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

Chairman Brown called the Regular Board Meeting to order at 10:00 a.m. Thursday, August 28, 2014. Roll was noted as follows:

Directors present:	Chairman Ronald D. Brown Director Tim Eichenberg Director Danny Hernandez Director Daniel F. Lyon Director Bruce M. Thomson
Directors excused:	None
Attorney present:	Attorney Marcus J. Rael, Jr., Robles, Rael & Anaya
Others present:	Jerry M. Lovato, P.E., Executive Engineer Staff Special Guest: Hector Balderas, State Auditor Other attendees on file at AMAFCA

A quorum was present.

**2. Approval of Agenda**

Director Thomson advised the Chair that he needed to leave at 12:30 p.m. and requested that Item 23 Personnel and Salary Committee Executive Engineer's Evaluation be moved up to coincide with Item 7, Personnel and Salary Committee. This change was reflected under Item 7c.

Mr. Jerry Lovato, Executive Engineer, stated that Item 12 Black Mesa Phase 1A Raymac Dam Outfall Project – Award of Construction Bid would need to be moved to the Regular Agenda. He stated that the late mail out items were not delivered due to the preparation needed for the anticipated rain event on the same day and this item was in the Board packets on the table.

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

**3. Meetings Scheduled**

- a. **September 25, 10:00 a.m. – Regular Meeting**
- b. **October 23, 2014, 10:00 a.m. – Regular Meeting**
- c. **November 20, 2014, 10:00 a.m. – Regular Meeting**



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No changes were made to the meeting schedule as presented.

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

Mr. John Barncastle had signed up for public comment. He provided the Board with a recap of his work with the City of Albuquerque's (COA) safety officers stating that he is working with COA staff on various issues pertaining to their COA bike trails. Gates have been installed and/or repaired on the Paseo de Montanos trail and he is hoping to have some closure on the gravel issue on the bike trail at North Pino. He reported his bicycle had been stolen recently and after calling the police was pleased to find out that "Leadsonline.com" was utilized and the Albuquerque Police Department was able to track down his bicycle and it was returned to him. He stated that pawnshops nation-wide utilize that site.

**5. Approval of Minutes**

**a. July 24, 2014 Regular Meeting**

Director Hernandez made a motion to approve the minutes of the July 24, 2014 Regular Board Meeting. Director Thomson seconded the motion, which passed (5-0).

**6. Financial Matters**

**a. Approval of July 2014 Expenditures**

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, presented the July 2014 Expenditures.

Director Thomson asked about the payment to AMEC for GIS Support in the amount of \$24,000.00. Ms. Jeffries responded that it was for the GIS Mapping. Mr. Kevin Troutman, GIS Manager, stated that this was for a rebuild and upgrade to the current mapping website. The upgrade needed to rescript all updates and it was a little more complicated than originally thought. Director Eichenberg asked if the expense was budgeted. Mr. Troutman responded that it had been budgeted for \$35,000.00 and came in at \$32,000.00.

Responding to a question from Director Lyon regarding the fees paid to Modrall Law Firm, Mr. Lovato provided the Board with a breakdown of the Bond Sale services and advised that the charges are consistent with the Request for Proposal (RFP) and other bond services that have been provided in the past.



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Director Eichenberg had a number of questions on the Expenditure Report, as listed below:

- External defibrillators – where were they housed. Mr. Lovato advised one is stored in the front reception area, and the other is kept in the Maintenance Superintendent's truck.
- Various unit repair charges. Mr. Lovato provided information, including the two charges for unit 211. This unit had lost an electronic control module (ecm) and needed to be towed. He stated that next month, the Board will see a charge for an auxiliary core memory (acm) which blew in the unit, which was loaded with materials at the time. Director Thomson inquired about the warranty on the unit. Mr. Kurt Wagener, Field Engineer, advised that the unit is over three years old and out of warranty.
- Warehouse charges – Ms. Guylene Harris, Executive Administrative Assistant, stated that items for the warehouse come from the City of Albuquerque's Warehouse that AMAFCA utilizes to purchase items, sometimes at a cost savings. Items such as gloves, safety classes, and toilet paper are purchased. Director Eichenberg stated that he did not have an issue with utilizing the warehouse, just how it was listed on the report since warehouse charges could be for rent.
- Credit card statement:
  - There were charges from two individuals who bought what might have been the same thing, from the same place, on two different days. Mr. Lovato advised that the charges were for different types of lubricant (oil, grease, etc.). He advised if these types of items need to be broken out on the next report, it would be done. It was also noted that two calendars were purchased and maybe they should be purchased at the same place and time or all at once since all employees probably utilize a calendar. Ms. Jeffries advised that one calendar was for a new employee and the other calendar was one that expired recently as it was not on the 12-month calendar.
  - Mandatory training charges for pizza. Mr. Lovato stated that AMAFCA is providing mandatory training to help improve staff knowledge on various issues and since this training falls during AMAFCA's lunch hour, he deemed it appropriate to pay for the employee's lunch.
  - Airline charges. He asked that future travel be locked into lower rates. He travels to Dallas monthly and pays much less, usually around \$119.00.
- Numerous invoices on one check. He asked if it causes any complication for the auditors when there is more than one invoice on a check. Ms. Jeffries advised that with the new accounting program AMAFCA is able to utilize one check. Invoices are coded with a specific code for each project. Ms. Jeffries advised that if an invoice comes in on the eight of the month, she would not necessarily be able to cut the check on the tenth; if there is not money withdrawn to cover the check. In this case, two invoices for the same project will be listed, but it will be for two different months.
- Post aerial photography and the difference between Lee B. Morgan and Eagle's Eye Photography. Mr. Lovato advised that Lee B. Morgan is doing business as Eagle's Eye.



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The post flooding aerial photography was documentation of the rain event that happened in the Southwest Valley. There are also construction projects that are documented with aerial photography that will provide before, during, and after documentation.

- Wilson & Company and Terracon working the same Calabacillas 7a project. Mr. Lovato advised that Terracon is providing geotechnical testing. Wilson & Company is providing construction management for the project.
- Flood insurance program. This is a Letter of Map Revision (LOMR) that needed to be submitted to the Federal Emergency Management Association (FEMA) for the Sanchez Farm Tributary Storm Drain and Mirehaven Arroyo.

Ms. Jeffries pointed out that after the inquiry last month, from Director Eichenberg, pertaining to the fees imposed for utilizing a credit card at the State of New Mexico Taxation and Revenue website, the New Mexico Gross Receipts Taxes are now being withdrawn directly from the bank account starting in August.

Director Thomson inquired about the Debt Service Fund withdrawal in the amount of \$8.7M. Ms. Jeffries advised the withdrawal from the Legislative Government Investment Program (LGIP) was for the principle and interest payment due on August 1, 2014 for the previous Bond sale. The payment will be reflected in the August expenditure report for Debt Service.

Director Thomson made a motion to approve the July 2014 Expenditure Report. Director Hernandez seconded the motion, which passed (5-0), on a roll count vote.

**b. Bank Reconciliation Fiscal Agent Funds**

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

**c. Investment Report for July 2014**

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

**d. Financial Position Recap July 16 2014 through August 15, 2014 & Forecast  
August 16, 2014 through September 15, 2014**

Director Thomson stated that he appreciated the change in format for the Recap and Forecast. Chairman Brown reminded everyone that the Recap and Forecast have two separate dates.

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



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**e. Certification for FY-2015 Budget**

Mr. Jeffries referred to the letter from the Department of Finance and Administration (DFA) which was included in the Board package. No Board action was needed. However, State Statute requires the minutes to reflect that the Board acknowledged the budget and are aware that the approval letter was received.

**7. Personnel and Salary Committee**

**a. Personnel and Salary Committee COLA Recommendation**

Director Hernandez advised that the Personnel and Salary Committee (PSC) had met a number of times and the PSC is recommending that a 2% increase be approved. Mr. Lovato advised that last year a 2% Cost of Living Allowance (COLA) was given to employees. Prior to then, it was six years since a COLA was given to employees. At that time, \$0.25 was given to employees making less than \$50,000. Director Thomson acknowledged that the Executive Engineer has budgeted for the COLA.

Director Lyon stated his concern with the COLA coming into play prior to the base rates being adjusted. He opined that the base rate adjustments should come before the COLA. Director Hernandez advised that the base rate adjustment is a house cleaning measure and it is separate from the COLA. Director Lyon stated that his concern is that not everyone's base salary is too low stating that if the base rates were correct then a COLA would not be needed. He wanted to be on record that he believes the order is not correct.

Director Thomson advised that the base salaries, as they stand now, are largely irrelevant. Director Hernandez advised it had been 13 years since an across the board increase in base rates had taken place. Mr. Lovato advised that merit increases are based on the base salary.

Director Hernandez made a motion that the Board approve a 2% COLA for employees, as recommended by the PSC. Director Eichenberg seconded the motion, which passed (4-0), on a roll call vote. Director Lyon abstained.

**b. Personnel and Salary Committee Recommendation on Base Rate Adjustments**

Chairman Brown advised that this is a request from the PSC for the Executive Engineer. Mr. Lovato will put together a proposal for the Personnel and Salary Committee.



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**c. Personnel and Salary Committee**

**a. Executive Engineer's Evaluation**

Chairman Brown called for a motion for a closed session as called out on the agenda. He advised that the closed session pertained to a Personnel and Salary issue. Director Thomson 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 a personnel item. Director Hernandez seconded the motion, which passed unanimously (5-0), on a roll call vote. Chairman Brown closed the meeting at 10:38 a.m.

Chairman Brown reopened the meeting at 11:32 a.m. Director Hernandez made a motion that the meeting be re-opened. Director Thomson seconded the motion, which passed unanimously (5-0), on a roll call vote.

Chairman Brown deferred to the Personnel and Salary Committee to provide an update on what could be shared from the closed session. Director Hernandez advised that the closed session pertained to Mr. Lovato's job performance evaluation, which cannot be discussed in public. He stated that the Board, as a whole, believes that Mr. Lovato has been doing a fantastic job and that the Board has agreed to raise his salary. Director Hernandez made a motion that he negotiate the salary with Mr. Lovato, as discussed in the closed session. Director Thomson seconded the motion, which passed unanimously (5-0).

**8. Legal**

**a. Status Report**

Attorney Marcus J. Rael, Jr., stated that his memo pertained to various legal matters. There were no questions from the Board.

**9. Executive Engineer's Report**

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

Mr. Lovato highlighted significant activities of the past month, which were further discussed in his memo to the Board. He covered the following:

- **Corps of Engineers (COE) – Marble Arno Pond:** AMAFCA requested an update of the proposed construction cost for the project using an AMAFCA On-Call contract. The new



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cost estimates although higher than the original estimate, still indicate that the Marble Arno Pond is a cost effective alternative to replacing the Broadway pump station.

- **US Environmental Protection Agency – MS4 Watershed Based Permit:** AMAFCA has received the biological option for the new permit. The new permit will require AMAFCA to address dissolved oxygen in the embayment area.

Director Thomson asked if EPA has released the final permit. Mr. Lovato advised that it has not been released, however, the biological report has been released.

- **Public Outreach**  
*Valle de Oro Celebration:* AMAFCA participated in a celebration of Valle de Oro held on August 8. Director Hernandez was on hand to accept a plaque recognizing AMAFCA efforts in the establishment of the Urban Wildlife Refuge.

*EXPO New Mexico Parade:* AMAFCA will participate in the 2014 EXPO New Mexico Parade to be held on September 13.

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

Mr. Lovato referred to his memo for the task orders that had been issued the prior month as described in his memo, and gave further information to the Board.

Director Eichenberg asked what Eagle Eye was doing on Task #6. Mr. Lovato responded that they take the aerials prior to construction. This is being done for every on-going project, prior to construction.

**Consent Agenda**

Chairman Brown stated agenda items 10 and 11 were on the Consent Agenda. He reminded everyone that Item 12 Black Mesa Phase 1A Raymac Dam Outfall Project – Award of Construction Bid was moved to the Regular Agenda.

**10. Legislative Liaison Services – Authorization to Advertise Request for Proposals**

The memo from Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that AMAFCA issued a Request for Proposals (RFP) for Legislative Liaison / Lobbyist services in September 2010. The contract with Alarid Consulting, Inc. expires December 31, 2014. As such, it is time to consider a RFP for lobbyist services for coverage of next year's session, as well as for interim committee





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work throughout the year. The proposed RFP, Scope of Services, and Sample Agreement were provided in the Board mail out.

Timing of the RFP would be as follows:

- Legal notice to run in the Albuquerque Journal on August 31 and September 3, 7, and 10, 2014
- Proposals due at 2:00 p.m., Thursday, September 18, 2014
- SAC to meet on a date to be determined
- Present SAC recommendation October 17, 2014
- Award of Contract at November 20, 2014 Board Meeting

This procurement is not for specific services (surveyors, architects, engineers) and complies with procurement of professional services under \$60,000.

Staff recommended that the Board review, comment on the items listed, and that the Executive Engineer be authorized to issue the RFP for Lobbyist services.

**11. Ditch Safety Coordination Services – Authorization to Advertise Request for Proposals**

The memo from Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, stated that AMAFCA, APS, Bernalillo County, City of Albuquerque, and the MRGCD, are parties to an Intergovernmental Agreement of the Operation and Function of Ditch Safety Task Force. As part of the Agreement, AMAFCA serves as the fiscal agent for the Task Force. This agreement was first entered into in 1993. Revisions were made to the agreement to add Rio Rancho in 1996, SSSAFCA in February 2000, Sandoval County in November 2008, and in November 2013 to remove Rio Rancho and SSSAFCA. Per the Agreement, AMAFCA issued a Request for Proposals (RFP) for Ditch Safety Coordinator Services in 2010. The four-year term of the resulting contract with Griffin and Associates expires in November 2014, thus the need to go out to RFP. The proposed RFP, Scope of Services, and Sample Agreement were provided in the Board mail out.

Timing of the RFP would be as follows:

- Legal notice to run in the Albuquerque Journal on August 31 and September 3, 7, and 10, 2014
- Proposals due at 2:00 p.m., Tuesday, September 16, 2014
- SAC to meet on or about September 17, 2014
- Present top three respondents at September 25, 2014 Board Meeting
- Award of Contract at October 23, 2014 Board Meeting





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It is recommend that the Executive Committee (one member assigned from each agency) of the Task Force serve as the five-member selection advisory committee for the proposals.

Staff recommended that the Board authorize the Executive Engineer to issue the RFP for Ditch Safety Coordinator Services, and the selection advisory committee be comprised of the Executive Committee of the Ditch Safety Task Force.

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

- Authorize the Executive Engineer to advertise for Lobbyist services; and
- Authorize the Executive Engineer to advertise for Ditch Safety Coordinator Services, and the selection advisory committee be comprised of the Executive Committee of the Ditch Safety Task Force.

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

**12. Black Mesa Phase 1A Raymac Dam Outfall Project – Award of Construction Bid**

This item was moved to the regular agenda, per the amended agenda. Ms. Lynn Mazur, AMAFCA Development Review Engineer, advised that there were three companies that submitted bids.

The following summarizes each bid:

<b>Company Name</b>	<b>Base Bid</b>	<b>Adjusted Bid*</b>
Velocity Build LLC	\$1,993,340.35	\$1,993,340.35
Salls Brothers Construction, Inc.	\$1,426,352.20	\$1,355,034.59
New Mexico Underground Contractors, Inc.	\$1,007,326.00	\$ 936,813.18
Engineer's Estimate	\$1,398,860.00	

\*NM Resident or NM Resident Veteran Preference

New Mexico Underground Contractors, Inc. is the apparent low bidder at \$1,007,326.00. Wilson and Company had checked the bids for accuracy and found only minor errors that did not affect the ranking. Mr. Bill Lindell and Mr. Casey Thompson from New Mexico Underground Contractors were present at the Board meeting.

Director Hernandez questioned the gap in the Base Bid and the Engineer's Estimate. Mr. Lovato stated that New Mexico Underground has worked, and is currently working, in the south valley on many projects with Bernalillo County and they are well aware of how to handle ground water in



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the south valley and they know how to dewater. The Hobas pipe is more expensive than reinforced concrete pipe (RCP), however, the project will move faster. The difference in the cost will work out since they are accelerating the project.

Director Lyon made a motion that the Board accept New Mexico Underground Contractors, Inc. as the lowest responsible bidder and authorize the Chair to execute the contract for construction of the Black Mesa Phase 1A Raymac Dam Outfall Project in the amount of \$1,007,326.00, plus New Mexico Gross Receipts Tax. Director Hernandez seconded the motion, which passed (4-0), on a roll call vote. Director Eichenberg was not present during the vote.

**13. Briefing by George K, Baum and Company**

Mr. Lovato, Executive Engineer, introduced Mr. John Archuleta with George K. Baum and Company. Mr. Archuleta went over his presentation. Director Hernandez asked Mr. Archuleta to explain yield control. Mr. Archuleta stated that Yield Control is the way for DFA and the rate setters to make a determination to minimize the overall increase on tax levies, based upon the growth of the previous tax year. DFA makes a determination of what the rates will be.

Chairman Brown stated that the Board does have the option to keep the rates the same. He stated that he had discussed this at length with Mr. Lovato and the rates will provide the revenue needed to cover the budget.

Chairman Brown advised that on page 6 of the presentation the information shows the next couple of anticipated bond sales with a 4% coupon rate, along with a six to seven year term of the bond. The presentation was well received.

**14. Approval of Resolution 2014-14, *Ad Valorem Tax Levy for Tax Year 2014, Applicable to General Operating Fund***

Mr. Jerry Lovato, AMAFCA Executive Engineer, referred to his memo advising that AMAFCA's current rates are \$0.179 for residential and \$0.477 for non-residential. During the establishment of the FY-2015 AMAFCA Budget, the Board of Directors directed staff to develop a budget that would not increase the current mill rates. The FY-2015 budget assumed \$0.179 residential and \$0.477 non-residential; therefore, the resolution for tax year 2014 uses the same mill rates.

DFA determines the allowed rates using yield control, which sets individual rates for each class of ratepayer. DFA had informed AMAFCA that the maximum rates allowed by the Yield Control Act and the AMAFCA legislation for tax year 2014 were \$0.177 Residential and \$0.477 Non-Residential.



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Staff requested the Board's guidance concerning the operating fund mill levy rates for tax year 2014 and the possibility of lowering them from \$0.179 to \$0.177. The change in mill rates of \$0.177 and \$0.477 will yield \$3,435,496 in property tax revenue.

Staff recommended that the Board determine the mill rates and adopt Resolution 2014-14, *Ad Valorem Tax Levy for Tax Year 2014, Applicable to General Operating Fund*.

After some discussion, Chairman Brown asked for a motion to approve changing the mill levy rate to \$0.177. Director Hernandez made a motion to approve changing the mill levy rate to \$0.177, with no other changes. Director Lyon seconded the motion, which passed unanimously (5-0).

Director Hernandez made a motion to adopt Resolution 2014-14, *Ad Valorem Tax Levy for Tax Year 2014, Applicable to General Operating Fund*, as amended. Director Lyon seconded the motion, which passed unanimously (5-0), on a roll call vote.

**15. Approval of Resolution 2014-15, *Ad Valorem Tax Levy for Tax Year 2014, Applicable to Debt Service Fund***

Mr. Jerry Lovato, AMAFCA Executive Engineer, referred to Resolution 2014-15, *Ad Valorem Tax Levy for the Tax Year 2014, Applicable to Debt Service Fund*.

Mr. Duane Brown, from the Modrall Law Firm, had reviewed the resolution. AMAFCA's Financial Advisors, George K. Baum & Company, recommend a debt service tax rate of \$0.675 mills, per \$1,000, of assessed value on all taxable real and personal property within AMAFCA's boundaries.

Staff recommended that the Board adopt Resolution 2014-15 *Ad Valorem Tax Levy, for Tax Year 2014 Applicable to Debt Service Fund*.

Director Thomson made a motion to adopt Resolution 2014-15, *Ad Valorem Tax Levy for the Tax Year 2014, Applicable to Debt Service Fund*. Director Hernandez seconded the motion, which passed (5-0), on a roll call vote.

**16. AMAFCA Projects**

**a. Calabacillas Grade Control Projects Update**

Mr. Kurt Wagener, AMAFCA Field Engineer, gave a report of various projects and maintenance activities along the Calabacillas Arroyo in the last year or so. He answered several questions from the Board during his presentation. He advised that the presentation would show various before, during, and after aerials of the construction projects. His presentation focused on the area



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between the Rio Grande and Swinburne Dam. Mr. Kevin Troutman, AMAFCA GIS Manager, and Mr. Herman Gabaldon, AMAFCA Maintenance Superintendent, had rented four wheelers to inspect take pictures to document some of the erosions.

Some of the areas included:

- Near G Force Gymnasium at Irving/Black – Erosion repair and rip-rap placement;
- Large diameter boulder placement at Calabacillas Caliche Hills – houses close to the escarpment – 20 ft. erosion;
- 3b & 3c – storm hit and then another storm, Mr. Steve Stucker had concerns with the project and changed his tone and Facebook posting after a tour of the area, area flooded out eight times during construction;
- Girl Scout Troop number 35 worked on the owl habitat for the 404 permit (Mr. Wagener's granddaughter received her patch). No owls have moved into the habitat to our knowledge;
- 7a before picture with tall erosion;
- COE 404 permit was issued using the regional general permit at approximately \$2,000.00 a piece for the pre-construction notification form. Now in discussion with another Regional General Permit for maintenance;
- 1a Calabacillas Grade Control bank protection - One storm over topped the diversion, but not bad;
- 7a slopes and seeding done, 5,000 cy rock buried, another storm watering the seed, another storm showing the start of degrade – boulders coming out of the dirt;
  - Director Lyon asked where boulders were coming from. Mr. Wagener advised the contractor had them. He has told contactors to start saving boulders for the 6a project. Salls had some boulders in their pit for 7a and some came from the SAD for 1a;
- Calabacillas Grade Control Structure 6a to be done upstream of 7a and Black Diversion. Showed were the area was going to be and where there is a Sparton infiltration gallery that is in place; and

Mr. Wagener advised that in the future there would be more owl habitats and the possibility for more Girl Scout Troops to get their patches.

**b. Valle de Oro Drainage Outfall/Bosque Restoration Project Update**

Mr. Lovato advised that the preliminary design had been done. There is an approved site plan with Fish and Wildlife Service (FWS) and public meetings have taken place. The State Land Office Outfall Project is complete and an acknowledgement had been received. Will be looking to see how the water is coming into the facility. AMAFCA will be working with the FWS to put together the design criteria for the next project. It is anticipated that there might be a couple of request for



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proposals near the end of the year. This was a great partnership between AMAFCA, FWS, and Bernalillo County and we look forward to what the future brings.

Director Hernandez wanted the record to reflect that while AMAFCA did a flood control project in conjunction with the State Land Office Project AMAFCA contributed to the Bosque Restoration Project. AMAFCA needed to move the project along and spent the money doing the planning for the Valle de Oro Urban Wildlife Refuge since the FWS did not have the money to do so. AMAFCA, along with Bernalillo County (BernCo) and others, provided outreach to the community. The community attended the public meetings to provide input and the project was designed with community input on AMAFCA's dime.

**c. Southwest Valley Flood Reduction Project II**

The SWVFR Project IIc construction of Pond 187 with Corps of Engineers is scheduled to start soon. There will be 120,000 cubic yards of material to be removed near Rio Grande High School. AMAFCA and BernCo are concerned about the schedule so AMAFCA will be hiring an on-call engineer to monitor the project. Mr. Lovato and Mr. Wagener will be meeting with the Corps soon.

Southwest Valley Flood Reduction Project IIb - Mr. Roger Paul, Bernalillo County, advised that the Bernalillo County contractor is ahead of schedule on BernCo's part of the project. They are working on seven of nine crossings and should be done in September. The contractor will then be on irrigation facilities. BernCo is about two months ahead of schedule. Traffic control problems have been limited.

**17. Mechenbier Development by Pino Dam - Review and Comment on Turnkey Agreement**

Ms. Lynn Mazur, AMAFCA Development Review Engineer, stated that Mr. John Mechenbier is proposing to develop Tract N-3-A, located east of the Pino Dam pool, south of San Antonio Drive, and west of Tramway Boulevard. The plan includes improvements to the Pino Arroyo to reclaim FEMA floodplain. Mr. Mechenbier has requested AMAFCA to maintain the new improvements. A draft Turnkey Agreement was presented to the Board at the January 2013 meeting. At that time, the Board directed staff to proceed with the agreement.

Mr. Mechenbier would like the option of conveying the 100-year flow rate of 3,200 cubic feet per second (cfs) in a concrete box culvert (CBC). This area will be used for landscaping and parking. Electrical outlets will be installed, so the AMAFCA crew can plug in generators to power fans and lights when working in the CBC.



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Director Hernandez asked how would the water be captured. Ms. Mazur stated that the west side of Tramway would come out to an open channel and convert to a vertical wall into a box culvert. The details are still being worked out.

The three existing AMAFCA easements will be quitclaimed. One new drainage easement will be granted to AMAFCA. Ms. Jennie Donart with Isaacson and Arfman has contacted the New Mexico Department of Transportation (NMDOT) and worked out the arrangements for a three-party license with NMDOT for the construction and AMAFCA's long-term maintenance.

Staff requested that the Board review and comment on the Turnkey Agreement for the Pino Arroyo Improvements as related to Tract N-3-A Development by Pino Dam with Americus LLC.

**18. Team Radio by Piedras Marcadas Dam – Consideration of upstream diversion or Turnkey Agreement**

Between her memo and her presentation, Ms. Lynn Mazur, AMAFCA Development Review Engineer, advised of the following:

At the July meeting, the Board instructed staff to research a regional drainage solution to a flooding issue at the Coors Boulevard and Eagle Ranch Road intersection. The issue came to AMAFCA's and the City's attention when the drainage plan for Team Radio, the two acre property at the southwest corner, was submitted. The Team Radio plan proposed to take upstream flow into a storm drain through the site. The storm drain will surge into onsite ponds and overflow into AMAFCA's Tract 4 in larger storm events. The Board did not think the plan went far enough to serve adjacent properties and saw an opportunity to provide a more permanent, regional drainage facility.

Drainage in the area is controlled by the "North Coors Drainage Management Plan Middle Area," (DMP) prepared for AMAFCA by Smith Engineering in 1997. The DMP drainage area south of Paseo del Norte has not been updated. While preparing the Team Radio plan, Mr. Doug Hughes of Mark Goodwin and Associates found that culverts under Coors Boulevard, that were assumed to convey water from the west under the roadway to the east, were actually plugged. The blocked water is currently flowing south to the intersection and onto the Team Radio site, compounding the drainage issues in the area. The regional plan will alleviate the amount of water flowing to the intersection by diverting it into a separate, parallel storm drain in the Calle Nortena right-of-way, which will discharge to a detention pond on Tract 4.

Staff contracted Huitt-Zollars, Inc. under an On-Call contract to prepare a conceptual design for the regional drainage system. At the Board's direction, the upstream basins were analyzed with developed flows to simulate commercial development. The system is feasible if fill is added to Calle Nortena. The estimated cost is \$620,000.





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The stormwater flow rate and volume into the pond will be 127 cfs and 4.8 acre-feet. A 24-inch pipe will discharge 20 cfs into one of the existing culverts under Coors. The conceptual design includes a junction box east of Coors to join the two 21-inch pipes that drain into the Corrales Main Canal. The junction box will be modified in the final design to hydraulically separate the Tract 4 pond outfall and the Team Radio outfall.

Mr. Scott Grady, a partner in the Team Radio development, told the Board at the July meeting that he is willing to construct the storm drain system on his property as it is currently designed. As presented at July Board meeting, the storm drain will take stormwater runoff from public rights-of-way, including the Piedras Marcadas Dam embankment and spillway, private upstream property, and the site itself to onsite ponding areas. It will be maintained by the City of Albuquerque. Stormwater volume that exceeds the onsite ponding volume is proposed to back up onto AMAFCA's Tract 4.

Both COA and AMAFCA staff met with Mr. Scott Grady and Mr. Doug Hughes, on August 7, 2014 to discuss options to allow the development to move forward. Staff sees two ways to proceed as follows:

Regional Approach – Construction by AMAFCA

- AMAFCA will design and construct upstream diversion drainage facilities to convey developed flows to a detention pond on Tract 4.
- The City may allow the Team Radio project to proceed with some assurance from AMAFCA that it will construct the regional drainage system. A letter from the Executive Engineer will serve this purpose.
- AMAFCA will construct the regional drainage system within 18 months.

Turnkey Approach – Construction by Team Radio

- Team Radio will build its drainage system as designed.
- Team Radio pond will be expanded to accommodate greater offsite flow rates. The pond foot print will encroach into a portion of Calle Nortena (Bernalillo County right-of-way) and AMAFCA's Tract 4.
- The County will allow only 6 inches of water to cover the Calle Nortena right-of-way. Therefore, any ponding from the Team Radio site to the Tract 4 pond will need to meet Bernalillo County standards.
- Team Radio will need to enter into a turnkey agreement with AMAFCA to construct improvements to allow ponding on Tract 4.
- AMAFCA will maintain ponding on Tract 4.

Staff requested that that the Board provide input and direction on which approach should be used to address regional drainage and flooding in the Coors Boulevard and Eagle Ranch Road area.





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Mr. Doug Hughes asked that the Board let Mr. Grady continue with his plans.

Director Eichenberg asked what the cost would be. Mr. Lovato advised it would be approximately \$620,000.00 for the Regional approach and the Turnkey approach will be at no cost to AMAFCA. The depth of the pond is in direct relationship to the pond that is on the Team Radio site.

Director Lyon asked why AMAFCA thought this area would continue to be a problem. Mr. Lovato advised that the area is most likely going to grow and more development will be done in this area as the population grows. Director Lyon asked what would be on the corner of the property. Mr. Doug Hughes advised that the property would house the Radio station.

Chairman Brown inquired if it is possible for Mr. Grady to move forward and consider a regional plan later. Mr. Lovato responded, yes.

After further discussion, Chairman Brown advised that the sense of the Board is to allow Mr. Grady to proceed with his plan and the Board did not have to call for a motion or vote.

**Marble Arno Pond – Project Update** (Item moved up so Director Thomson could hear the item prior to leaving for another meeting)

A meeting was held with Mr. Michael Riordan, P.E., Director of Municipal Development, City of Albuquerque, to discuss how COA and AMAFCA should proceed with the project. Project funding and management was discussed, including the purchase of the project site. One option would be that AMAFCA would take the lead in the purchase, design of the project, and hand over the construction of the project to COA. The second option would have COA take the lead in the purchase of the property, the design, and construction of the project. with funding by AMAFCA.

The estimated cost prior to this was around \$22M. AMAFCA utilized On-Call contracts to see if the project is still warranted. It is still believed to be feasible; however, the cost will increase \$7-8M due to the depth of the wet well, as the cost of steel has increased. The land is owned by the Sandia Foundation. Director Eichenberg asked if an appraisal was done. Mr. Jeffrey Willis, AMAFCA Real Estate Manager, responded, yes, it came in at \$7.20 per square foot, but does have an environmental problem. Director Hernandez asked about the cost of the project, which should be in two phases. Mr. Lovato advised the pumps would be around \$4.5M, approximately \$15-17M to put the hole in the ground. Director Lyon asked if the property could be condemned. Mr. Lovato responded that it has not been brought up that he is aware of. Director Eichenberg asked if Sandia Foundation would be willing to donate the property. Mr. Willis advised he was not aware if they had been approached with that idea. He stated that the property was advertised for \$12.00 per square foot. Mr. Lovato stated that while all of these suggestions were good options, it would be advised that a meeting with Mr. Richard Berry, Mayor of Albuquerque, should take place first. Chairman Brown stated he would happy to meet with Mayor Berry and the Sandia Foundation.



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Chairman Brown announced that Mr. Hector Balderas, New Mexico State Treasurer, was present. Mr. Balderas stated that he appreciated the work of the Board and their fiscal accountability to the taxpayers. He wished Directors Eichenberg and Hernandez luck in the respective elections.

**19. Field Highlights**

**a. Construction Report**

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

**b. Field Report**

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

The slides opened with a picture of a snake that appears to be a Mojave Rattlesnake. The slide presentation covered some of the following: Mr. Lovato and Unit 100, purchased under the State Purchasing Agreement, North Diversion Channel (NDC) Embudo lightening, August 13, 2014 Storm and various pictures of the event, including the rescue by the Albuquerque Fire Department. August 22, 2014 Calabacillas Grade Control Structure 7a pictures, Calabacillas Grade Control Structure 1a, SWVFDR Phase 11b – Barcelona at Armijo Drain, Del Rio at Armijo Drain, Misc AMAFCA Construction Projects 2014 Ladera Dam 13 Water Quality Structures, Ladera Dam 9 Water Quality Structures, Swinburne Water Quality Structures, Ladera 11 Dam Outfall Pipe, North Outfall Fencing Projects – showing AMAFCA and Pueblo of Sandia area, COA's Bear Canyon Shared Use Path striping and culverts, AMAFCA doing South Diversion Channel (SDC) piping repair, AMAFCA crew during horizontal confined space training with the Albuquerque Fire Department, cleaning Grantline Water Quality Structure, SDC Water Quality Dumpsters, Mr. Herman Gabaldon, Maintenance Superintendent, cutting a path through bamboo on the Rio Grande, a rainbow over Piedras Marcadas, hail picture from an employee's house on the west side, and closed with a beautiful picture showing a sunrise at AMAFCA.

Director Lyon asked if the Calabacillas would always be a problem. Mr. Wagener responded, yes. He opined the Executive Engineer might need to come to the Board for another study.

Director Hernandez mentioned that the bike trail on the NDC trail needs to be repaved.

**20. EPA Green Infrastructure Grant - Imperial Building Project**

Between his memo and presentation, Mr. Jerry Lovato, AMAFCA Executive Engineer, provided a recap of the grant that AMAFCA received on the green infrastructure project from the United



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States Environmental Protection Agency (USEPA). The grant was used to investigate Low Impact Design (LID) practices in the arid southwest. A design charrette was held in Albuquerque June 23 and 24, 2014 to discuss and develop conceptual strategies for onsite water management for the Imperial Building project site.

The Imperial Building project includes a new grocery store in the downtown area. It is housed in a five-story building, with a 100 car-parking basement, ground floor retail space, 74 residential apartments, with space for an urban vegetable garden on the roof of the building.

The purpose of AMAFCA's participation was to determine how LID practices in the arid southwest would need to be modified to mitigate the impacts of onsite stormwater runoff. It will capture and treat storm water runoff from roof top areas and recycle it through a biological treatment train (vegetation). The project will verify the possibility of regional treatment facilities that could be incorporated into new developments and address storm water treatment on a global scale.

The project did address the possible use of storm water to augment water needs for urban gardens and landscaping. Two big issues were identified in the design charrette:

1. The amount of rainfall, per year, was far less than the amount of evaporation per year in Albuquerque
2. Direct application of storm water on food crops could not be recommended at this time because of the lack of water quality data

An option investigated under the EPA grant was the installation of a regional facility that would use biological treatment of stormwater and fugitive water runoff year around. Such a facility would allow treatment of runoff year round that should result in an overall pollutant load reduction in flows into the Rio Grande.

The final EPA report from Tetra Tech on the Imperial Building Site Design addresses LID practices modified for Albuquerque. The current design addresses a regional approach to treat storm water and fugitive water year round. The proposed pilot project would be constructed in public rights way around the building, but is currently unfunded by the development.

Mr. Lovato has been working with the developer and the City of Albuquerque concerning constructing the pilot project. The project would require AMAFCA to fund and maintain a portion of the treatment facility. Project funding and maintenance has not been addressed by the Board of Directors. He advised that approximately \$50-100K had not been planned.



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Director Eichenberg opined, and the Board agreed, it was an important project and would like to see it move forward, however, it is not a project for AMAFCA.

**21. Marble Arno Pond**

This item was moved after 18 so that Director Thomson could be present for the presentation.

**22. Real Estate**

**a. Three Short Term Recreational Licenses; John B. Robert, North Domingo Baca, Pino and South Domingo Baca Dams**

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, advised there were three short-term, one-day, recreational licenses requested for the use of the Pino, John B. Robert, North Domingo Baca, and South Domingo Baca Dams.

La Cueva High School has requested the use of the North Domingo Baca Dam on August 23, October 4, and October 31, 2014 for cross-country meets. A Certificate of Liability Insurance, which names AMAFCA as the certificate holder had been issued.

Albuquerque Athletics Track requested the use of the John B. Robert Dam on September 28, 2014 for a cross-country meet. A Certificate of Liability Insurance, which names AMAFCA as the certificate holder had been issued.

RunFit, Inc., a track and field, and cross-country team for youths ages 5 to 18 had requested the use of the Pino and South Domingo Baca Dams for a cross-country meet on August 31, 2014. A Certificate of Liability Insurance, which names AMAFCA as the certificate holder had been issued.

**b. PNM Easement Request on North Diversion Channel Crossings**

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, advised that staff met with PNM staff regarding a new electrical switching station location at Richmond and American Drive NE. The new station will tie into existing lines on the west side of the NDC and route 115kv lines east to the new switching station. This area is behind Wal-Mart on Carlisle. Mr. Willis introduced Mr. Brandon Kaufman with PNM.

PNM is requesting easements for the new pole locations and power lines on the NDC. A temporary construction and access license would also be needed for construction of the new poles and lines if the Board approved the project.



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Director Lyon asked the following:

- Was the easement a PNM easement and why would PNM draft an easement for AMAFCA to use. Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, advised that the paperwork turned into him was not adequate for AMAFCA so it was not presented to the Board in their mail out. Mr. Kaufman with PNM advised that PNM would utilize whatever document would be appropriate for the Board.
- Would the easement be in perpetuity. Mr. Willis advised that it would probably be for 25 years.

**c. Westside Blvd – Consideration of Encroachment Agreement with City of Albuquerque and the City of Rio Rancho**

Staff is reviewing plans from the City of Rio Rancho for Phase II of Westside Blvd, which is for completion of a four-lane section of roadway and new bridge section, west of Golf Course Blvd and just north of Black Arroyo Dam.

Rio Rancho is taking the lead in the design and construction of Westside Boulevard Phase II and the City of Albuquerque will take maintenance of the section to be constructed as it is in the Albuquerque city limits.

The project will include construction of two dedicated drive pads into Black Arroyo Dam, bridge abutments, and slopes for the new bridge section that will encroach into the AMAFCA property at Black Arroyo Dam. The current design will require AMAFCA to provide a temporary construction and access license to the City of Rio Rancho and a permanent encroachment agreement to the City of Albuquerque for the AMAFCA access, bridge wingwalls, and graded slopes associated with the bridge abutments. COA will take maintenance of the drive pads, bridge abutments, and associated slopes after the project is completed and accepted by AMAFCA.

The encroachment agreement has been reviewed by AMAFCA legal counsel. The City of Albuquerque and City of Rio Rancho are reviewing the document.

Staff had recommended that the Board approve, substantially as provided, the encroachment license agreement with the City of Rio Rancho and the City of Albuquerque for the drive pads, bridge abutments, and associated slopes for Westside Boulevard Phase II.

Director Lyon made a motion that the Board approve the encroachment license agreement with the City of Rio Rancho and the City of Albuquerque. Director Hernandez seconded the motion, which passed (5-0).



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**23. Personnel and Salary Committee**

**a. Executive Engineer's Evaluation**

This item was moved to Item 7c, per the amended agenda.

**24. Unfinished Business**

None.

**25. New Business**

None.

**26. Adjourn**

There being no further business to come before the Board, Chairman Brown adjourned the meeting at 1:19 p.m.

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Bruce M. Thomson, P.E., Secretary-Treasurer, 9/25/14

Recorded by Guylene Harris, Executive Administrative Assistant