains.

Director Thomson advised that he was appointed as Vice-Chair to the Middle Rio Grande Council of Government (MRCOG) Water Board. The MRCOG will be the point of contact for doing the Regional Water Plan. He stated that he is interested in any legislation on this plan. Chairman Hernandez reiterated that there is no funding for this study, however the MRCOG will most likely



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fund the cost and the water assembly will help, but there is no money to fund the study. Ms. Alarid advised she is on the mailing list and she will be following this.

Chairman Hernandez opined that it would be good to seek more funding to finish purchasing Valle de Oro due to AMAFCA's current work there. Ms. Alarid asked if it is similar to capital outlay about two years ago. Director Lyon asked how much money would be needed and Mr. Lovato advised that the cost is about \$6M.

Ms. Alarid advised that the Pueblo of Sandia would like to meet with AMAFCA sometime in May to discuss this further. She stated that she will arrange a meeting with Mr. Lovato and the Pueblo.

**23. Field Highlights**

**a. Construction Report**

Mr. Kurt Wagener's construction report was provided to the Board. There were no questions.

**b. Field Report**

Mr. Kurt Wagener, AMAFCA Field Engineer, gave a report of various projects and events over the past month.

Some of the highlighted facilities were the Agency and Area-Wide Corrales and Cabezon Road; Caliche Hills rock replacement; Swinburne access; Raymac Road; Snow Vista Channel – concrete repair; Calabacillas 3b & 3c Owl camera – will need to tweak the location due to the fact that a rabbit was living in the owl habitat; UNM Modeling project that has been completed; City of Albuquerque Flood Fighting Annex exercise – will incorporate Emergency Action Plan for Dams - Kurt Wagener would like to see Public Information Officers at these meetings; and Safety Training at Safety Counselling for the Newbies Safety Coordinator and Administrator Training – Self Insured plans have 118 municipalities and AMAFCA's Experience Modifier is at .83 which is one of the lowest ratings, the goal is not to be above 1.00 and AMAFCA is under that and has been for the last 19 years; AMAFCA also gets a 5% discount factor applied; members of the Audubon Society, and the Valle de Oro blessing ceremony.

Director Thomson wanted to note that there have been a number of models at the UNM Modeling facility over the last three years. All of the models were of things about to be developed. With the current modeling at UNM, Ms. Adrienne Martinez and Mr. Brad Bingham built the model as-built, which was corroborated by a hydraulic jump upstream of the railroad bridge matching the actual conditions.



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**24. Southwest Valley**

**a. Black Mesa Phase 1a Pipe Extension Project Update**

Ms. Lynn Mazur, AMAFCA Development Review Engineer, highlighted challenges for this project.

**Raymac Dam Outfall Project:** The first phase was advertised in January; however, AMAFCA decided to re-advertise at a later date due to utility conflicts. A 4-inch New Mexico Gas Company line will have to be relocated in Raymac Road, and the method of doing the work had an impact on AMAFCA's plans and schedule. If the Gas Company's contractor was going to use an open trench method, AMAFCA's contractor would have to first dewater the construction zone. The Gas Company confirmed in March that they can install the new line by a boring method so that dewatering will not be required. They are working on an agreement with AMAFCA for the work that will be completed before AMAFCA's contractor begins construction.

The other utility conflict that took time to coordinate is an AT&T fiber optic line on the east side of Coors. The line will cross the proposed 54-inch outfall pipe with less than one foot of clearance. AT&T has confirmed that the line had enough slack and that it could be raised.

There is a two-month window between the initial and secondary notices to proceed to allow lead-time for obtaining permits, manufacturing large diameter pipe, and dewatering the project area.

**Three Dam Outlet Pipe Project:** This project will extend pipe north and south of the manifold to connect Don Felipe and McCoy Dams. The pipe alignment will be the "straight-line" option in the Gun Club Lateral right-of-way and will involve reconstruction of the lateral. This alignment is the most hydraulically efficient and will save costs for additional manholes, temporary construction easements and a possible bid premium for a confined construction zone. It will most likely be bid as two separate projects; however, AMAFCA tasked Wilson & Company to prepare one plan set that will be submitted to Middle Rio Grande Conservancy District (MRGCD) and U.S. Bureau of Reclamation (BOR) for review.

The MRGCD Board has said at previous meetings that AMAFCA will take over maintenance of the Gun Club Lateral for an extended warranty period, which could be from five to twenty-five years. Staff has estimated a yearly maintenance cost of \$20,000.00.

AMAFCA will submit plans to MRGCD and BOR in May. The goal is to enter into a License Agreement with MRGCD and obtain a Letter of Concurrence from BOR to allow the project to move forward.





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Director Lyon asked if AT&T is charging AMAFCA to move any line. Ms. Mazur advised that they are not.

Director Lyon asked if the Gas Company is charging AMAFCA to move the utility line. Ms. Mazur confirmed that, yes; they want to charge \$20,000.00 for their contractor to relocate the line.

Director Thomson asked if this project would be tying into Raymac. Ms. Mazur confirmed that this would be tied into Raymac, if the additive alternate is approved.

**b. SWVFRP Phase II Update**

Mr. Brad Bingham, AMAFCA Drainage Engineer, referred to his memo that was included in the Board mailout. He advised that the upcoming meeting would update the affected neighboring property owners on the revised schedule due to the government shutdown. There were no questions.

**25. City of Albuquerque Projects Update**

**a. Discussion Avenida Cesar Chavez Grate replacement**

Mr. Kevin Daggett, City of Albuquerque, Hydrology Section Manager, provided a presentation on the Avenida Cesar Chavez Grate replacement project. In order to alleviate flooding from the current structure that is over 20 years old City staff has moved forward with geotechnical and material testing in support of the design of the grate inlet replacement over the South Diversion Channel. The information gleaned from the investigation identified that the existing concrete structure has been damaged by alkali silica reaction. This has reduced the loading capacity of the structure and will need to be addressed with the design of the grate replacement.

Given the condition of the concrete structure in the South Diversion Channel and the hydraulic constraints, City staff has moved forward with the final design of the project to remove and replace the grate structure. The design is currently at a 90% stage. Over time the grates have been getting deformed and getting circular in curvature. Some grates end up flipping up and moving. With the safety concern noted, a precast concrete deck will be put on the existing abutments. Some strength tests were done and the structure is sound. A life cycle study was done and it is more economically viable to replace the existing foundation on the deck now. The bridge will remain a four lane road – two roads in each direction. Three different options for water quality were drafted at the City of Albuquerque. The City has decided on one of the options and will be moving forward, but would like a co-sponsor. Whether they get a co-sponsor or not, the project will move forward.



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Chairman Hernandez asked what else was needed for the project. Mr. Jerry Lovato, Executive Engineer, advised that AMAFCA retains the drainage easement and since this is part of the South Diversion Channel, it needs to be presented to the Corps of Engineers. City of Albuquerque has a constraint due to the basketball and baseball seasons. Mr. Daggett introduced Ms. Kendra Chavez with Parsons Brinkerhoff. She advised they might wait until football season since there is less traffic during that time of the year.

Director Thomson raised the concern about grates being right near the bicycle path as the exhibit from the City shows. Mr. Daggett advised that the master plan for the bicycle route might be extended. Mr. Daggett thought they might do a bike friendly grate. He stated that the project is for the overall safety of the public. Accommodating bikes in the future might be on the next round. Chairman Hernandez asked that the City try to accommodate bicycles this time around. Mr. Lovato advised that the inlets might be moved uphill.

Director Lyon stated that if the City is going ahead regardless of AMAFCA's help, can the Board take the position that AMAFCA would help, but the bicycle safety problem that exists now needs to be corrected as a condition of that help.

Mr. Lovato asked the Board to consider moving forward to draft an agreement. The City had a number of regulatory issues that are no longer an issue.

Director Thomson made a motion that the Board authorize the Executive Engineer to draft an agreement with the City of Albuquerque for funding agreement of the Avenida Cesar Chavez Grate replacement project. Director Brown seconded the motion, which passed (4-0).

**b. Montano Levee Project**

Mr. Kevin Daggett, City of Albuquerque, Drainage Engineer, provided a presentation on the Montano Levee Project. From La Orilla north to the San Antonio Arroyo, on the west side of the Rio Grande, there is not a levee. The Corps of Engineering approached the City to see if there was an interest in getting a levee constructed. The Bosque School, as well as new residences and businesses have moved into the area and are at risk of flooding. Going through the process there is a need for a local sponsor and the Corp of Engineering being the federal sponsor. The Albuquerque District received funding to start work in the feasibility report, which is expected to take two years to complete. Once the feasibility is done, the District will submit the project to Congress for authorization to construct. The feasibility report will be a cost shared 50:50.

The design and construction will be cost shared with the COE 65:35. The City of Albuquerque is proposing that the COA, AMAFCA, and Bernalillo County fund the 35% share for the design and construction of the project and that the MRGCD take maintenance of the new levee. \$4M for



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construction with the COE putting in \$1.4M, the 3 way split would bring the cost of construction down to a little under \$500K.

Chairman Hernandez asked if Bernalillo County has agreed to be a co-sponsor. Mr. Daggett advised yes. Mr. Roger Paul, Bernalillo County, advised that initially they said they could be involved, however with the current funding problem over the last six months he stated that the County could not make a commitment to the project. He stated that there might be a way that Bernalillo County could have the Corps of Engineers pay for their portion and then Bernalillo County could reimburse them, at a later date.

Director Brown asked for a time line. Mr. Daggett stated a feasibility study could be done within two years and seven to ten years for construction. Director Brown asked if the community did it themselves how much would it be; \$4.5M. Mr. Daggett stated that seems to be reasonable. Mr. Lovato confirmed that it would be close to \$4M with design and construction. Mr. Lovato opined that the Corp of Engineers might not get the best deal.

After further discussion, Director Brown advised he would be supportive to the idea that AMAFCA participate. It is a good endeavor to discuss with the Corps, but if the timeline were more than three to five years, it would not make sense to go with the Corps of Engineers.

Chairman Hernandez asked if the MRGCD has been contacted. Mr. Daggett advised that their jurisdiction ends before this area.

Director Thomson advised that the State has been funding water projects. Mr. Daggett suggested going through the Homeland Security/FEMA grant process. Chairman Hernandez brought up the fact that it is a water project.

Mr. Roger Paul, Bernalillo County advised that there may be State of New Mexico funds available. Chairman Hernandez suggested that Vanessa Alarid be contacted to start looking at the New Mexico State Legislative interim committees stating that perhaps the County or City could be the Fiscal Agent. Director Lyon brought up the fact that some money at State level has already been appropriated.

**26. Real Estate**

**a. AMAFCA Maintenance Yard Expansion**

Mr. Jeff Willis, Real Estate Manager, advised that the property owner of the property adjacent to the Applebee's indicated he was open to offers on the unimproved property at the Applebee's site. Staff has obtained an appraisal, through the on-call appraisal contract, for the unimproved lands



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between the AMAFCA property and the Applebee's restaurant. The property owner indicated a willingness to proceed with negotiations to purchase the unimproved property.

Chairman Hernandez asked if the appraisal amount seemed reasonable. Mr. Willis confirmed that, yes, the appraisal amount conforms with property that has limited visibility and access.

Director Thomson asked if the property owner had seen the appraisal. Mr. Willis confirmed that the appraisal was sent to the property owner.

Director Brown advised that the Board had enough information to proceed with approval, and that it would not be necessary for a closed session on the following agenda item.

Director Thomson asked that when the time comes he would like to have drawings on what the change(s) will look like. Mr. Jerry Lovato advised that there would be two drawings; one for this land acquisition, and one for another possible land acquisition to the west of AMAFCA property.

**b. Closed session to discuss purchase of Property for AMAFCA (§10-15-1(H)(8))**

This item was canceled per the Board's request during the preceding presentation.

**c. Consideration of Resolution 2014-09 Acquisition of Real Property for Expansion of the AMAFCA Maintenance Yard**

Mr. Jeff Willis, AMAFCA Real Estate Manager, presented Resolution 2014-09 Acquisition of Real Property for Expansion of the AMAFCA Maintenance Yard. Staff recommends that the Board authorize the Executive Engineer to proceed with the acquisition of real property for the expansion of the AMAFCA maintenance yard and recommends that the Board adopt Resolution 2014-09, Acquisition of Real Property for Expansion of the AMAFCA Maintenance Yard.

Director Lyon made a motion that the Board approve the adoption of Resolution 2014-09 – Acquisition of Real Property for Expansion of the AMAFCA Maintenance Yard. Director Brown seconded the motion, which passed (4-0), on a roll call vote.

**27. AMAFCA FY-2015 Budget**

The following items were provided to the Board for their input and guidance.



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**a. Draft FY-2015 Operating Budget**

Mr. Jerry Lovato, AMAFCA Executive Engineer, presented the Draft FY-2015 Operating Budget. He noted that since the process to purchase property and improve the property is spanning two fiscal years, staff is requesting to modify the FY-2014 budget and the FY-2015 budget as follows:

- Modify the FY-2014 by Resolution at the May Board Meeting
  - The resolution would delete the Building and Yard Expense of \$362,000
  - The resolution would transfer \$254,000 into the Building and Yard Fund from the operation budget
- The FY-2015 budget modification
  - Transfer \$362,000 from the Building and Yard Fund to the Operation budget
  - Add \$362,000 to the Building and Yard expense for a total of \$412,000

Director Thomson asked why there was a decrease in salaries and payroll – \$2.4M down to \$2.3M. Mr. Lovato advised that last year there were late invoices that arrived after June 30, 2014. Mr. Lovato also clarified that there is a new position that would be under salaries, however with both these situations it would still show a decrease on the salary line item.

Director Thomson asked where the new position is listed. Mr. Lovato advised it is taken into account in the engineering numbers on page 1 of 4, but not broken out on its own line.

Director Thomson asked if the intern position is covered and Mr. Lovato advised it is on Page 3 of 4 under the Hydrology and Testing tech assistant position.

Mr. Lovato pointed out that the USGS Monitoring Program items have been revised; Ms. Karen Stearns had suggested separating the monitoring from the rain gauge data. Mr. Lovato advised they may do 1-2 SONDEs, but not water quality, stating that there may be a month or two months without coverage due to the Request for Proposal process.

Director Brown noted that the revenues would increase by 5 percent and expenditures will be increasing. Mr. Lovato advised that the carryover will be decreasing. Since 2010 he has tried to limit the carryover.

Director Thomson asked why there is a decrease on the maintenance and repair line item. Mr. Lovato advised that the two dump trucks that will be purchased will have fewer repairs anticipated because they will be under warranty. The trucks that are being replaced were purchased in 1999.



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**b. Draft FY-2015 Debt Service Fund Budget**

Mr. Jerry Lovato presented the Draft FY-2015 Debt Service Fund Budget. Mr. Lovato stated there were no changes other than updating the numbers. There were no questions.

**c. Draft FY-2015 Building and Yard Improvement Fund Budget**

Mr. Jerry Lovato presented the Draft FY-2015 Building and Yard Improvement Fund Budget. Mr. Lovato noted that this takes into consideration the transfer of \$362,000.00 leaving and coming back in. There were no questions.

**d. Draft FY-2015 Contingency Fund Budget**

Mr. Jerry Lovato presented the Draft FY-2015 Contingency Fund Budget. The only changes here were to update the draft numbers from the last exhibit.

Director Brown stated that Standard & Poor's like to see that we are prepared to cover a large expenditure under the Contingency Fund. He further stated that the Contingency Fund is a good planning vehicle.

**e. Draft FY-2015 Construction Fund Budget**

Mr. Lovato advised that nothing will be changing on this budget from the last presentation. He revised the spreadsheet. Director Brown advised that the form is a good planning vehicle. Mr. Lovato advised that this is purely a planning document which AMAFCA can use to identify where Bond money is being spent. He stated that the financial program had already been changed to comply with that requirement.

**f. Draft FY-2015 Unassigned Fund Budget**

Mr. Lovato reminded the Board that this is a new fund budget starting in FY-2015. The beginning balance will be approximately \$75,000.00. At the end of the fiscal year, money will be transferred into the Operating Budget, and the Building and Yard Improvement Fund. This fund is comprised of sediment sales, leases, etc.

Director Brown asked why the beginning balance is exactly is \$75,000.00. Ms. Irene Jeffries advised that this amount is what is in the account now. Mr. Lovato advised that in the last few months there have been two big sediment sales. One for Salls Brothers at the South Diversion Channel for the Cottages and the other was for Kiewitt from near the Balloon Fiesta for the Paseo



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del Norte/I-25 Interchange. Guzman had taken some sediment from the excess at the Swinburne Dam to help them with the SAD at no royalty charge.

**28. Unfinished Business**

None.

**29. New Business**

Director Lyon announced the he had prepared a news release stating that he would not be running for re-election on the Board due to his wife's illness and priorities changing. He stated he did not know who to distribute it to and requested permission from the Board to have AMAFCA send it out. Chairman Hernandez stated that the notice is from Director Lyon, not from the Board or AMAFCA. He stated that AMAFCA can supply him with email addresses if needed. Chairman Hernandez then stated that the notice is now on the public record as he had made the announcement during a public meeting.

**30. Adjourn**

There being no further business to come before the Board, Chairman Hernandez adjourned the meeting at 1:29 p.m.

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Bruce M. Thomson, P.E., Secretary-Treasurer, 5/22/14

Recorded by Guylene Harris, Administrative Assistant