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1. Call to Order and Roll Call

Chairman Hernandez called the Regular Board Meeting to order at 10:02 a.m. Thursday, June 26, 2014. Roll was noted as follows:

Directors present:	Chairman Danny Hernandez* Director Ronald D. Brown* Director Tim Eichenberg Director Daniel Lyon Director Bruce M. Thomson
Attorney present:	Attorney Vanessa Chavez, Robles, Rael & 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

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that Items 9a, 9b, 15a, and 15b were late mailouts and were included in the Board's folders.

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

3. Meetings Scheduled

- a. July 24, 2014, 10:00 a.m. – Regular Meeting
- b. August 28, 2014, 10:00 a.m. – Regular Meeting
- c. September 25, 2014, 10:00 a.m. – Regular Meeting



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Director Brown advised that there is a possible Banker's Conference on July 24, 2014, however no changes were made to the meeting schedule as presented

4. Board Election

a. Election of Officers

Chairman Hernandez mentioned that as many may know, he has been very vocal with Mayor Berry's position on police brutality and as a result he believes some discord has occurred between the City of Albuquerque and AMAFCA. He offered his resignation as Chairman of the AMAFCA Board and as a Board member. He stated that if the Board accepted his resignation, Director Ronald Brown would take over as Chair.

Director Lyon stated that he is a great believer in freedom of speech and freedom of the press. He opined that if one is doing something on their own time, they are exercising their freedom of speech. He stated that he would vote against accepting the Chairman's resignation because Director Hernandez was voted in as Chairman and he should stay on. He stated that any difference of opinion with Mayor Berry and the police department is nonsense. He further stated, what would be wrong would be the other side being bias since the Chairman is expressing his rights and freedom of speech. He, again, stated that the Chairman is exercising his rights under the Constitution of the United States.

Director Eichenberg stated that he agreed with a lot of what Director Lyon stated. He applauded Chairman Hernandez for stepping down knowing that he is doing so out of respect for AMAFCA. He commended him on his activism efforts and stated that the job of Chairman is almost a fulltime job.

Director Thomson commended Chairman Hernandez for his offer to step aside. He commended him for the difficult position he is in, while keeping up with the causes he cares for. Director Thomson appreciated his commitment to AMAFCA and his wanting to help AMAFCA and the Board develop a better working relationship with the City.

Director Brown also commended Chairman Hernandez for his work and concurred with the statements that were already mentioned.

Director Lyon asked for clarification. He understood that the Chairman was offering to step aside, but understood that he was also willing to keep his position on the Board. Chairman Hernandez agreed that he wanted to keep his position, however he had heard from three Directors that they agreed that he should step aside as Chairman. He cited that after hearing the comments



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from the Board that his calculation was correct and it was a good idea that he step down to help bolster the relationship with the City. He pointed out that Director Ronald Brown was the perfect choice to move to Chairman. Chairman Hernandez stated that he does lament for the reason that he does love what he does with AMAFCA. He stated that he will not stop doing what he is doing; he is just changing positions on the Board.

Director Eichenberg made a motion that Director Ronald Brown move to Chairman and Director Hernandez move to Vice Chairman, and all the officers stay the same. Director Thomson seconded the motion. The motion passed (3-1). Director Lyon voted no. Chairman Hernandez abstained.

*With the change in positions, Director Brown moved to Chairman and Director Hernandez moved to Vice Chairman. Both switched seats at the Board table.

5. Items from the Floor/Public Comments

Chairman Brown mentioned that on June 24, 2014 names for the ballot positions for District 1 and District 2 were submitted. Two individuals submitted the required signatures and declaration of candidacy packages for District 1. The names, in the order they will appear on the ballot were 1) Danny Hernandez, for re-election, and 2) Deborah Stover. Four individuals submitted the required signatures and declaration of candidacy packages for District 2. The names, in the order they will appear on the ballot were 1) Eloise Gift, who is was in the audience, 2) Cynthia Borrego, 3) Thomas Anthony Anderson; and 4) Dan Serrano. Chairman Brown advised that signatures are accepted as provided, unless there is a challenge. If there is a challenge to the appropriate number of signatures, then they will be reviewed from there. Jerry Lovato, AMAFCA Executive Engineer, advised that the names will be officially submitted to the Bureau of Elections after next month's Board meeting. Director Thomson noted that Ms. Eloise Gift was present and asked if it would be appropriate for her to address the Board and tell those present about herself. Ms. Gift introduced herself and provided a brief background. She stated that she looks forward to running a great campaign and hopes to have the opportunity to serve on the AMAFCA Board.

Mr. John Barncastle had signed up for public comment. He commended the Board for how they perform their duties and said he wished other Boards took their own duties just as serious as the AMAFCA Board. He thought it was very admirable on how the switch in officers was handled. He wanted to let Kurt Wagener know that there were two dump trucks in the arroyo right outside. He stated that he is not complaining; he rides the trails all over town, all the time and is the eyes and ears for the bike community. He stated that his major concern, while on his way to the current Board meeting, was there were two dump trucks in the arroyo. He stated that last month he reported 17 shopping carts remained in the North Diversion Channel for over a month. A large screen television was in the arroyo near UNM for about a month as well. He opined that no one is



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going to make a career in City Government by doing maintenance. He reports his findings as part of the community and is providing a form of feedback as a consumer.

There were no other public comments.

6. Approval of Minutes

a. May 22, 2014 Regular Meeting

There were no changes.

Director Lyon made a motion to approve the minutes of the May 22, 2014 Regular Board Meeting. Director Hernandez seconded the motion, which passed (5-0).

7. Financial Matters

a. Approval of May 2014 Expenditures

Ms. Jeffries presented the May 2014 Expenditure Report.

Director Lyon asked what the pages in the Expenditure Report with the heading Wells Fargo Credit Card was for. He had never noticed the report heading before now. Ms. Jeffries advised that this is the monthly report on the credit card statement and the credit card is a MasterCard credit card issued by Wells Fargo. Director Lyon inquired if there is a rebate involved with the credit card. The accounts that he has always offer free gifts, rebates and such. He opined that with the money that AMAFCA is spending it would be reasonable to get something back in return. Chairman Brown stated that he thought this was setup as a master account that delineates to sub card accounts for proper handling and expense control. Mr. Jerry Lovato agreed and advised that the account is considered a commercial account and, as such, does not qualify for rebates, but personal accounts may. Director Lyon asked that AMAFCA finds out what kind of rebates are allowed with the commercial credit card account. Ms. Jeffries advised she would look into it.

Director Thomson asked what the check for AT&T in the amount of \$6,000.00 on the bank reconciliation was for since AMAFCA no longer uses AT&T. Mr. Jerry Lovato advised that a fiber optic line was relocated at Raymac Road and this was a deposit paid.

Ms. Jeffries pointed out that the amount on the AMAFCA fund should be listed as \$81,819.26 as it was not changed from the previous month and she will get it corrected.



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Director Lyon made a motion to approve the May 2014 Expenditure Report. Director Hernandez seconded the motion, which passed (5-0).

b. Bank Reconciliation Fiscal Agent Funds

Ms. Jeffries presented the Bank Reconciliation Fiscal Agent Funds. There were no questions, and no Board action was required.

c. Investment Report for May 2014

Ms. Jeffries presented the Investment Report for April 2014. There were no questions, and no Board action was required.

d. Financial Recap May 16, 2014, through June 15, 2014

Ms. Jeffries presented the Financial Recap report and advised that this was an informational item and no Board action was required. She did point out that under the Construction Capital Fund the miscellaneous income is from a Memorandum of Understanding with the New Mexico State Land Office, in the amount of \$123,000.00.

e. Financial Forecast June 16, 2014, through July 15, 2014

Ms. Jeffries presented the Financial Forecast for the period June 16, 2014, through July 15, 2014. There were no questions.

Director Hernandez made a motion that the Board approve the Financial Forecast. Director Lyon seconded the motion. The motion passed (5-0), on a roll call vote.

f. Consideration of Finding to Delete Certain Items from Inventory

Ms. Jeffries presented the items that were to be considered for deletion from inventory. A recap of the items and the ending dollar amount removed were as follows:

Two (2) Dell Optiplex 960 MiniTowers. The hard drives on the computers will be completely erased.

One (1) Partner telephone system that includes 18 phones.



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Two (2) GE 16-channel two-way radio chargers. The two-way radio chargers were residual units used back when AMAFCA was tied to the City of Albuquerque radio service.

One (1) Monarch Centrifugal Pump with engine. The centrifugal pump was no longer functional.

One (1) JD 613 Mower. The mower was no longer functional.

The total amount removed from the capitalized fixed assets inventory is \$20,367.44.

Staff recommended that the Board approve deletion / removal from AMAFCA's Capitalized Fixed Asset Inventory and authorize the disposition of inventory items. Staff further recommended that the Board sign the official finding for submission to the State Auditor.

Director Hernandez made a motion that the Board accept the Inventories as presented. Director Lyon seconded the motion. The motion passed (5-0), on a roll call vote.

Director Hernandez mentioned that he was pleased to know that Mr. Kevin Troutman, AMAFCA GIS Manager, was using old parts from the computers that were no longer functioning in order to keep other computers working.

g. Acceptance of Inventories

Ms. Jeffries presented the office and maintenance inventories. It was noted that the deleted Partner phone system had been replaced with a ShoreTel system; however, AMAFCA had not received a final invoice.

Director Hernandez made a motion that the Board accept the Inventories as presented. Director Lyon seconded the motion. The motion passed (5-0), on a roll call vote.

h. Certification of FY-2015 Interim Budget

Ms. Jeffries presented the FY-2015 Interim Budget and advised that this was an informational item and no Board action was required.



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i. Approval of “Exhibit A,” Resolution 2006-08, Reimbursement for AMAFCA Goods and Services

Ms. Jeffries provided a recap of the Goods and Services revenue for the Unassigned Fund for FY-2014.

Quitclaim/Encroachment/License/Recording fees in the amount of \$1,230.50
Film Production reimbursements and fees in the amount of \$615.50
Sediment sales in the amount \$11,829.00

Ms. Jeffries pointed out that revenue from the sale of sediment included New Mexico Gross Receipts Tax (NMGRT). She also mentioned that two large sediment sales had previously been reported, however both contractors had requested a refund, as they no longer had need for the sediment. Staff recommended that the sediment royalty remain at \$1 per cubic yard. Staff further recommended that all other fees remain the same.

Staff recommended that the Board approve “Exhibit A” of Resolution 2006-8, Reimbursement for AMAFCA Goods and Services.

Director Hernandez made a motion that the Board accept the Exhibit A of Resolution 2006-8 as presented. Director Thomson seconded the motion. The motion passed (5-0), on a roll call vote.

j. Communication letter from Atkinson

Ms. Jeffries referred to the letter from Atkinson and Company regarding how the audit will be conducted. Director Thomson asked what word materiality means that is listed in the letter. Chairman Brown advised it is on what the material amounts of the agency lists, then evaluated on scale system and interpretation of such systems comes into play. After a discussion on when the Auditors will need to have their report finished and up to the State Auditor, it was suggested that the Auditors present their draft report to the Board in October so that the final report will be ready for the November Board meeting. The report has to be into the State Auditor’s office no later than December 1, 2014. It is the goal of the Board to not have a Special Board Meeting in November, unless necessary. Mr. Lovato advised that the schedule is aggressive and he would let the auditor know of the goal the Board has set.



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8. Legal

a. Status Report

Ms. Vanessa Chavez asked if there were any questions pertaining to the Legal Status Report. Director Lyon inquired what Item 1 listed on the Legal Status Report with OSHA for the North Diversion Channel pertained to. Ms. Chavez advised that it was a confined space citation and that AMAFCA will be working with rescue personnel who are to be on site when maintenance employees are in a horizontal confined space. If, and when, rescue personnel are called away or cannot show up, maintenance employees will stop work and will not enter and/or remain in the confined space.

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 I:** Work on the Operation, Maintenance, Repair, Replacement, and Rehabilitation (OMRRR) manual continues. Mr. Roger Paul, Bernalillo County Technical Services Director, is in the process of scheduling a meeting with Mr. Subhas Shah to discuss the Middle Rio Grande Conservancy District's (MRGCD) last issues concerning the OMRRR. 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 in order to help MRGCD move forward with the approval of the OMRRR. With the start of Phase II, both AMAFCA and Bernalillo County would like to get Phase I covered by the OMRRR as soon as possible. To address future projects that will be added to the OMRRR, Bernalillo County will be leading the effort to create a Storm Water Management Model (SWMM) of the Isleta and Los Padillas Drain. The work will be the subject of a future cost share agreement between AMAFCA and Bernalillo County.

Southwest Valley Flood Reduction Project Phase II: The Albuquerque District has verified that the project funding is available and the project is in negotiations.

- **City of Albuquerque – Marble Arno Pond:** With momentum building for “Innovate ABQ,” drainage along Broadway between Central and Lomas has re-focused efforts on the Broadway Pump Station. The City of Albuquerque is continuing with due diligence concerning the purchase of the property completing a Phase II investigation. Staff has given the City



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conceptual design concepts for the Marble Arno Pump Station that was presented to the Board last year.

Ladera Dam 15 - Ladera Golf Course: The AMAFCA crew had completed work at Ladera Golf Course. Wood mulch was placed along the earthen embankments of Dam 15 as a compliance measure to address AMAFCA's Dust Permit.

Channel Road Phase II: The City submitted to AMAFCA a 90% design for Channel Road Phase II. This will be the first project built along the North Diversion Channel. AMAFCA had requested additional maintenance ramps to be installed at the North Pino Inlet, as well as a mountable curb be installed to allow truck access to the AMAFCA maintenance road. After reviewing the plan set, AMAFCA will submit the design to the COE for approval. The COE needs to approve modifications to the North Diversion Channel (NDC) as part of the PL-99 program.

West I-40 Channel: AMAFCA had completed the diversion of the Mirehaven Arroyo into the West I-40 Diversion channel. This work was subject of a funding agreement with I-40 South, LLC. Staff has started discussions with the City concerning a funding agreement to construct the lined channel between 98th Street and La Presa. Staff has started work on the removal of Federal Emergency Management Agency (FEMA) floodplain associated with the diversion of the Mirehaven Arroyo. Staff intends to have a funding agreement for the Board's review at a future Board Meeting.

Web EOC: The Albuquerque Office of Emergency Management has started the process to purchase a WEB-EOC program. AMAFCA has been working with the Emergency Managers to allow for a locally configurable incident and event management system that will be used in an emergency, but can also be used in daily documentation of work. Staff has requested the COA present to the Board at a future Board Meeting.

- **US Environmental Protection Agency - Green Infrastructure Technical Assistance Program:** The project focus consists of taking green infrastructure features and adapting it to the arid Southwest. The work focused on a proposed 120,000 square foot mixed use (residential and retail) building in downtown Albuquerque. A design charrette was held on Monday, June 23 and Tuesday, June 24, 2014. Participants discussed objectives, costs, and feasibility of designs. The designs incorporate a stormwater collection system and rooftop urban agriculture concept to treat the maximum volume of runoff practicable. It also included options for collecting and treating fugitive water from the adjacent storm drain.



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The draft design reduces the peak volume from a 100-year storm event from 56,000 gallons to 20,000 gallons. A delta will be used to provide water for a roof top garden, approximately 700 square feet of bed space and provisions for hydroponic gardening. The design also includes treatment of street and parking lot flows before the runoff enters the storm drain system using an underground tank.

To address regional water quality issues in the downtown area, the design charrette identified a unique solution that would take flows out of a sixty-inch storm drain and treat the flows through a series of treatment units that are to be installed along the perimeter of the building. The objective of the pilot project is to illustrate secondary treatment methods in an arid Southwest urban area.

Site drainage and the regional aspect of stormwater treatment, identified concerns with public and private responsibility and how those responsibilities will be addressed today and in the future. The watershed based permit will allow regional treatment of stormwater. It is not known at this time, how the City of Albuquerque's Stormwater Quality Ordinance will address responsibility, or if it will allow for regional treatment of stormwater. The current project does identify infrastructure that will address regional water quality treatment. Results of the charrette will be finished and will be the subject of a Board presentation at a later date.

Director Thomson asked that a Technical Economical Analysis Report be compiled and included in the project. Mr. Lovato advised that was a good point and the request was raised in the design charrette. Director Thomson voiced his concern that once this project is complete, the City will find that it is esthetically pleasing and will start incorporating this type requirement in their building codes.

Director Hernandez stated that he has been saying all along that the green designs in the eastern part of the country will not work here, but opined that it is good to find a pilot project to see what we can make work.

Public Outreach:

Valle de Oro Site Plan Update: The second and last public meeting was held on June 17, 2014 to unveil the Valle de Oro site plan. The meeting was held at the Mountain View Community Center. The event was well attended with 70 to 80 residents. AMAFCA, Bernalillo County, United States Fish and Wildlife Service (USFWS), and the Friends of Valle de Oro had informational booths setup. AMAFCA staff members, Lynn Mazur, Bradley Bingham, Jeffrey Willis, and Karen Stearns did an outstanding job setting up the event and answering questions. Chairman Hernandez hosted the event and Director Thomson also attended.



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EXPO New Mexico Parade: AMAFCA will participate in the 2014 EXPO New Mexico Parade.

Administrative Assistant Position: Ms. Chastity Winebrenner has accepted the position and will start in two weeks.

The following items were not listed in the written Executive Engineer's report to the Board; however, Mr. Lovato provided a verbal recap as follows:

Mr. Lovato advised the Boca Negra Literature Review will be done and AHYMO 97 will be used to calculate flows for the 100-year 24 hour event. AMAFCA currently has a number of existing contracts/agreements and the numbers in those agreements used AHYMO 97. The City of Albuquerque has assured AMAFCA that they will help support the use of AHYMO 97 when the Letter of Map Revision (LOMR) is sent up to FEMA.

Bernalillo County will not participate in the Storm Team for FY-2015. UNM has opted out of the Monitoring program.

AMAFCA received a request from an individual to meet with AMAFCA's ADA officer to discuss issues with the COA bike trails. AMAFCA does not have an ADA officer and the individual has been referred to the City of Albuquerque. The bike trails are licensed facilities designed, constructed, and maintained by the City of Albuquerque.

Director Thomson asked about the status of the property north of the AMAFCA offices. Mr. Lovato advised the owner had been contacted and the purchase is being negotiated.

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:

Chairman Brown stated that the agenda items 10 through 12 were on the Consent Agenda and no items were moved to the Regular Agenda.



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10. Design, Bidability, and Constructability Reviews – Agreements with selected Contractors

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, stated that at the May 22, 2014 meeting, the Board accepted the Statements of Interest from eight contractors and authorized the Executive Engineer to negotiate contracts with them. The Executive Engineer had negotiated agreements with the contractors, produced the agreements, and the agreements had been reviewed and approved by legal counsel.

Staff recommended that the Board approve the Agreements of Engineering Services Design Bidability, and Constructability Reviews with Salls Brothers Construction, Inc., New Mexico Underground Contractors, Inc., TLC Plumbing and Utility, Albuquerque Sand & Gravel, LLC, AUI, Inc., H.O. Construction, Inc., Vital Consulting Group, LLC, and Kimo Constructors, Inc., and authorize the Chair and Secretary-Treasurer to execute the Agreements.

11. Approval of the Miranda Property Agricultural Lease

The memo from Jeffrey S. Willis, Real Estate Manager, stated that at the April 24, 2014 Board meeting, the Board authorized the Executive Engineer to advertise the Miranda Property for Lease. Subsequently, a Request for Bids was published in the Albuquerque Journal for four weeks.

AMAFCA was contacted by three individuals requesting more information. The bid opening was held at 2:00 p.m. on May 28, 2014. One bid was received. Mr. Marvin Abeita submitted a bid for \$100.00 per year. The bid included a cashier's check in the amount of \$1,700.00, which included their bid yearly lease amount, the \$1000.00 damage deposit, and the \$600.00 water service charge deposit. A signed Campaign Contribution Disclosure Form was also included in the bid.

The annual water service charge for the last three years has been \$415.80 (\$28 per acre x 14.85 acres). The MRGCD increased their water service charge in 2014 to \$31.00 per acre. The new water service charge due to the MRGCD was estimated at \$460.35 (\$31.00 x 14.85 acres). Under the terms of this and other AMAFCA agricultural leases, the Lessee is responsible for the water service charge.

Staff recommended that the Board approve a Lease Agreement with Marvin Abeita and authorize the Executive Engineer to execute the Lease on behalf of AMAFCA.

12. Authorization to Advertise for Bids for two 35,000 GVWR, Single-Axle Dump Trucks

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, stated that during development of the FY-2015 Budget it was determined that Units 202 and 203, single-axle dump trucks, are due to



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be replaced. Staff is requesting authorization for the Executive Engineer to advertise to purchase two new 35,000 GVWR Single-Axle Dump Trucks. A condition of the bid will be for the bidder to take Units 202 and 203 as trade-ins. The FY-2015 Operating Budget includes \$225,000 for purchase of two single-axle dump trucks. Staff will advertise for bids and recommend award at the July 2014 Board meeting.

Staff recommended that the Board authorize the Executive Engineer to advertise for bids for two Single-Axle Dump Trucks.

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

- Approve the Agreements of Engineering Services Design Bidability, and Constructability Reviews with Salls Brothers Construction, Inc., New Mexico Underground Contractors, Inc., TLC Plumbing and Utility, Albuquerque Sand & Gravel, LLC, AUI, Inc., H.O. Construction, Inc., Vital Consulting Group, LLC, and Kimo Constructors, Inc., and authorize the Chair and Secretary-Treasurer to execute the Agreements;
- Authorize the Executive Engineer to execute the Miranda Lease on behalf of AMAFCA; and
- Authorize the Executive Engineer to advertise for bids for two Single-Axle Dump Trucks.

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

Regular Agenda:

13. City of Albuquerque

a. Drainage Partnership – Discussion with Michael J. Riordon

Mr. Michael J. Riordon, City of Albuquerque Department of Municipal Development Department Director, briefed the Board on the following:

Channel Road/El Pueblo Project: This project will be phased into a Phase 1 and Phase 11. This is for both financial and logistical reasons. The first phase will be in FY-2015. It will be from Hawkins to El Pueblo. The second phase will be from Osuna to Hawkins. The City is still working on property acquisition. Instead of temporary construction to Osuna, they are working with a tenant of a property that needs to be obtained for permanent road construction. There was a brief discussion on the potential property purchase by the City for the Osuna property in FY-2017. Director Eichenberg inquired on whether El Pueblo Road will be utilized as a river crossing as



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originally intended. Mr. Riordon responded that a while river crossing is needed, this area had not been proposed to be utilized as such a crossing. Channel Road will help relieve traffic congestion on Jefferson. There is a whitepaper being done on Jefferson as this area has been over developed.

EXPO New Mexico: The City is coordinating with EPA and EXPO New Mexico to address the Administrative Order received last year. The work is expected to start in the November of this year and finish in the spring of 2015. The plan will expand the capacity of the racetrack pond and not tear up Lomas street to install the storm drain as originally expected.

Agency and Area-Wide: Mr. Riordon mentioned that the Agency and Area-Wide Amendment is being routed for signature and thanked the Board for considering it, once again.

National Pollutant Discharge Elimination System (NPDES): He thanked the Board for taking the lead on the NPDES and taking away some of the work from the USGS. He opined it would be a better partnership for all.

Marble Arno Pond: There was a brief discussion about the flooding on various streets in that area of town, as well as the area around the BioPark. Director Thomson asked how AMAFCA would get a finished project done. Mr. Riordon responded that COA is looking at the option of getting a Federal Grant. They have not been successful yet, but it is an option that is being pursued. Mr. Lovato advised that the Marble Arno Pond is currently on the 2014 Project Schedule with \$5M planned and the City has been looking at purchasing the property. Director Hernandez asked the value of the property. The COA responded that it is approximately \$1M.

Director Lyon inquired about the land at Lomas and Broadway that both the COA and AMAFCA own. He wanted to know what the plan is for this land. Mr. Riordon stated that COA and AMAFCA could go into partnership to develop the property or lease it. Director Hernandez opined that enabling legislation might not let AMAFCA do that. Mr. Riordon advised that any future plans on this area would be brought to the Board.

b. Avenida Cesar Chavez Grate replacement – Consideration of a draft funding agreement

Mr. Kevin Daggett, Storm Drainage Manager for the City of Albuquerque, was present for any questions.

Staff had recommended that the Board approve the Funding and Construction of the Avenida Cesar Chavez Inlet Design Project with the City of Albuquerque, and authorize the Chair to execute same on behalf of AMAFCA.



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Director Thomson asked what the total cost of the project would be. Mr. Daggett responded the cost is approximately \$600,000.00.

Director Lyon made a motion that the Board approve Funding and Construction of the Avenida Cesar Chavez Inlet Design Project with the City of Albuquerque. Director Hernandez seconded the motion. The motion passed (5-0).

c. Tower Road – Project Update

Mr. Jerry Lovato, AMAFCA Executive Engineer, briefed the Board on the Tower Road Storm Drain Project. This is a completion of a storm drain on the downstream side and the upstream side. There is a gap in the middle so the regional facility is not working today.

Staff asked that the Board review and comment on the draft funding agreement with the City of Albuquerque.

Director Lyon asked who would be maintaining the facility after it is built. Mr. Lovato advised that it will be a COA storm drain. The road above the storm drain will be Bernalillo County; however, BernCo is not part of the funding agreement. Director Lyon asked for clarification on a date that was a typographical error on the draft agreement. Chairman Brown asked what the correct date is. Mr. Lovato responded that the year should be listed as 2016.

d. Third amendment to “Agreement for Design, Construction, and Construction Engineering services for Agency and Area-Wide Flood Control Maintenance Contract” between AMAFCA and COA.

Mr. Kurt Wagener, AMAFCA Field Engineer, advised that the City has identified \$300,000.00 to be funded before the end of FY-2014. AMAFCA's portion will be \$300,000.00, for a total cost of \$600,000.00. Mr. Wagener stated that the City desires to follow the same course of action and respective participatory roles, as were described in the original agreement in 2008, as well as in both the First and Second Amendments. Due to this request, the Third Amendment is more open ended to allow for additional years, if funding is available. The existing Agreement designates that AMAFCA serves as fiscal agent. AMAFCA has set up and managed a separate, interest bearing checking account for all project funding for this contract. The Third Amendment to the AMAFCA/City Agreement has been through staff and legal review by both AMAFCA and the City. Staff recommended that the Board approve the agreement and authorize the Chair and Secretary-Treasurer to execute the Agreement. Mr. Wilfred Gallegos with the City of Albuquerque addressed the Board and advised that this particular contract has been instrumental in



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accomplishing maintenance for COA, New Mexico Department of Transportation (NMDOT), and AMAFCA.

Director Hernandez made a motion that the Board approve the Agreement for Design, Construction, and Construction Engineering services for Agency and Area-Wide Flood Control Maintenance Contract between AMAFCA and COA. Director Lyon seconded the motion. The motion passed (5-0).

Director Hernandez noted that this an important program and he noticed that AMAFCA has spent almost \$5M on construction. Mr. Wagener confirmed that the amount is only construction and it does not include engineering services. The project has accomplished concrete floor overlay and numerous repairs throughout the City.

Mr. Wagener used this opportunity to address the comment made earlier under Public Comments by Mr. John Barncastle. Mr. Wagener pointed out that as his monthly Field Highlights clearly reflect, as well as the focus of staff and the agreements and contract pursued, AMAFCA, the City, and NMDOT are very concerned with maintenance issues.

14. Storm Water Quality

a. Update 2014-2015 Stormwater Quality Monitoring Program

Between her memo and additional information provided in the meeting, Ms. Karen Stearns, AMAFCA Storm Water Quality Engineer, covered the following:

Since 2003, AMAFCA, COA, NMDOT, and UNM have shared in the costs of the stormwater quality monitoring program to comply with the conditions outlined in the MS4 Permit issued by the EPA (Environmental Protection Agency). AMAFCA and COA split the USGS (United States Geological Survey) Joint Funding Agreement (JFA) amount and the COA had collected funds from NMDOT and UNM in order to pay for the Water Utility and State lab costs.

Since inception, the monitoring program has been reviewed and revised annually in order to meet the requirements of the current MS4 Permit. In the discussions for FY-2015 scope, AMAFCA, COA, and the USGS agreed that USGS should continue to collect the rainfall and runoff gage data and discontinue the water quality data collection. Since USGS shares a percentage of the cost of the program, requirements unique to the USGS were increasing the cost of the water quality monitoring and diverging from the requirements of the MS4 Permit and the needs of the co-permittees. Since the USGS has the expertise to collect rainfall and runoff gage data, AMAFCA and the COA would like to have USGS continue collecting this data in FY-2015.



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USGS estimated the total cost of the FY-2015 gage data collection to be \$212,323.00 and anticipates their cost share to be \$106,162.00. USGS is in the process of getting final confirmation of the total cost and USGS match.

For FY-2015, AMAFCA and the COA intend to utilize the AMAFCA Water Quality On-Call Contracts to issue tasks to two or more consultants for the water quality monitoring. The scope of work will be issued to all of the On-Call consultants with a request for a fee proposal. The scope includes performing the storm water sample collection, lab analysis, data validation and verification, continuous monitoring of temperature and dissolved oxygen, and reporting. The scope requires the work to be performed in compliance with the Quality Assurance Project Plan (QAPP) and Field Sampling Plan (FSP) recently developed by Bohannon-Huston Inc. (BHI) and Daniel B. Stephens & Associates (DBSA). It is anticipated the program will cost the co-permittees approximately \$230,164.00, which is more than a 14% reduction from the FY-2014 program. The intent is to continue sharing the funding of the entire program between the co-permittees in accordance with the Cooperative Agreement for Participation in Stormwater Monitoring and Testing. The proposed approach for funding in FY-2015 is to have the COA fund the entire USGS contract for \$106,162.00 and AMAFCA to fund the various On-Call tasks for approximately \$124,000.00, which is within the approved FY-2015 budget. The COA is willing to fund additional mutually beneficial studies in order to maintain the match, per the Cooperative Agreement for Participation in Stormwater Monitoring and Testing. The NMDOT will continue to contribute 13%, with a \$20,000.00 cap.

UNM has expressed their plan to terminate their participation in the Cooperative Agreement for Participation in Stormwater Monitoring and Testing. AMAFCA has not yet received written notice from UNM to terminate the 2003 Cooperative Agreement. Upon receipt of their written notification of termination, AMAFCA, COA, and NMDOT intend to amend the Cooperative Agreement in order to update the cost share percentage split. AMAFCA will notify the EPA of UNM's election to terminate their participation and advise that AMAFCA will not be responsible for any noncompliance on behalf of UNM.

b. United States Geological Survey Cooperative Program – FY-2015 Program

Between her memo and further information given in the meeting, Ms. Karen Stearns, AMAFCA Storm Water Quality Engineer, provided information on this topic in her presentation that preceded this Board Agenda Item, 14a Update 2014-2015 Stormwater Quality Monitoring Program.



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A brief recap is as follows:

USGS will continue to collect the rainfall and runoff gage data and discontinue the water quality monitoring. AMAFCA intends to utilize the AMAFCA Water Quality On-Call Contracts to issue tasks to two or more consultants for the water quality monitoring.

USGS estimated the total cost of the FY-2015 gage data collection to be approximately \$212,323.00 and anticipates their cost share to be around \$106,162.00.

15. Southwest Valley

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

Mr. Lovato, AMAFCA Executive Engineer, advised that AMAFCA received the final alignment for the design from Wilson & Company. The review is ongoing and is almost complete. Once staff has reviewed, the letter to the Middle Rio Grande Conservancy District (MRGCD) Board of Directors from the AMAFCA Board of Directors will be drafted. The letter will be sent to stress the concerns of AMAFCA's Board as directed at the May meeting.

b. SWVFRP Phase II - Update

Mr. Bradley Bingham, AMAFCA Drainage Engineer, advised that the bid with the contractor for the Corps of Engineers, Pate Construction, exceeded the Corps of Engineers regulated cap for 8A project costs of \$4 million. The Corps is now negotiating the scope of work with AMAFCA and Bernalillo County staff in order to prioritize the most critical portions of the project to maximize the Corps available funding. The highest priority element of the project is the excavation of Pond 187 and construction of the haul road through APS property. Originally, \$5.2 million was issued for the project. Additional funding may be available once the 8A bid has been awarded. The Corps, AMAFCA, and Bernalillo County will determine what to construct with the remainder once it is determined how much is actually available. Chairman Brown asked where Pate Construction is from. Mr. Lovato responded that Pate Construction is from Colorado.

16. Draft Regional Water Budget – How it will affect the District - Director Thomson

Director Thomson presented his report on the draft of the Regional Water Budget. Director Thomson referred to a handout and his PowerPoint presentation. A brief recap is as follows:

What is the source of the water, how is it used, and what are the flows within the basins were presented. The Rio Grande Water Assembly did the first Water Budget plan in 1999. MRGCD



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installed meters in the late 1990s. With these meters, there is more data. All the budgets were developed with averages. You cannot spot trends; you cannot detect long term drought, etc.

The three largest tributaries in the Rio Grande are Chama, Conejos in Colorado and the Sewage Treatment plant.

Water sucking cottonwood trees, evaporation, drought, tributaries, agricultural, leakage from the river, etc., were reviewed.

The presentation was well received.

17. 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 gave a report of various projects and events over the past month.

Some of the highlighted facilities were for the Agency and Area-Wide at the San Antonio for the gabion work and it appears to be ready for the monsoon season, the South Glenwood Hills Arroyo off of Tramway at Montgomery, Flora Vista west of Coors, overlay of the floor on the North Diversion Channel near Osuna and showing the overlay drain system is working. Calabacillas Grade Control Structures 1a placing downstream wall and boulders. Calabacillas Grade Control Structures 7a near the Black Diversion and the last grouted boulder placement being made. Swinburne Dam Water Quality Structure grading with ramp coming in and ported wall. The North Diversion Channel Bathtub showing excavation for geotechnical investigation. There were not 17 shopping carts as reported last month, but a few were as the picture indicated. In the South Pino rebar is being placed, the fiber mesh was an alternative to reinforcement, but rebar reinforcement seems to work better. WAHL doing interceptor sewer work on the Powerline Channel. Watering at the Los Padillas Spillway/Miranda Property, Valle de Oro Public Meeting, EPA Design Charrette, the individuals who were present to see what order names would be placed on the ballot for the nominating petitions received, as well as wildlife and floral life.



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18. Real Estate

a. Las Ventanas Dam – Consideration of License to COA for Phase II Ventana Ranch Park

The draft License was presented to the Board at the May 22, 2014 Board Meeting. The License allows for the expansion of the park facilities with the conditions placed by the Office of the State Engineer – Dam Safety Bureau (OSE-DSB). It also provides for the maintenance of the facilities on AMAFCA property. The License had been reviewed by both AMAFCA and City of Albuquerque staff. The City is routing the License for signatures at their end and should have the License ready soon for AMAFCA Board signatures.

Staff recommended that the Board approve the License agreement with the City of Albuquerque for the Ventana Ranch Community Park.

Director Lyon inquired why there is city wording in the contract. Mr. Lovato responded that the wording in the contract is the requirement of the Office of the State Engineer and that any work in this area is modification to the Dam. Director Hernandez asked how much this is costing AMAFCA. Mr. Lovato advised that there is no cost to AMAFCA. Director Hernandez responded, for the record, that it is costing the taxpayers, either way. Director Lyon asked whose idea it was to have it be a twenty-five year lease. Mr. Willis advised it was AMAFCA's.

Director Lyon made a motion that the Board approve the License Agreement with the City for the Ventana Ranch Community Park. Director Hernandez seconded the motion. The motion passed (5-0).

b. Balloon Fiesta Park – Consideration of license to COA for Balloon Fiesta 2014

Mr. Jeffrey Willis, AMAFCA Real Estate Manager, advised that while working with the City AMAFCA received an e-mail from the City of Albuquerque withdrawing their request to delete Paragraph 11 from the 2014 Balloon Fiesta License on June 24, 2014. With the City's withdrawal of their request, the changes for this year are minor. AMAFCA added paragraph 9 reflecting AMAFCA's commitment to promoting the Balloon Fiesta and stormwater quality. Additional changes from last year's License reflect changes in dates and signatures. Landing zones remain the same during the event. The Exhibits A and B are the same as last year.

The License was reviewed by AMAFCA legal counsel and the City attorney and has been signed by the City's Chief Administrative Officer.



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The agreement requires:

- appropriate compliance with safety and other regulations;
- prior notice to AMAFCA of plans, changes to plans and commencement of work;
- proper insurance, as well as indemnification by the City;
- an expiration date of 7/1/15; and
- all City improvements will be done at the City's expense.

Staff recommended that the Board authorize the Chairman to execute the 2014 Balloon Fiesta License.

Director Lyon made a motion that the Board authorize the Chairman to execute the 2014 Balloon Fiesta License. Director Hernandez seconded the motion. The motion passed (5-0).

c. La Cueva Channel Extension / Signal Dike – Update

Mr. Jerry Lovato, AMAFCA Executive Engineer, advised the Board that at the February meeting a proposed property exchange on the La Cueva Arroyo in the southeast quadrant of Barstow Street and Alameda Boulevard was presented.

Mr. Jeffrey Willis, AMAFCA Real Estate Manager, covered the process of any surplus property exchange and/or sale. He advised the Board that should they approve the Executive Engineer to advertise they will have this item on the agenda for four months.

Director Eichenberg stated his concerns that the property will not be like property. Mr. Lovato went over what properties are involved and advised that the area would be left more naturalistic, if AMAFCA uses it for a water quality project. Director Eichenberg asked who owns the other 12 lots in the area. Mr. Willis responded that Mr. Rizvi owns three of the lots, has a sales agreement for a fourth, and is looking at three additional lots. Mr. Lovato advised the Board that staff has requested that Mr. Rizvi provide appraisals for both his lots and the AMAFCA lots.

Director Eichenberg asked what lots are currently selling for. Mr. Adil Rizvi, was present and advised that the most he has paid for a one (1) acre lot is \$350,000. The owner held onto the lot for over 40 years.

Chairman Brown suggested more information be obtained. Director Eichenberg concurred with the Chairman. Chairman Brown asked that more information be obtained and brought back to the Board at another time.



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19. AMAFCA Policies

a. Consideration of the AMAFCA Procurement Policy

Mr. Lovato referred to the policy and pointed out there was an underline strikeout version, as well for the Board's utilization. The policy had been amended to reflect changes in New Mexico legislation effective July 1, 2013. Mr. Lovato stated that although these regulations have not been formally adopted, staff has been complying with the changes since they came into effect. Staff worked closely with general counsel to incorporate the changes brought about by the legislation.

Director Lyon made a motion that the Board adopt the AMAFCA Procurement Policy. Director Hernandez seconded the motion. The motion passed (5-0).

b. Consideration of the AMAFCA Urban Flood Policy

Mr. Lovato referred to the memo on the AMAFCA Urban Flood Policy. This flood policy to be established is for two purposes. One (1) AMAFCA is working with the Emergency Action Plans and with the Emergency Managers in Bernalillo County and the City of Albuquerque to try to use the same foundation and terminology. Two (2) while working with the OSE AMAFCA has noticed a disconnect between urban flood fight and dam safety than in a rural area. AMAFCA and the Emergency Managers cannot wait for 19-22 inches of rain to start an emergency response.

Staff had recommended that the Board review and comment on the draft AMAFCA Urban Flood Policy.

Director Eichenberg asked if Director Thomson could look over the policy and give his input at the July Board Meeting. While this policy does not hinder AMAFCA, it does not protect it either. Director Thomson said he certainly can and asked if COA and Bernalillo County have a policy. Mr. Wagener advised that the City and Bernalillo Emergency Operations Plan is used and the City will have 22 annexes; the flood fight is one of those annexes. Mr. Lovato advised that COA, BernCo, and AMAFCA adopted the Hazard Specific Flood Incident Annex.

Director Lyon suggested that general counsel should look at this policy as well since there can be legal consequences. Ms. Chavez responded that Robles, Rael & Anaya would look at the policy.

c. Consideration of the AMAFCA NOI Policy

Mr. Jerry Lovato, AMAFCA Executive Engineer, briefed the Board on the draft AMAFCA Notice of Intent (NOI) Policy. The purpose of this policy is to establish a procedure for AMAFCA



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construction projects when obtaining coverage by the NPDES Construction General Permit. The 2012 Permit requires the contractor submit a NOI if they disturb more than one acre of land. When AMAFCA has a project, the contractor has to submit the first NOI, and then AMAFCA submits a NOI within 30 days after it is approved. There is a 14-day comment period that has to be addressed. There is also an indemnification clause that is important as well. The written policy will be provided upfront. AMAFCA has been following these steps; however, it has not been put in writing.

Director Eichenberg stated his concern about ramifications with putting it in writing. Mr. Lovato responded that if we have to wait for AMAFCA to get the NOI approved by EPA we are holding up the contractor. The EPA can take 30, 40, or 50 days to approve the NOI. If the contractor is waiting during this time, AMAFCA is on the hook to pay for their time lost. Director Eichenberg stated that he was concerned about holding up the contractors. Mr. Lovato responded that AMAFCA is not holding up the contractors; by the contractor not getting their NOI would be the reason for holding them up. Director Eichenberg asked if Legal had been consulted and what were their concerns. Ms. Chavez advised that they wanted to make sure that AMAFCA was protected and all questions were flushed out with the changes made. The indemnification clause was added at that time as well.

Director Lyon stated he does not believe that this policy is needed and only a short statement should suffice. Director Thomson opined that laying down the requirements and laying down the policy and saying that the contractor gets their permit makes sense.

Staff had recommended that the Board review and comment on the draft AMAFCA NOI Policy.

After some discussion, Chairman Brown suggested that this policy be brought back to the Board. It was suggested that the Board be provided with some specifics so that they can understand the whole process.

20. Unfinished Business

None.

21. New Business

a. Comprehensive Plan for the Rio Grande Water Fund – Letter of Support

Mr. Lovato asked the Board if they object to with him writing a letter on behalf of AMAFCA for the Comprehensive Plan for the Rio Grande Water Fund. Chairman Brown advised that the



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Board supports the plan and urged Mr. Lovato to the Letter of Support.

22. Adjourn

There being no further business to come before the Board, Chairman Brown adjourned the meeting at 1:14 p.m.

Bruce M. Thomson, P.E., Secretary-Treasurer, 7/24/2014

Recorded by Guylene Harris, Executive Administrative Assistant