



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

Chair Brown called the Regular Board Meeting to order at 10:00 a.m. Thursday, February 26, 2015. Roll was noted as follows:

Directors present:	Chair Ronald D. Brown Director Cynthia D. Borrego Director Tim Eichenberg Director Deborah L. Stover Director Bruce M. Thomson
Directors excused:	None
Attorney present:	Attorney Vanessa Chavez, Robles, Rael & Anaya Attorney Marcus J. Rael, Jr., 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 late handout memos had been provided in the folders for the Board on agenda items 9a, 22d, and 23c. He further stated that Item 23b was not ready to present to the Board and should be removed from the agenda.

Director Eichenberg stated that he spoke with Attorney Marcus Rael about attending the meeting. His leadership might be very meaningful on legislation as there might be potential litigation, and asked the Board to agree to a closed session for possible litigation on the legislative process. Chair Brown concurred and stated that a floating closed session will be added to the agenda. A closed session would be called, should Attorney Rael be able to attend the Board Meeting. There would be no decisions made during the close session on possible litigation because it was not a scheduled agenda item. Director Borrego stated that she asked Mr. Lovato to compile some information, which he provided to the Board.

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



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3. Meetings Scheduled

- a. March 26, 2015, 10:00 a.m. – Regular Meeting**
- b. April 23, 2015, 10:00 a.m. – Regular Meeting**
- c. May 28, 2015, 10:00 a.m. – Regular Meeting**

No changes were made to the meeting schedule as presented.

4. Appointment to Boards and Committees

- a. Personnel and Salary Committee**
- b. Real Estate Committee**

Chair Brown stated that appointments to the MRCOG Boards were made last month. Chair Brown made the following appointments to the Committees referenced below:

Personnel and Salary Committee:	Directors Thomson and Stover
Real Estate Committee:	Chair Brown and Director Borrego

5. Items from the Floor/Public Comment

No one signed up for public comment.

Mr. Lovato introduced Mr. Herman Chavez, AMAFCA's new Finance and Administration Manager. Mr. Chavez was the auditor with Ricci and Company prior to coming to AMAFCA. Mr. Lovato further stated that while there were many qualified applicants, Mr. Chavez was the best fit. Mr. Chavez addressed the Board, summarizing his background and experience. The Board welcomed him, stating they were glad to have him at AMAFCA. Chair Brown asked how many years Mr. Chavez was the lead on the AMAFCA audit. Mr. Chavez stated he had worked the AMAFCA audit for at least six years.

6. Approval of Minutes

- a. January 22, 2015 - Regular Meeting**

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



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7. Financial Matters

a. Approval of January 2015 Expenditures

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, presented the January 2015 Expenditures. Responding to questions from Director Thomson regarding check 5329 for almost \$54K, made out to CDM Smith and requesting what was the limit for On-Call Services, Mr. Lovato replied that the limit is \$75K per task order. Chair Brown asked what the check was for. Payment to CDM Smith was for work on two tasks (paid on one check). Task No. 2 and No. 3 were for an E.coli report and MS4 compliance water testing. Director Thomson mentioned that if any help was needed to review the results, he would be happy to take a look. Mr. Lovato responded that his help would be appreciated in the review process.

Director Thomson made a motion to approve the January 2015 Expenditure Report. Director Eichenberg seconded the motion, which passed (5-0).

b. Bank Reconciliation Fiscal Agent Funds

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, presented the Bank Reconciliation Fiscal Agent Funds. Chair Brown asked for a brief overview on each of the accounts. Ms. Jeffries responded that AMAFCA is the fiscal agent for the following accounts:

- The Storm Water Education Fund – City of Albuquerque (CoA), Southern Sandoval Arroyo Flood Control Authority (SSAFCA), University of New Mexico (UNM), New Mexico Department of Transportation (NMDOT), and AMAFCA's are partners in the program. AMAFCA's portion is \$10K each year
- Agency and Area-Wide FCMC – Special account to fund scheduled repairs and emergency repair work. COA, NMDOT, and AMAFCA cost share in this program.
- Ditch and Water Safety Taskforce – CoA, Bernalillo County (BernCo), Middle Rio Grande Conservancy District (MRGCD), Albuquerque Public Schools (APS), NMDOT, and AMAFCA share in this program. This is a public outreach program. AMAFCA's portion is \$15K each year.

Chair Brown mentioned that AMAFCA is known for being fiscally responsible and well positioned to be the custodian of these accounts. No Board action was required.

c. Investment Report for January 2015

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, presented the Investment Report for January 2015. Ms. Jeffries advised that AMAFCA received a final distribution from the



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Local Government Investment Pool (LGIP) Reserve Contingency Fund. The account will remain open in the event another distribution is made. No Board action was required.

**d. Financial Position Recap January 16, 2015 through February 15, 2015 &
Forecast February 16, 2015 through March 15, 2015**

Ms. Jeffries stated that the Recap for February 16 through March 15, under the Debt Service action showed the Bond interest payments made on February 1, 2015. She noted that she inadvertently left off \$110K on the Forecast under Debt Service.

The Operating Fund, recommended action of \$250K included a payment to CoA for two pay periods. The Construction Capital Funds forecast included \$1M: \$500K for pay estimates for the NDC Bathtub, \$250K for the Calabacillas Arroyo 6a, the remaining funds forecasted were for various engineering and construction management services. Responding to a question from Director Borrego regarding how payments to PERA are reflected in the account(s), Mr. Lovato advised PERA payments are invoiced by and paid to CoA. The payment process will be changing.

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

e. Approval of Resolution 2015-02 Budget Adjustment

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, stated that the Resolution was needed in order to cover the costs for two people in the Finance and Administration Manager position. Ms. Jeffries walked the Board through the changes submitted with the Resolution. Chair Brown stated that the budget might be changed throughout the year as the need arises.

Director Thomson made a motion that the Board approve and adopt Resolution 2015-02, Budget Adjustment, and authorize the Chair and Secretary to execute the same on behalf of AMAFCA. Director Stover seconded the motion. The motion passed unanimously (5-0), on a roll-call vote.

8. Legal

a. Status Report

Attorney Vanessa Chavez stated that the memo pertained to various legal matters. Director Thomson referred to Item 3 on the Legal Status report pertaining to the 96-hour rule on Kirtland Air Force Base (KAFB) and asked if there was clarification on the OSE's jurisdiction. Ms. Chavez stated that the New Mexico Office of the State Engineer (OSE) does not have jurisdiction over federal dams. Mr. Lovato advised that one pond on KAFB is maintained by CoA and has



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OSE jurisdiction. He further stated that if KAFB builds a pond the OSE would not have jurisdiction over it. If AMAFCA builds the pond, KAFB will need to maintain it and AMAFCA will maintain the outlet pipe. Chair Brown asked if the Board is willing to do more exploration to see if AMAFCA should proceed. Director Thomson stated that in early December a discussion took place between the KAFB Base Commander, BernCo Commissioner Maggie Hart-Stebbins, Mr. Lovato, and himself regarding the drainage issues on KAFB. AMAFCA offered to pay for the construction costs of the second pond. At the meeting, it became apparent that there was a breakdown in nomenclature. AMAFCA stated they would contribute to the cost of constructing a new pond, however; KAFB considers a contribution as a gift, and KAFB cannot accept gifts. It was suggested to consider working together as a collaboration. Mr. Lovato advised there have been two conversations since that meeting. One pertained to the diversion of water into the pond and how it might conflict with the well that will be going in. The other conversation regarded what requirements AMAFCA would have on maintaining the pond. If the Base maintains the pond, AMAFCA does not care what they do as long as the water is controlled. If AMAFCA maintains the pond, access will need to be granted for AMAFCA maintenance crew to get to the area.

Chair Brown recapped the deficient drainage that has happened with water coming off KAFB. Director Thomson suggested another discussion is due. He further stated that the suggestion by the Executive Engineer to work with KAFB on an emergency response exercise was liked by KAFB and the Base Civil Engineer proposed that a National Guard unit and AMAFCA plan to get the exercise accomplished prior to the next monsoon season. Director Thomson stated that if this will be done this year, it should be scheduled soon. Responding to questions on legality and an anti-donation issue from Director Borrego, Director Thomson opined that KAFB is dragging their feet. Chair Brown advised that any work done by AMAFCA would not be done to benefit KAFB; it would be done to benefit AMAFCA constituents.

9. Executive Engineer's Report

a. Notification of Past Month's Activities

Mr. Jerry Lovato, AMAFCA Executive Engineer, highlighted significant activities of the past month:

- **City of Albuquerque (CoA) –MS4 Permit (2012):** AMAFCA, along with CoA staff, are working to complete the annual report for 2014. The report will be sent to EPA Region 6 in March. This work will be done concurrently with work on the new watershed based permit.

Our Town NEA Grant: Staff from Story of Place, Littlelobe, UNM School of Architecture and Planning, and the CoA have been working diligently on the design of the Story Plaza project. This project is partly funded by a grant from the National Endowment for the



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Arts/Our Town Program, of which AMAFCA was also a participant. The two year project will be coming to an end in 2015. The group has conducted a number of community workshops in which residents have contributed to the design and planning of a permanent installation along Central Avenue/Route 66. AMAFCA's involvement has been limited to storm water quality and the possibility of a joint facility (surge pond) that could address flooding issues along San Pedro and Louisiana.

Web EOC: Mr. Roger Ebner, Director of the Albuquerque APD/Office of Emergency Management, had contacted AMAFCA concerning participation in the preliminary setup of Web EOC. Web EOC is a web-enabled, user-friendly, and locally-configurable incident and event management system. AMAFCA is interested in collaborating with the CoA, other emergency managers, and first responders. Web EOC will allow AMAFCA, regardless of location, to enter and view incident information on Web EOC status boards. Over the last two years we have learned that more collaboration between emergency managers and AMAFCA has allowed everyone to manage multiple incidents in a more efficient manner.

- **Bernalillo County (BernCo) - South Second Street:** AMAFCA and BernCo staff had been meeting to discuss a joint project along South Second Street that would address flood problems identified in the AMAFCA South East Valley Drainage and Water Quality Management Plan (2012). BernCo is currently working with the Federal Highway Administration on the design concepts for Second Street. Staff will brief the AMAFCA Board at the March Board Meeting concerning the project and outline the funding agreement to design and build needed regional flood control projects.
- **AMAFCA - San Antonio Arroyo:** AMAFCA had started to clean easement areas associated with the San Antonio Arroyo west of Coors Boulevard. Before this work was started staff contacted residents along the drainage facility to provide information concerning the schedule and the extent of the work. He stated that during a conversation earlier in the year, Director Borrego had suggested that public outreach be done before work of this nature is started. He advised that it worked well and thanked her for the suggestion. Once the area has been cleaned, photos will be taken to document the work.

Director Thomson asked if the San Antonio work needed approval from the Corp of Engineers. Mr. Lovato responded, no. Mr. Wagener advised that during discussions with the Corp of Engineers Regulatory Group, it was brought up that a Letter of Permission, to do maintenance, under the 404 Permit, would be issued. It is currently in the public-comment phase. The Letter of Permission will allow an open-ended permit to do maintenance in AMAFCA facilities. A report will be done annually stating what AMAFCA expected to do and recapping at the end of the year what was done. This was



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brought up during a maintenance meeting. BernCo and SSCAFCA are interested and may apply for a Letter of Permission for their facilities. The NMDOT is not interested since they do not have many drainage facilities. Mr. Wagener opined that since the jurisdictional determination lawsuit, the Corp of Engineers is more open to working with AMAFCA and other partners. Mr. Lovato advised that Mr. Wagener has been working on this for about seven months.

Financial Manager: The transition of duties between Ms. Irene Jeffries and Mr. Herman Chavez is going very well. Before the transition is complete and Mr. Chavez takes full responsibility for AMAFCA finances a mini audit will be conducted. The mini audit will be the subject of a letter agreement with Atkinson and Company, LTD.

As stated during the approval of the agenda, should Attorney Marcus Rael be able to make the meeting, a closed session would take place to discuss the 2015 New Mexico Legislative Session. Director Eichenberg stated that this would coincide, but not replace Item 20. Legislative Liaison – Briefing on the 2015 New Mexico Legislative Session. Mr. Rael arrived at 10:38 a.m.; Chair Brown asked that the session be closed for discussion of potential litigation.

Director Eichenberg 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. Director Thomson seconded the motion.

Chair Brown stated that the closed session would be for purposes of discussion only, regarding possible litigation issues. The motion passed (5-0), on a roll call vote.

Chair Brown closed the meeting at 10:39 a.m.

Director Eichenberg made a motion that the meeting be re-opened. Director Thomson seconded the motion, which passed (5-0), on a roll call vote.

Chair Brown reopened the meeting at 11:16 a.m. stating that the purpose of the closed session was to discuss potential litigation issues. Director Thomson stated that no decisions were made.

Chair Brown advised that a slight modification be done of the agenda that related to the subject of possible litigation. He stated that **Item 20. Legislative Liaison – Briefing on the 2015 New Mexico Legislative Session** be moved up on the agenda in order for the legislative liaisons to make their presentation and head back to Santa Fe to attend the Legislative Session.



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20. Legislative Liaison – Briefing on the 2015 New Mexico Legislative Session

Ms. Vanessa Alarid, of Alarid Consulting, briefed the Board on the current New Mexico Legislative Session and responded to numerous questions during her presentation. Part of her presentation covered the following:

The 2015 Legislative Session is past the mid-point mark. There have been 639 House Bills and 726 Senate Bills. The House has passed a \$6.2B Budget and it had moved to the Senate. Capital Outlay is estimated to be \$200M. The Governor would take 1/3, House 1/3, and Senate 1/3 (or the Governor gets half and House and Senate split the remaining half). The top three platform bills for the House are Right-to-Work, Drivers Licenses, and Education Retention have all passed on to the Senate.

The Speaker of the House is Mr. Don Tripp. He has made it very clear that meetings start on time.

Ms. Alarid advised the Board received a recap of the Bills that are being watched. The Board had asked that House Bill 38, Forest and Restoration, be watched and acted upon. It will be on the floor on February 26, 2015. Ms. Alarid and Mr. Mark Flesher have testified in committee. She presumes House Bill 38 will pass the House and she will watch as it goes to the Senate. Ms. Alarid stated that if there were any bills that she should be watching to let her know.

Director Eichenberg asked if she had received a list from Mr. Lovato or the Board for possible projects that could be identified for Senate and House members who might have extra money they would want to give AMAFCA for Capital Outlay. Ms. Alarid advised that she has asked at the Legislative Session for a Capital Outlay list; however, they typically do not share. Mr. Lovato advised that Representatives and Senators had been contacted regarding additional money for recreational and multi-use facilities. Senator Padilla is open to a bike trail on the South Diversion Channel.

In respect to HB 38, Chair Brown asked if the east side of the Sandias would flush the Tijeras Arroyo with ash, mud, and debris if there were a fire on that side. Director Thomson advised the USGS study showed the principle vulnerability was on the west side; however, there was vulnerability on the east side, particularly on the Manzanos.

Mr. Mark Flesher stated that he had provided a summary of the Bills to the Board. He reiterated that if there are any Bills they need to keep an eye on, please let them know.



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Item 9b. Notification of On-Call Services Task Orders was moved, per request of the Chair.

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 and provided additional information to the Board. Director Eichenberg asked if Molzen Corbin was involved in the initial design of the Piedras Marcadas. Mr. Lovato responded, no. The task order was for the Water Quality Structure. Director Eichenberg asked if they are the preferred engineering group on the forefront of trash collections. Mr. Lovato stated they would be.

Consent Agenda:

Chairman Brown stated that the agenda items 10 through 17 were on the Consent Agenda and no items were moved to the Regular Agenda.

10. Bond Counsel Services – Authorization for Third Extension of Professional Services Agreement with Modrall, Sperling, Roehl, Harris & Sisk, P.A.

The memo from Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated that Modrall Sperling was selected to perform bond counsel services through an RFP process at the March 22, 2012 regular Board meeting. The second extension expires April 26, 2015. Per the provisions of the contract and subject to the Board's approval, it can be renewed for another year.

Modrall Sperling had agreed to extend their contract. The agreement does not allow for any revisions in the fee schedule upon extension. The required AMAFCA Campaign Disclosure Form was provided to the Board in their mailout package. This will be the third and final extension to the contract.

Staff had recommended that the Board authorize the Executive Engineer to extend the contract with Modrall Sperling for a one-year term, as per the provisions of the agreement, with no change in fees.

11. Financial Advisor Services – Authorization of Third Extension of Professional Services Agreement with George K. Baum

The memo from Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated that George K. Baum & Company was selected to perform financial advisory services through an RFP process at the March 22, 2012 regular Board meeting. The second extension expires April 26, 2015. Per the provisions of the contract and subject to the Board's approval, it can be renewed for another year.



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George K. Baum & Company had agreed to extend their contract. The agreement does not allow for any revisions in the fee schedule upon extension. The required AMAFCA Campaign Disclosure Form was provided to the Board in their mailout package. This will be the third and final extension to the contract.

Staff had recommended that the Board authorize the Executive Engineer to extend the contract with George K. Baum for a one-year term, as per the provisions of the agreement, with no change in fees.

12. AMAFCA Fleet – Authorization to Purchase Vehicle from Current Budget to Replace 1999 Blazer

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, stated that during the Fiscal Year 2015 budget process the AMAFCA Fleet Schedule yielded replacement of Unit 101 – a 2006 Ford ½ Ton Pickup (Maintenance Superintendent). At the time staff recommended that it not be replaced so that two single axle dump trucks could be purchased. The FY 15 budget included Purchase – new vehicles in the amount of \$225,000.00. The mid-year budget review reflected that the two new dump trucks were purchased for \$195,000.00 leaving \$30,000.00 in that budget item. Staff has reviewed the NM State Purchasing agreements and a ½ ton pickup truck could be purchased for under that amount.

Although Unit 110, the 1999 Chevrolet Blazer, has less than 56,000 miles, it is sixteen years old and has been costly to maintain, including an engine replacement, and has been found to be unreliable. Unit 101 is a crew cab and capable of setting up to six people and could be used by staff in place of the Blazer.

Staff had recommended that the Board authorize the Executive Engineer to purchase a new ½ ton pickup truck and sell Unit 110, the 1999 Chevrolet Blazer, at auction. Unit 101 would be kept for staff use in place of the Blazer.

13. Manual Trash Removal 2015 - Authorization to Advertise for Bids for Manual Trash and Debris Removal from Flood Control Facilities

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, stated that the FY15 AMAFCA Operating budget includes \$80,000.00 for Manual Trash and Debris Removal. We have expended \$35,574.83 so far this fiscal year, leaving \$44,425.17 for the balance of the fiscal year. The current contract for Manual Trash and Debris Removal expires May 10, 2015.

The contract with Black Forest Tree Service, in place since May 2011, has been very effective, and provided needed trash removal from many facilities. To date, the Black Forest crew of three (3) people has cleaned miles of channels, detention basins, and dam pools. A total of 23,909 bags of



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trash have been filled and hauled to the landfill. In addition to filling trash bags, the crew has also moved large debris items, such as chairs, couches, mattresses, appliances, and tires to stockpile locations for pickup by AMAFCA dump trucks. A breakdown of the contract, by contract year, was provided to the Board in their mailout package.

The contract is for one year with three one-year potential extensions. No work for FY16 will be authorized under this contract until Board approval of the FY16 Operating Budget and after July 1, 2015.

Staff had recommended that the Board authorize the Executive Engineer to advertise for maintenance contract bids for Manual Trash and Debris Removal from Flood Control Facilities - 2015.

14. Mechanical Trash Removal 2015 - Authorization to Advertise for Bids Mechanical Trash and Debris Removal from Flood Control Facilities

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, stated that the FY15 AMAFCA Operating budget includes \$50,000.00 for Mechanical Trash and Debris Removal. We have expended \$22,445.12 so far this fiscal year, leaving \$27,554.88 for the remainder of the fiscal year. The contract provides for conduit cleaning including all work associated with the removal and disposal of foreign material from AMAFCA dam principal spillway conduits, storm sewer lines, manhole structures and water quality structures. The work consists of, but not necessarily limited to, the following tasks:

- High velocity hydro cleaning
- Hydraulically propelled cleaning methods
- Vacuum removal of debris from water quality manholes
- Material removal
- Material disposal
- Videotaping of dam principal outfalls

The current contract expires on May 10, 2015. To date, since May 2011, under the contract with Southwest Sewer, AMAFCA has expended \$140,734.04 to remove trash, debris, and sediment. This also includes videotaping of many of the dam outfalls and other storm drain pipes.

The contract is for one year with three one year potential extensions. No work for FY 16 will be authorized under this contract until Board approval of the FY16 Operating Budget and after July 1, 2015.



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Staff had recommended that the Board authorize the Executive Engineer to advertise for maintenance contract bids for Mechanical Trash and Debris Removal from Flood Control Facilities - 2015.

15. Agency and Area-Wide 2015 - Authorization to Advertise for Construction Bids

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, stated that with final plans and specifications being processed the Agency and Area-Wide Flood Control Maintenance Contract 2015 is ready for bid.

The project provides for the continued maintenance work in AMAFCA, City of Albuquerque and New Mexico Department of Transportation drainage facilities throughout AMAFCA's jurisdiction.

The current Engineer's Estimate of the cost of construction of the project is \$1,185,000 plus NMGR Tax. AMAFCA portion is \$803,000, the City's is \$242,000 and NMDOT's is \$140,000.

The following was the proposed Project schedule:

- Begin Advertise for Bids on March 1, 2015
- Mandatory Pre-Bid Tour - None
- Bid Opening on March 19, 2015
- Recommendation of Award on March 20, 2015
- Award of Contract on March 26, 2015
- Construction Notice to Proceed on April 13, 2015

Staff had recommended that the Board authorize the Executive Engineer to advertise for construction bids for the Agency and Area-Wide Flood Control Maintenance Contract 2015.

16. Southwest Valley Phase IIa – Excavation of Pond 187A - Authorization to Advertise for Construction Bids

The memo from Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, stated that plans and specifications for the Pond 187A Excavation Project are complete. The project provides for the excavation of a majority of Pond 187A, which is part of the Southwest Valley Flood Reduction Project, Phase IIa.

The current Engineer's Estimate of the cost of construction for the project is \$800,000, not including NM Gross Receipts Tax.



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The following was the proposed Project schedule.

- Begin Advertise for Bids on March 1, 2015
- Mandatory Pre-Bid Tour on March 11, 2015
- Bid Opening on March 17, 2015
- Recommendation of Award on March 26, 2015
- Award of Contract on April 6, 2015
- Construction Notice to Proceed on April 20, 2015

Staff had recommended that the Board authorize the Executive Engineer to advertise for construction bids for the Pond 187A Excavation Project.

17. Out of State Travel

a. EPA Region 6 Stormwater Conference – Request for Travel Authorization

The memo from Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated that the next EPA Region 6 Stormwater Conference will be October 18 – 23, 2015, in Hot Springs, Arkansas. Mr. Lovato advised he would like to send the AMAFCA Storm Water Quality Engineer, Mr. Patrick Chavez, to the event. There will be many great educational sessions that include: Sustainable Development, Low Impact Development and Green Infrastructure, TMDL's and Watershed Implementation Plans, Stormwater Funding, Monitoring to include New Technologies and Case Studies, Construction and Industrial Stormwater Management, Legal items to include Ordinances and Regulations, Stormwater Management Program and Training, as well as Public Education and Outreach.

Estimated cost will be:

Registration	\$ 450.00
Conference Hotel (4 nights)	\$1,400.00
Roundtrip Airfare	\$1,000.00
Transportation	\$ 300.00
Meals	\$ <u>225.00</u> (45.00/day x 5 days)
Total	\$3,375.00

Staff had recommended that Pursuant to Resolution 1998-16, the Board authorize out of state travel and expenses for the AMAFCA Storm Water Quality Engineer to attend the EPA Region 6 Stormwater Conference in Hot Springs, Arkansas, October 18 – 23, 2015, not to exceed \$3,375.00.



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b. StormCon 2015 - Request for Travel Authorization

The memo from Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated that the next North American Surface Water Quality Conference (StormCon) will be in Austin, Texas, August 3-7, 2015.

The memo requested authorization for out of state travel and expenses in order for him to attend the North American Surface Water Quality Conference. AMAFCA presented two conference papers and one abstract in recent years that highlighted AMAFCA's state of the art approach to stormwater quality for the arid southwest.

In addition, EPA Region 6 and representatives from EPA Headquarters will be at the conference to discuss the current legal status of watershed based permits in the country. This discussion will include the permit in New Mexico (Middle Rio Grande Valley). The conference will provide a unique opportunity to explain the AMAFCA approach to water quality in the arid southwest, which differs from the approach taken elsewhere in the county.

Cost will be:

Registration	\$ 535.00
Conference Hotel (4 nights)	\$ 800.00
Roundtrip Airfare (nonstop)	\$ 1,000.00
Meals	\$ 225.00 (45.00/day x 5 days)
Total	\$ 2,560.00

Staff had recommended that Pursuant to Resolution 1998-16, the Board authorize out of state travel and expenses for the AMAFCA Executive Engineer to attend the North American Surface Water Quality Conference in Austin, TX, August 3-7, 2015, not to exceed \$2,560.00. Director Eichenberg asked that the Executive Engineer consider the cheapest travel available.

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

- Authorize the Executive Engineer to extend the contract with Modrall Sperling for a one-year term, as per the provisions of the agreement, with no change in fees;
- Authorize the Executive Engineer to extend the contract with George K. Baum for a one-year term, as per the provisions of the agreement, with no change in fees;
- Authorize the Executive Engineer to purchase a new half ton pickup truck and sell Unit 110, the 1999 Chevrolet Blazer, at auction;



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- Authorize the Executive Engineer to advertise for maintenance contract bids for Manual Trash and Debris Removal from Flood Control Facilities - 2015;
- Authorize the Executive Engineer to advertise for maintenance contract bids for Mechanical Trash and Debris Removal from Flood Control Facilities - 2015;
- Authorize the Executive Engineer to advertise for construction bids for the Agency and Area-Wide Flood Control Maintenance Contract 2015;
- Authorize the Executive Engineer to advertise for construction bids for the Pond 187A Excavation Project;
- Authorize out of state travel and expenses for the AMAFCA Storm Water Quality Engineer to attend the EPA Region 6 Stormwater Conference in Hot Springs, Arkansas, October 18 – 23, 2015, not to exceed \$3,375.00; and
- Authorize out of state travel and expenses for the AMAFCA Executive Engineer to attend the North American Surface Water Quality Conference in Austin, TX, August 3-7, 2015, not to exceed \$2,560.00

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

18. 2015 Bond Sale – Approval of Resolution 2015-03, Notice of Bond Sale

Mr. Lovato stated the proposed 2015 sale will be for a \$12,500,000 general obligation bond to be sold on March 26, 2015. This is the first sale of bonds authorized at the general election held on November 4, 2014 and is structured with an 8-year repayment plan.

Mr. Lovato introduced Mr. John Archuleta from George K. Baum. Mr. John Archuleta and Mr. Mark Valenzuela from George K. Baum gave brief presentations on current market conditions and the proposed finance plan.

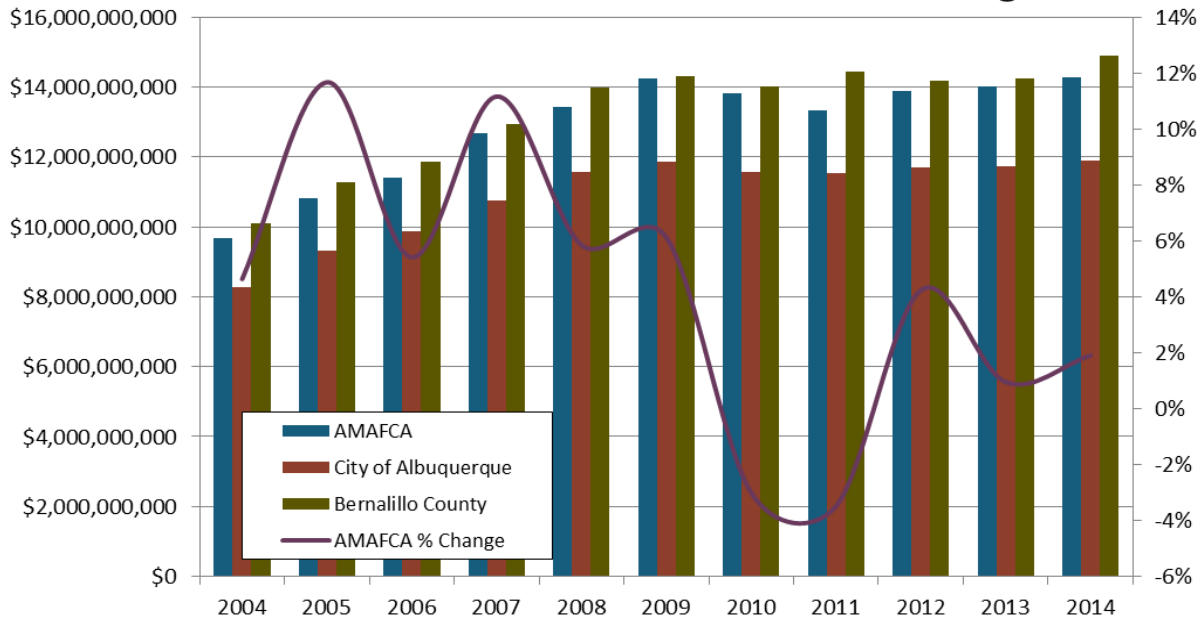
The following items were a sampling of the information provided to the AMAFCA Board:

HISTORICAL ASSESSED VALUATIONS						
Tax Year	AMAFCA	AMAFCA % Change	City of Albuquerque	Annual % Change	Bernalillo County	Annual % Change
2002	\$8,954,532,466		\$7,619,420,780		\$9,351,411,056	
2003	\$9,255,489,611	3.4%	\$7,883,833,602	3.5%	\$9,660,815,811	3.3%
2004	\$9,684,259,433	4.6%	\$8,285,493,156	5.1%	\$10,102,636,851	4.6%
2005	\$10,814,430,353	11.7%	\$9,307,580,592	12.3%	\$11,260,432,703	11.5%
2006	\$11,399,814,221	5.4%	\$9,858,168,778	5.9%	\$11,868,673,831	5.4%
2007	\$12,672,275,357	11.2%	\$10,736,204,976	8.9%	\$12,948,307,067	9.1%
2008	\$13,413,034,629	5.8%	\$11,581,011,823	7.9%	\$13,976,092,003	7.9%
2009	\$14,233,345,747	6.1%	\$11,858,931,418	2.4%	\$14,321,984,335	2.5%
2010	\$13,804,761,655	-3.0%	\$11,580,121,211	-2.4%	\$14,014,237,067	-2.1%
2011	\$13,324,011,770	-3.5%	\$11,535,466,979	-0.4%	\$14,452,760,775	3.1%
2012	\$13,888,651,975	4.2%	\$11,682,076,946	1.3%	\$14,160,594,588	-2.0%
2013	\$14,020,986,394	1.0%	\$11,735,108,421	0.5%	\$14,243,476,048	0.6%
2014	\$14,288,261,509	1.9%	\$11,891,824,172	1.3%	\$14,889,612,384	4.5%



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Historical Assesed Valuations and % Change

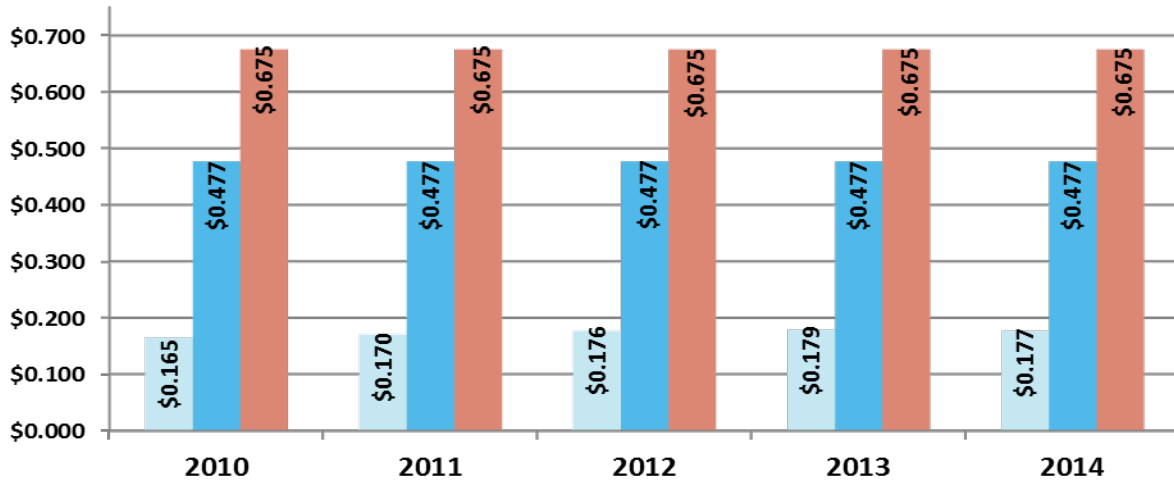


HISTORY OF AMAFCA TAX RATES					
Tax Year	Operational Tax Rates		Debt Service	Total Tax Rates	
	Residential	Non-Residential		Residential	Non-Residential
2003	0.186	0.433	0.675	0.861	1.108
2004	0.183	0.442	0.675	0.858	1.117
2005	0.180	0.398	0.675	0.855	1.073
2006	0.178	0.454	0.675	0.853	1.129
2007	0.167	0.438	0.675	0.842	1.113
2008	0.165	0.464	0.675	0.840	1.139
2009	0.165	0.488	0.675	0.840	1.163
2010	0.165	0.477	0.675	0.840	1.152
2011	0.170	0.477	0.675	0.845	1.152
2012	0.176	0.477	0.675	0.851	1.152
2013	0.179	0.477	0.675	0.854	1.152
2014	0.177	0.477	0.675	0.852	1.152

- Operating mill levy is capped at 0.5 mills by legislation
 - No cap on debt service mill levy



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YEAR	2008 ELECTION = \$20,000,000			TOTAL DEBT		
	PRIN	COUPON	INTEREST	PRIN	INTEREST	TOTAL
2015	825,000	3.500%	28,875	825,000	28,875	853,875
2016						
2017						
TOTAL	\$825,000		\$28,875	\$825,000	\$28,875	\$853,875

YEAR	CURRENT REQUIR.	2008 ELECTION = \$20,000,000			2010 ELECTION = \$20,000,000			2012 ELECTION = \$20,000,000			TOTAL DEBT					
		PRIN	COUPON	INTEREST	PRIN	COUPON	INTEREST	PRIN	COUPON	INTEREST	PRIN	INTEREST	TOTAL			
2015	853,875	1,250,000	2.250%	63,875	2,100,000	2.000%	135,344	1,500,000	3.000%	153,500	1,200,000	2.000%	132,000	6,875,000	513,594	7,388,594
2016		1,300,000	2.750%	35,750	2,250,000	2.000%	93,344	1,500,000	1.500%	108,500	1,200,000	2.000%	108,000	6,250,000	345,594	6,595,594
2017					2,275,000	2.125%	48,344	1,900,000	2.500%	86,000	1,200,000	2.000%	84,000	5,375,000	218,344	5,593,344
2018								1,925,000	2.000%	38,500	1,500,000	2.000%	60,000	3,425,000	98,500	3,523,500
2019											1,500,000	2.000%	30,000	1,500,000	30,000	1,530,000
TOTAL		\$2,550,000		\$99,625	\$6,625,000		\$277,031	\$6,825,000		\$386,500	\$6,600,000		\$414,000	\$23,425,000	\$1,206,031	\$24,631,031

YEAR	CURRENT REQUIR.	2012 ELECTION = \$25,000,000			2014 ELECTION = \$25,000,000			2016 ELECTION = \$25,000,000			2017 ELECTION = \$25,000,000			TOTAL DEBT		
		PRIN	COUPON	INTEREST	PRIN	COUPON	INTEREST	PRIN	COUPON	INTEREST	PRIN	COUPON	INTEREST	PRIN	INTEREST	TOTAL
2015	7,388,594	600,000	2.000%	259,500	1,200,000	4.000%	125,000							8,675,000	898,094	9,573,094
2016	6,595,594	700,000	1.500%	247,500	500,000	4.000%	452,000	200,000	4.000%	500,000				7,650,000	1,545,094	9,195,094
2017	5,593,344	700,000	1.500%	237,000	700,000	4.000%	432,000	200,000	4.000%	492,000	300,000	4.000%	500,000	7,275,000	1,879,344	9,154,344
2018	3,523,500	1,500,000	1.500%	226,500	1,000,000	4.000%	404,000	1,000,000	4.000%	484,000	500,000	4.000%	488,000	7,425,000	1,701,000	9,126,000
2019	1,530,000	2,000,000	1.500%	204,000	2,100,000	4.000%	364,000	1,200,000	4.000%	444,000	800,000	4.000%	468,000	7,600,000	1,510,000	9,110,000
2020		2,700,000	3.000%	174,000	2,600,000	4.000%	280,000	1,500,000	4.000%	396,000	900,000	4.000%	436,000	7,700,000	1,286,000	8,986,000
2021		3,100,000	3.000%	93,000	2,100,000	4.000%	176,000	1,700,000	4.000%	336,000	1,000,000	4.000%	400,000	7,900,000	1,005,000	8,905,000
2022					2,300,000	4.000%	92,000	3,250,000	4.000%	268,000	2,300,000	4.000%	360,000	7,850,000	720,000	8,570,000
2023								3,450,000	4.000%	138,000	3,000,000	4.000%	268,000	6,450,000	406,000	6,856,000
2024											3,700,000	4.000%	148,000	3,700,000	148,000	3,848,000
2025																
TOTAL		\$11,300,000		\$1,441,500	\$12,500,000		\$2,325,000	\$12,500,000		\$3,058,000	\$12,500,000		\$3,068,000	\$72,225,000	\$11,098,531	\$83,323,531

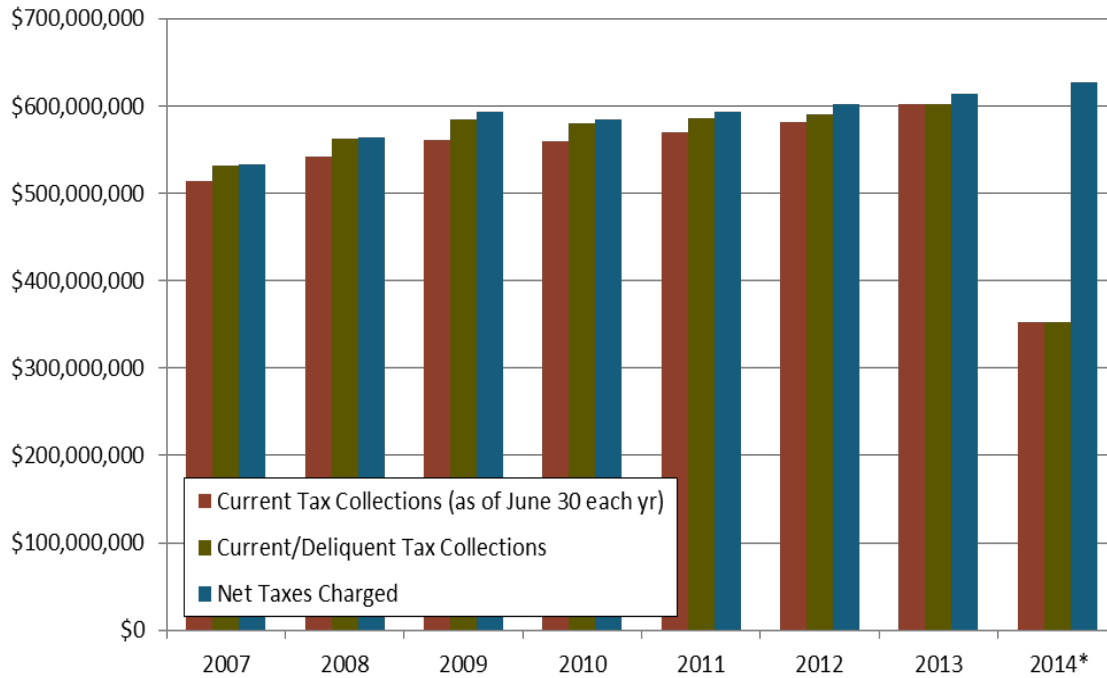


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BERNALILLO COUNTY HISTORICAL TAX COLLECTIONS						
Tax Year	Fiscal Year	Net Taxes Charged to Treasurer	Current Tax Collections (as of June 30 each yr)	Current Collections as a % of Net Levied	Current/Delinquent Tax Collections	Current/Delinquent as a % of Net Levied
2007	06/07	\$532,536,634	\$513,363,469	96.4%	\$531,556,251	99.8%
2008	07/08	\$564,364,206	\$541,204,499	95.9%	\$562,500,544	99.7%
2009	08/09	\$593,404,758	\$561,435,327	94.6%	\$584,650,421	98.5%
2010	09/10	\$584,058,114	\$559,806,155	95.8%	\$580,193,171	99.3%
2011	10/11	\$592,437,905	\$570,354,626	96.3%	\$586,159,479	98.9%
2012	11/12	\$601,433,561	\$580,736,950	96.6%	\$590,338,529	98.2%
2013	12/13	\$613,746,958	\$602,511,778	56.5%	\$602,511,778	98.2%
2014*	12/14	\$626,944,966	\$353,025,197	56.3%	\$353,025,197	56.3%

*As of January 2015

BERNALILLO COUNTY HISTORICAL TAX COLLECTIONS



Mr. Archuleta thanked the Board for extending their professional services contract.

Director Eichenberg asked for clarification on the second half tax collections for 2014. Mr. Archulata stated that the second half collections have not been received yet. The information provided is from January 2015.

Mr. Mark Valenzuela stated that AMAFCA has an AAA rating, which is the highest rating available in New Mexico. AMAFCA Bonds have never been held for more than eight years. Chair Brown clarified that the Bond would be sold and AMAFCA will turn around and pay the excess fees upfront to cut down the eight-year bond to around seven years.



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Chair Brown welcomed Mr. Duane Brown with the Modrall Law Firm. A draft Resolution 2015-03, *Notice of Bond Sale*, was provided to the Board in their mailout package. Mr. Brown had the final Resolution ready for Board signature.

Mr. Daniel Alsup, Modrall Firm, presented the Resolution and noted that it authorizes the issuance for the Bonds and provides the final terms. He guided the Board through adopting Resolution 2015-03, *Notice of Bond Sale*.

Staff had recommended that the Board adopt Resolution 2015-03, *Notice of Bond Sale*.

Director Eichenberg made a motion that the Board approve and adopt Resolution 2015-03, *Notice of Bond Sale*, and authorize the Chair and Secretary to execute the same on behalf of AMAFCA. Director Thomson seconded the motion. The motion passed unanimously (5-0), on a roll-call vote.

Item 21c. Corp of Engineers - Chair Brown advised that this item was moved up in order to accommodate representatives from United States Army Corp of Engineers (USACE). Mr. Lovato introduced Mr. Jerry Nieto. Mr. Lovato stated that he found out that Mr. Nieto had recently been named the Chief of Civil Works within the USACE Albuquerque District. Mr. Lovato stated that in the past, issues with the Corp had been brought to the Board. Over the last year and a half AMAFCA and the Corp of Engineers have had a better working relationship. Mr. Nieto stated that the Corps is in the final phase of the Southwest Valley Project for Pond 187. The pond is almost complete with final activities to include seeding and cleanup. As-builts should be ready in the next couple of weeks. The project will be reconciled, the contractor will receive final payment, and a final walk through with AMAFCA and BernCo will be done. Mr. Nieto opined that their contractor, Pate Construction, did very well and was very responsive. He hopes to work with them again. Mr. Nieto stated that Mr. Lovato stopped by the site many times to monitor the project. Director Thomson asked if there will be a ribbon cutting or dedication once project is complete. Mr. Nieto stated that it had not been planned, but they certainly would consider it. Chair Brown mentioned that AMAFCA had done ribbon cuttings before when major projects had been completed. Mr. Lovato stated that the last part of the Southwest Valley Flood Reduction Project would be built by AMAFCA, Phase IIa. It will consist of installing an inlet pipe and outlet pipe in Pond 187. The Southwest Flood Reduction Project feasibility study started in 1999, in 2004 Congress authorized approximately \$23.8M for design and construction. This project is one of the first projects in the country that allows stormwater to be discharged into a Bureau of Reclamation facility.

Mr. Nieto introduced the United States Army Corp of Engineers Albuquerque District Commander, Lieutenant Colonel (Lt Col) Patrick Dagon. Lt Col Dagon thanked the Board for allowing him the opportunity to speak. He took over command in June of last year. His previous experience was in the Baltimore and Nashville US Army Corp of Engineer Districts. He stated it was a huge honor to be in this District. He further stated he is aware of the past challenges and is



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willing to listen, learn, and work on ways to facilitate a better working relationship between the USACE and AMAFCA.

Mr. John D'Antonio, Deputy Engineer, thanked the Board and advised USACE might have an opportunity for a ground breaking in June with Lieutenant General Thomas Bostick.

21. 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 Coopers Hawk up at Hidden Valley in the Four Hills area and followed up with a Chair Brown presenting Mr. Brad Sumrall, Chair of the 2014 Bond Committee, with a plaque thanking him for the work he did chairing the 2014 Bond Committee, The slide presentation covered some of the following: various pictures of the Dam 15 (Ladera Golf Course) Inspection and Repair, including a picture of a flock of cranes on the golf course, AMAFCA crew work at the following: Sediment removal at Piedras Marcadas Dam, Corrales Main Canal, AMAFCA and BernCo crew at North Domingo Baca Grade Control Structure and the Altamont Little League Park, water sampling from a recent illicit discharge before and after the Wal-Mart at Wyoming sewer overflow, the breakdown of the Modeling Project at UNM, slides from various Manual Trash Pickup locations, numerous pictures at the Calabacillas Grade Control Structure 6a - including a pink concrete mixing truck - commemorating Breast Cancer Awareness, various slides of the NDC GCS Bathtub Project, as well as the equipment crossing, picture from the AMAFCA Maintenance Meeting with numerous partners covering various subjects, American Council of Engineering Companies (ACEC) awards for Boca Negra Dam and Calabacillas Grade Control Structure 7a to be presented in April, a film still from the Gamer movie that was shot at John D. Robert Dam – blew up the tiger teeth, clips from the film Odd Thomas movie shot in the North Diversion Channel at the Bathtub, and closed with a picture from the Breaking Bad television series at the John D. Robert Dam.



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19. Calabacillas Arroyo

a. Calabacillas West Branch Arroyo Drainage Management Plan Update

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, stated that Mr. John Kelly with Tetra Tech and Ms. Alandren Etlantus with Bohannon Huston were present. Mr. Bingham referred to the exhibit showing the location of the area. He called out the various branches, dams, watersheds, and boundaries. A Drainage Management Plan (DMP) is being processed to identify possible dam safety issues within Swinburne Dam, and future regional flood control facilities in the Calabacillas basin. Existing conditions have been analyzed and the developed conditions have come to a stop. The diversion was identified in the 2005 Boca Negra DMP to divert flow out of the Boca Negra watershed into the Calabacillas watershed at Paseo del Volcan (PdV). The Boca Negra DMP identified facilities that received more water than it should. The initial diversion was discussed in 1989 with the Black Ranch Master Plan. It was reaffirmed with a “Level A” Amendment in 1999. The Quail Ranch Phase 1, a small portion of the Black Ranch Master Plan DMP, was approved by the City of Rio Rancho. The only DMP the AMAFCA Board had approved with the PdV diversion is the Boca Negra. The PMP is 17 inches of rain in a six-hour period and this is the extreme event the diversion is supposed to be designed for. Chair Brown asked about the flow rate. Mr. Bingham stated that it is approximately 20 thousand cubic feet per second (cfs) at the northern terminus diverting into the Middle Branch. Both events are extremely large. The PdV diversion ties the Boca Negra, West Branch, and Middle Branch basins together. The Boca Negra Dam was designed for existing conditions with no diversion in place. Since the dam was designed, there have been a number of developments built upstream of the dam. Mr. Bingham referred to the developed conditions DMP basin map of Boca Negra. He pointed out the analysis points at crucial locations. The water west of PdV diverts north to the Calabacillas Middle Branch. The map showed existing and future facilities, Geologic Window, Quail Ranch pond, dam, and analysis points between them. As stated in the memo provided to the Board in their mailout package, Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) had done a similar drainage management plan for the Calabacillas Main Branch, which included the Middle Branch. SSSCAFCA was not aware that AMAFCA’s Boca Negra basin would also be included in the diversion. Mr. Bingham advised that SSSCAFCA’s Watershed Plan is dependent on what AMAFCA decides to do.

Tetra Tech was tasked in June of 2014 to formally identify the location, capacity and the costs of diverting a portion of the Boca Negra Arroyo watershed into the Calabacillas Arroyo watershed using a Probable Maximum Precipitation (PMP) rainfall event. A conceptual design and analysis was prepared to determine the costs associated with the construction of the proposed diversion structure, including the purchase of right-of-way. A channel alignment, parallel and directly west of the proposed Paseo del Volcan corridor, is estimated to cost more than \$50M, require an excavation exceeding 90 feet, and divert nearly 20,000 cfs to the Middle Branch Arroyo. A second, upland alignment was also considered. Estimated costs of that alignment exceed \$21M, but it



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would only divert 13,600 cfs, which is only 70% of the identified watershed to be diverted. This does not address costs associated with managing runoff from the remaining 30%.

Responding to a question on creating additional detention areas in the Boca Negra, Mr. Lovato stated that the Boca Negra Dam was designed for the full PMP. Future facilities will be built assuming a full PMP. There was a discussion on maintenance costs, types of water flowing into the Calabacillas and the facilities that would require a PMP. Of the three facilities, Quail Ranch, Geologic Window, and Boca Negra would be designed for a PMP. The Boca Negra PMP had already been done. The other two facilities sized for a PMP are estimated cost between \$600K to \$800K more with no diversion; as opposed to \$50M. Mr. Bingham reminded the Board that since a Resolution was passed and a DMP was done, AMAFCA staff could not remove the diversions without Board approval. Mr. Lovato stated that while the Board agreed that the diversion is not a good idea today, AMAFCA will need to modify the existing Boca Negra Drainage Management Plan to remove the diversion and notify Rio Rancho that AMAFCA will not divert water from one watershed into another watershed. Chair Brown asked what type of slope is involved. Mr. Bingham stated 4-6%, but the contours in the area are parallel and due north and south. The Rio Puerco Divide is pronounced as a basin divide. It is a vast area and there are no incised arroyos in the area and run-off is difficult to find; however, AMAFCA has to be ready for the run-off.

Mr. Bingham advised that staff cannot support the diversion concept. The Boca Negra diversion is not economically feasible or necessary for downstream system capacity any longer. The additional runoff from this diversion would greatly influence future planning efforts for AMAFCA, SSCAFCA, BernCo, CoA, and the City Rio Rancho to manage runoff before it enters Swinburne Dam. Staff requested Board direction concerning whether the diversion is still valid, and if it should be included in the Calabacillas West Branch DMP and 2016 AMAFCA Project Schedule or remove it from consideration for a future facility.

Director Borrego asked if SSCAFCA is aware of the issue. Mr. Bingham responded, yes. AMAFCA and SSCAFCA have been working together for approximately a year. BernCo and CoA are aware of the issue as well.

Director Borrego asked if the models took into account the proposed Paseo del Volcan. Mr. Bingham responded, yes.

b. Boca Negra Drainage Management Plan - Authorization to Advertise RFP

The memo from Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, stated that for the reasons discussed in Item 19a, staff could no longer support the diversion concept identified in the Boca Negra Drainage Management Plan. Therefore, in order to remove the diversion facility from future consideration in the development of the Boca Negra and Calabacillas West Branch watershed(s), it would be necessary to amend the Boca Negra DMP and update downstream flow



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rates and facility sizes accordingly. The update would analyze the watershed upstream of the Boca Negra Dam, since that facility now reduces flows in the downstream Boca Negra channel to acceptable levels.

The estimated cost to amend and update the Boca Negra DMP is approximately \$150,000.00.

Staff had recommended that the Board authorize the Executive Engineer to advertise for a Request for Proposals for the Boca Negra Drainage Management Plan.

Chair Brown asked for a motion to advertise for the Boca Negra Drainage Management Plan,

Director Eichenberg made a motion that the Board authorize the Executive Engineer to advertise for a Request for Proposals for the Boca Negra Drainage Management Plan. Director Borrego seconded the motion, which passed (5-0).

- 20. Legislative Liaison – Briefing on the 2015 New Mexico Legislative Session was moved up during the meeting per request of Chair Brown**
- 21. Field Highlights were moved up to accommodate the Corp of Engineers.**
- 22. Real Estate**
 - a. Andalucía at La Luz Unit 4 – Briefing on Private Drainage License**

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

The Andalucia at La Luz Unit 4 (aka Sevilla at Andalucia) is a planned residential subdivision on the east side of Coors Boulevard at Sevilla Avenue. Ms. Mazur stated that Mr. Kevin Patton with Pulte Homes was present. She referred to the location map, which was also provided to the Board in their mailout package. 45 lots are proposed on 12 acres adjacent to the San Antonio Arroyo. AMAFCA holds an easement on the arroyo and provides maintenance.

The developer, Pulte Homes, as represented by Mr. Kevin Patton, and the engineer for the project, Bohannon Huston, Inc., met with AMAFCA staff to discuss the drainage plan. The plan proposes to drain 12 lots adjacent to the San Antonio Arroyo to swales in the AMAFCA easement. A plan was provided to the Board in their mailout package. The lots will drain through turned blocks in the backyard wall. The openings will be set four inches above finished grade to allow debris and sediment to settle before discharging into the swales, which will in turn discharge into the arroyo on either side of Sevilla Avenue.

There is no room for an access road or trail on this side of the arroyo. AMAFCA's primary access to the San Antonio Arroyo is on the west side of Coors Boulevard along the bottom of the arroyo.



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There is a multi-use maintenance road/trail along the southeast bank of the arroyo, but there is no access ramp to the bottom.

Pulte is requesting a license due to grading restrictions related to allowable wall heights as outlined in the Coors Corridor Plan (CCP). Sevilla Avenue is an existing roadway, and in order for the lots to drain to it, they would have to be raised to an elevation that would cause the perimeter walls to violate the CCP. Backlot drainage to the San Antonio Arroyo easement was allowed for Andalucia Unit 3 on the southeast side of the arroyo. For Unit 3, drain pipes from the lots discharge under the trail to riprap rundowns to the edge of the arroyo. The rundowns are maintained by AMAFCA.

Sevilla at Andalucia will incorporate into the existing Andalucia Homeowners' Association (HOA), and the proposed swales will be maintained by the HOA. Since the drainage facilities in AMAFCA's easement will be privately maintained, a private drainage license with AMAFCA will be required. If the Board agrees with the proposed drainage swale concept and maintenance by the HOA, staff will proceed with a private drainage license that will be presented at the March Board meeting for approval.

There will be language put into the license stating that the HOA will be responsible for picking up trash. Director Eichenberg asked if the trash pickup could be done on both sides of Coors and on the San Antonio. Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, advised AMAFCA does not have authority. Chair Brown asked Mr. Kevin Patton with Pulte Homes if that would be possible. Mr. Patton responded he would inquire with the HOA.

Director Thomson asked if the four inches above finished grade on the back wall would be adhered to. Ms. Mazur responded that was something AMAFCA could not answer and it is always an issue. Mr. Patton stated that with the turn blocks being installed it should help. He will see that language is put in the restrictions.

Director Borrego asked if it is possible to put something on the AMAFCA website stating that people are responsible for their trash. It was noted by the Chair that the individuals responsible for dumping trash are not the same type of individual who would be viewing the website.

Staff had requested concurrence from the Board to proceed with a private drainage license with the Andalucia Homeowners' Association. The Board concurred that AMAFCA should proceed with the private drainage license.



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**b. Residential Lot 16, Block 14, Tract 1, Unit 3, North Albuquerque Acres –
Approval of Quitclaim / Release of Easement**

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

The subject lot is located on the southwest corner of Beverly Hills Avenue east and Ventura Street in North Albuquerque Acres. She referred to the location map, which was also provided to the Board in their mailout package. A Grading & Drainage Plan (G&D) was submitted for Lot 16 and approved in 2006 by AMAFCA and BernCo Public Works Division. Prior to approval, a Drainage Easement was granted to AMAFCA for an arroyo across the rear of the lot that conveys a 100-year flow rate of 182 cfs. It is not a FEMA floodplain.

The owners delayed building their home until this year. Since 2006, BernCo installed a trail with eight culverts on the west side of Ventura adjacent to the lot. The owners changed their original plan to capture the outflow from the County's culverts in a headwall/wingwall structure and convey it in culverts across their property. An exhibit was provided to the Board in their mailout package. This plan will allow more usable space in the lot. They submitted a revised Grading and Drainage Plan in January that had been approved by BernCo and AMAFCA staff.

The Drainage Easement granted in 2006 does not cover the proposed culvert alignment. Therefore, staff requested that the existing easement be quitclaimed / released and a new easement granted to the limits of the revised improvements. The Quitclaim Deed and new easement exhibit were provided to the Board in their mailout package.

Staff had recommended that the Board authorize the Board Chairman to execute the Quitclaim Deed / Release of Easement for Lot 16, Block 14, Tract 1, Unit 3, of North Albuquerque Acres.

Director Eichenberg made a motion that the Board Chairman execute the Quitclaim Deed / Release of Easement for Lot 16, Block 14, Tract 1, Unit 3, of North Albuquerque Acres. Director Thomson seconded the motion, which passed (5-0).

Director Eichenberg asked who the homeowner's Drainage Engineer was. Ms. Mazur responded that Mr. Jake Bourdenave is the engineer and was the original Engineer back in 2006.

**c. Watershed Subdivision/APS Westside Stadium Project – Approval of
Quitclaim / Release of Floodplain Easement**

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, stated that the Watershed Subdivision is part of the recently constructed Albuquerque Public School's Westside Stadium Project. Two easements requested for a vacation action are Floodplain Easements on Tract N-1 and Parcel C-1



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that was granted to AMAFCA by a previous Bulk Land Plat for Westland North, Plat 2000C-316. A location map showing Tract N-1 and Parcel C-1 was referred to and provided to the Board in their mailout package.

Staff had received a request from APS to consider the easements quitclaim / release by AMAFCA since they are no longer required for flood control. The contributing arroyo flow was cut off with the construction of the Westside Stadium Project, and the floodplain was removed with a Letter of Map Revision (LOMR) from FEMA, dated January 2, 2015.

A draft of the Quitclaim Deed was provided to the Board in their mailout package. Staff had recommended that the Board authorize the Chairman to execute the Quitclaim Deed / Release of Floodplain Easement in Watershed Subdivision.

Director Borrego asked if there would be compensation for the Release of Easement. Mr. Willis responded, no, AMAFCA does not receive any compensation.

Director Borrego made a motion that the Board Chairman execute the Quitclaim Deed / Release of Floodplain Easement in Watershed Subdivision. Director Eichenberg seconded the motion, which passed (5-0).

d. Pond 187 / 187A Connection Update

Between his presentation and memo, Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, provided the following:

At the January Board meeting, the AMAFCA Real Estate Manager was authorized to begin negotiations for the purchase of Tract B-2 so a cost effective connection could be made between Pond 187 and 187A. The property is currently listed for \$67,000. All negotiations were to be subject to an appraisal and final Board approval. Staff ordered an appraisal for the subject property and it is expected to be completed within the next 30 days.

Staff contacted the property owner on January 28 and arranged for a survey crew to access the subject property for survey work on possible encroachments and to start a boundary survey of Tract B-2. On February 6, 2015 staff called the listing agent and left a message advising of AMAFCA's list price offer of \$67,000 for Tract B-2. On February 11, 2015 staff called the listing agent and left a message to call AMAFCA. On February 17, 2015 staff contacted the listing agent by e-mail and reiterated the list price offer and requested a meeting. On February 17, 2015 the listing agent called AMAFCA and indicated he would talk to the owners the following day and advise of them of AMAFCA's offer to purchase Tract B-2. The listing agent advised staff that he would call after he met with the property owners and set up a meeting with AMAFCA. The meeting with the listing agent was on February 24, 2015.



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Item 22d. Closed session, was moved to the end of the Board meeting.

23. AMAFCA Joint Projects

a. West I-40 Channel Phase IV – Update

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that both AMAFCA and CoA staff continue to meet to develop a 35% design for the channel between 98th street and Unser Boulevard. Mr. Kurt Wagener had suggested that AMAFCA use an On-Call Contractor in order to reduce the cost of the design and to expedite the design schedule. The 35% design would be updated to produce a 100% design by June 2015. The funding agreement is being drafted and will be the subject of next month's Board Meeting.

b. West I-40 Channel Phase IV – Consideration of Draft Funding Agreement with the City of Albuquerque

This item was taken off the agenda for a future update.

c. 2015 NPDES Permit Update

Mr. Jerry Lovato, AMAFCA Executive Engineer, mentioned that the United States Environmental Protection Agency (EPA) was in Albuquerque recently. Mr. Lovato referred to the presentation noting the demeanor of the attendees. Everyone came to the meeting with either a good understanding of what was needed or not knowing what to do, but with a willingness to work together to get everything done.

Between his presentation and memo, Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, provided the following:

On February 12, 2015, staff attended a presentation in Albuquerque delivered by EPA representatives from the Region 6 office. The overall purpose of the presentation was to update the MS4s seeking coverage under the new Watershed Based Permit. One question that came up during the meeting was whether an Annual Report for the calendar year 2014 needed to be filed since the new permit term has technically already begun. It had been previously understood by the MS4s in the watershed that an Annual Report for 2014 would not need to be filed. EPA, contrary to previous communications, stated that an Annual Report would need to be prepared and filed by March 31st to satisfy the reporting terms of the old permit. Fortunately, staff had already begun preparations to file an Annual Report for the calendar year 2014 in order to more efficiently close the old permit and thereby transition to the new Watershed Based Permit compliance requirements. Therefore, the March 31st deadline to file the Annual Report will not be missed AMAFCA staff.



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As directed, staff is in the process of preparing the Notice of Intent (NOI) for coverage under the new MS4 Watershed Based Permit. A draft version of the NOI has been completed and will be finalized before the required 30-day comment period that must be satisfied in advance of the June 22, 2015 filing deadline. An updated Storm Water Management Plan (SWMP) for AMAFCA will not need to be completed before submitting the NOI; however, various elements of an updated SWMP will be referenced in the NOI document. The NOI will be made available to the public on or before May 1 to allow time to address comments and/or incorporate any changes as a result of comments made during the 30-day period. It is the intent of staff to begin an update of the SWMP immediately following the NOI submittal.

Also related to the new NPDES permit is the potential development of a sampling cooperative amongst the various MS4s in the watershed. Staff is in the process of preparing a Cost Allocation. It was determined that there are approximately 13 (out of 19) MS4s permittees that have expressed at least some level of interest in a sampling cooperative. Cost sharing percentages will be determined for the participating MS4s before an overall cost for the sampling and monitoring program can be determined. Given the expected time that will be taken to finalize the details of the sampling cooperative, and the approaching summer wet weather months, staff is planning to have a sampling and monitoring program for AMAFCA in place to be in full compliance with the new permit terms independent of a sampling cooperative. Once the sampling cooperative has been firmly established, AMAFCA can transition to a modified sampling and cooperative program considering the other MS4 permittees in the watershed.

Director Thomson stated that the sampling cooperative is new terminology and asked if everyone had signed up for the sampling cooperative. Mr. Chavez responded that the configuration of the watershed will change, depending on who signs up. Director Thomson stated that AMAFCA agreed to participate in an NOI and asked if all the MS4s permittees have signed up for the Regional Plan and if there will be a separate permit needed. Mr. Chavez stated that there are different elements of the MS4 permit. You can participate on any of them to be considered a co-permittee. Mr. Lovato mentioned that those entities listed did voice to EPA that they would be signing the NOI for the Regional Permit. The Pueblos have asked for a waiver and do not appear to be interested in an NOI.

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

Chair Brown stated that discussion of the purchase of property for AMAFCA would be in closed session.

Director Eichenberg 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*



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Mexico Public Officials and Citizens,” seventh edition, 2010, to discuss the potential acquisition of real estate. Director Borrego seconded the motion.

Chair Brown stated that the closed session would be for purposes of discussion only, regarding a potential acquisition of real estate. The motion passed (5-0), on a roll call vote.

Chair Brown closed the meeting at 1:28 p.m.

Director Eichenberg made a motion that the meeting be re-opened and stated that nothing was decided. Director Thomson seconded the motion, which passed (5-0), on a roll call vote.

Chair Brown reopened the meeting at 1:44 p.m. Director Eichenberg stated that the Board had taken no action during the closed session and nothing was decided. He further stated that AMAFCA should proceed with what was outlined and Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, would work directly with the Chair as he moves forward.

24. Unfinished Business

Mr. Lovato reminded the Board that they had requested to have a Board Orientation for new and old Board Directors. Directors Stover and Borrego stated that it would be easier to have the Orientation after a scheduled Board Meeting. Director Eichenberg stated he would be fine to having the orientation prior to or after a Board meeting. Mr. Lovato advised he will try to make it happen for the March Board meeting.

25. New Business

None.

26. Adjourn

There being no further business to come before the Board, Chair Brown adjourned the meeting at 1:44 p.m.

Tim Eichenberg, Secretary-Treasurer, 3/26/15

Recorded by Guylene Harris, Executive Administrative Assistant