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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, June 25, 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 (not in room, but in building)
Directors excused:	Director Tim Eichenberg needed to leave during the meeting
Attorney present:	Attorney Vanessa Chavez, Robles, Rael & Anaya
Others present:	Jerry M. Lovato, P.E., Executive Engineer Staff Special Guests to sign the Operations, Maintenance, Repair, Replacement, and Rehabilitation document: Ms. Jennifer Faler, Area Manager, United States Bureau of Reclamation Mr. Mike Hamman, Chief Engineer/CEO, Middle Rio Grande Conservancy District Mr. Tom Zdunek, County Manager, Bernalillo County Other attendees on file at AMAFCA

A quorum was present.

2. Approval of Agenda

Mr. Lovato stated there was a late mailout for agenda Item 22, which should be considered Old Business and is a summary of On-Call Task Orders.

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

3. Meetings Scheduled

- a. **July 30, 2015, 10:00 a.m. – Regular Meeting**
- b. **August 27, 2015, 10:00 a.m. – Regular Meeting**
- c. **September 24, 2015, 10:00 a.m. – Regular Meeting**



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4. Items from the Floor/Public Comments

No one had signed up for Public Comment.

5. Approval of Minutes

a. May 28, 2015 Regular Meeting

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

6. Financial Matters

a. Approval of May 2015 Expenditures

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the May 2015 Expenditures.

Responding to a question from Director Thomson on where the \$980K from Debt Service Fund was dispersed, Mr. Chavez stated that the funds received were from property taxes that were deposited in the bank and moved into the Local Government Investment Pool (LGIP). He further stated that the receipt of these funds would be enough to make the August Debt Service payment.

Director Thomson made a motion to approve the May 2015 Expenditure Report. Director Borrego seconded the motion, which passed (4-0). Director Eichenberg had been excused from the meeting prior to the financial items being covered.

b. Bank Reconciliation Fiscal Agent Funds

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Bank Reconciliation Fiscal Agent Funds. No Board action was required. There were no questions.

c. Investment Report for May 2015

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Investment Report for May 2015.

Responding to a question from Director Thomson, Mr. Chavez confirmed that the \$980K was deposited into the Debt Service Fund, along with the \$1.7M for the Bond Sale. The Debt payment is estimated to be around \$9.3M. No Board action was required.



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**d. Financial Position Recap May 16, 2015 through June 15, 2015 & Forecast
June 16, 2015 through July 15, 2015**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Financial Position Recap and Forecast.

Director Thomson made a motion that the Board approve the Financial Forecast. Director Borrego seconded the motion, which passed (4-0), on a roll call vote. Chair Brown noted that Director Eichenberg had been excused earlier from the meeting and would not be present for the roll call vote.

e. Consideration of Finding to Delete Certain Items from Inventory

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Finding to Delete Certain Items from Inventory. A physical inventory of the items was done prior to year-end.

Responding to a question regarding the purchase date of the items, Mr. Kevin Troutman, AMAFCA GIS Manager, stated that the computers are not the current generation of computer; they are six years old, obsolete, 32-bit, and the systems run on Windows XP. Mr. Chavez clarified that the 2009 purchase date was listed on the exhibit provided to the Board.

Responding to a question regarding the plasma cutter, Mr. Chavez stated that the older machine is still on hand and will be utilized for parts and once all viable parts are depleted; disposed of, most likely as scrap metal. Director Thomson stated that at the University of New Mexico, if an inventory item is on premises, it is still listed on the inventory. Mr. Lovato stated that he would propose to just get rid of the piece of equipment. Director Thomson further stated he did not have a preference.

Director Borrego made a motion that the Board approve the deletion of Certain Items from Inventory, as presented, and execute the Official Finding for submission to the State Auditor. Director Stover seconded the motion, which passed (4-0), on a roll call vote.

f. Acceptance of Inventories

Mr. Chavez stated that an annual inventory had been done. He requested that the Board accept the inventories. Responding to a question from Director Thomson, Mr. Chavez stated that the tag number for the units will be the general ledger (GL) number. The old inventory system utilized a metal tag with number, along with a unit number on the GL. Mr. Lovato stated that the current inventory system is somewhat dated and there are plans to upgrade in the next year.



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Director Borrego made a motion that the Board accept the Inventories as presented. Director Stover seconded the motion, which passed (4-0).

g. Certification of FY-2016 Interim Budget

Mr. Chavez stated that AMAFCA had received a letter from the State Department of Finance and Administration (DFA) certifying AMAFCA's FY-2016 Interim Budget, with the conditions that are set every year. He further stated that the approval of a resolution will take place at the July 30, 2015 Board meeting. Responding to a question from Director Borrego, Mr. Chavez clarified that the estimates of ending cash was provided to DFA and the final cash report will need to be updated. The Year-End FY-2015 report is due to DFA on July 30th as well. Mr. Lovato reminded the Board that the July meeting is on July 30th, which means the approved resolution will need to be sent off to DFA that very same day.

h. Approval of "Exhibit A," Resolution 2006-08, Reimbursement for AMAFCA Good and Services

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, stated that the approval of Exhibit A, which includes what the Board had approved previously, including the charge for sediment sales, which is set annually.

Chair Brown stated that it was mindset of previous boards to charge for everything. He further stated that while providing a public service, a charge for information, etc., gives the constituent(s) the feeling of being nickel and dimed, which hurts AMAFCA's reputation. Mr. Lovato stated staff had reviewed the list and agreed that AMAFCA provides a public service and there was no need for an increase to any of the fees at this time.

Director Thomson made a motion that the Board approve "Exhibit A" of Resolution 2006-8, Reimbursement for AMAFCA Goods and Services. Director Borrego seconded the motion, which passed (4-0).

7. Legal

a. Status Report

Attorney Vanessa Chavez stated that the memo pertained to various legal matters. She stated that she looked into the GASB item presented during the May 28, 2015 Board Meeting. The State Audit Act requires government agencies to absorb the cost(s) and there is no issue about the mandate being legal. Responding to questions from Director Borrego, Mr. Lovato stated that AMAFCA cannot ask the State Legislature for funds to reimburse AMAFCA to comply with GASB 68. He further stated that funding will be put into the next budget. Responding to a



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question from Director Thomson pertaining to the report listed as Item #1, Pond187A, Ms. Chavez stated that AMAFCA had obtained a permanent order of entry onto the property and will moving forward with final disposition of the property.

b. Review of New Rule Concerning the Scope of Federal Clean Water Act Jurisdiction

Attorney Vanessa Chavez covered some of the key changes. She advised that there was good news; EPA addressed AMAFCA's comments regarding jurisdiction.

There are several types of water bodies which are identified as excluded, such as prior converted croplands and waste treatment systems, but of importance are stormwater control features constructed to convey, treat, or store stormwater created in dry land. There is no definition of dry land. Previously dry land had been held to mean areas of landscape that are not water features, such as streams, rivers, wetlands, lakes, ponds, etc. While this appears clear, the rule expects this standard will be further clarified when implemented.

Existing jurisdictional determinations on AMAFCA's facilities will remain effective for the duration of their five year period, unless reopened by AMAFCA. Jurisdictional waters include Traditional Navigable Waters, Interstate Waters, Territorial Seas, Impoundments of Jurisdictional Waters, Tributaries, and Adjacent Waters.

The rule does not include a list of excluded features. The rule is intended to exclude the diverse range of control features that are currently in place and may be developed in the future. The exception is waters that are jurisdictional, except for the fact that they have been used as part of a stormwater management system, such as channelized or piped streams.

Waters that are categorically excluded from jurisdiction are not Waters of the U.S., even where they otherwise meet the requirements to be classified as jurisdictional or subject to a significant nexus determination.

Mr. Lovato stated in Albuquerque a structure built on dry land would be dry land. The USACE is of the opinion that any flow going from the Sandias to the Rio Grande, would be considered Waters of the U.S. AMAFCA will wait for the next lawsuit that comes out to see how the rule is being applied. AMAFCA is taking the position that AMAFCA does not have jurisdictional facilities at this point. He further stated, in previous years, when there was a jurisdiction, it was very hard to change; this new rule is more specific. Responding to a question from Director Thomson regarding Tijeras Arroyo, Ms. Chavez responded that dry land is dry land.

Chair Brown asked if any member of the audience had questions on this item. There were no questions.



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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:

- **Facility Readiness** – Since January, staff has taken a comprehensive look at the readiness of AMAFCA facilities to ensure that AMAFCA would be ready for this year's monsoon season. All dams had been inspected, intake towers cleaned, sediment removed, all channels and dams are ready to accept flows. Various large and small erosions had been taken care of.

Field personnel had stockpiled clean fill, riprap, boulders, and concrete jersey barriers throughout AMAFCA's jurisdiction, in addition to maintaining the AMAFCA equipment fleet for quick emergency deployment. AMAFCA staff had worked with, and participated in, emergency action planning with state and local emergency managers concerning flood emergencies.

Last year, AMAFCA provided over 6,000 filled sandbags to the Albuquerque Fire Department(s) and over 30,000 empty sandbags and sand to both the Bernalillo County and City of Albuquerque Fire Department(s). Current inventory of sandbags on hand is approximately 64,000 and more will be ordered, when the need arises. AMAFCA owns a sandbagger, which will be utilized as well.

- **Environmental Protection Agency (EPA), Urban Waters** – *Urban Waters Federal Partnership*: AMAFCA has been working with the Urban Waters group and EPA Headquarters to develop and conduct a resiliency charrette that will explore the role of stormwater management in developing multi-functional solutions that will address significant environmental, social, and economic challenges in Albuquerque. EPA will fund the charrette.

Responding to a question from Director Stover, Mr. Lovato advised that the members of the Urban Water program will include CoA and BernCo planners, as well as various architects. The meeting will be at the Mid-Region Council of Governments (MRCOG) office.

- **Corps of Engineers (USACE) - Letter of Permission**: AMAFCA has been working with Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA), BernCo, and the Albuquerque USACE District to streamline permitting of maintenance activities in Waters of the U.S. The new process, which Mr. Kurt Wagener, has been working on, will allow



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AMAFCA to identify work at the beginning of the calendar year for the entire year. The USACE will issue a letter of permission to do the maintenance work and requires a short report at the end of the year documenting what work was actually done. This process will save time and money by eliminating the permitting process for regular maintenance work. The State of New Mexico has criteria that will need to be met. The Pueblo of Sandia has rejected the Letter of Permission. Any work on Pueblo land will need to be coordinated with them; this has not been an issue in the past.

- **Bernalillo County (BernCo) - North Maintenance Yard:** The construction on Menaul posed a hazard to the public and AMAFCA crew/equipment. AMAFCA entered into an agreement with BernCo that allowed AMAFCA to park equipment and trucks on half of their yard at the BernCo North Valley Equipment Yard, located near Industrial and Edith. The crew did a great job setting up the temporary yard. After the initial move, AMAFCA was ready to address any flood emergency. Mr. Lovato thanked BernCo for helping in this endeavor.

Responding to a question from Director Borrego regarding staff down-time due to the sewer main break on Menaul, Mr. Lovato stated that there was not an abundance of lost time, but extended time was utilized. He further stated that at the time of the break there were also 2M gallons of sewage in the pond just east of the facility. AMAFCA helped the Albuquerque Bernalillo County Water Authority (ABCWUA) make sure the water did not get released into the North Diversion Channel (NDC), then into the Rio Grande. Mr. Lovato thanked Mr. Jeffrey Willis, AMAFCA Real Estate Manager, who lives close to the office. Mr. Willis worked into the night to collect sandbags to put in front of the flap gate in order to stop the flow of sewage. Mr. Kurt Wagener, AMAFCA Field Engineer, stated that there might have been a bit of lost time, which would have been lost due to time in transit and working on logistics. One example, the fuel truck needed to be staged at the main AMAFCA yard and driven to the temporary yard in the morning to fuel the equipment; when appropriate the equipment is fueled the evening before. Working ten-hour days, four days a week, for 30 days, did not amount to a great loss. He further stated that Mr. Lovato had planned to purchase a trailer and with the timing of the break, it proved to be an appropriate time to make the purchase so it could be utilized to house materials needed at the temporary yard.

Mr. Wagener advised the Board that the pond where the sewage ended up is CoA maintained pond. He further stated he and former AMAFCA employee, Ms. Karen Stearns, attended meetings in the last couple of years with ABCWUA, BernCo, Middle Rio Grande Conservancy District (MRGCD), and others and was aware that the Capacity, Management, Operation, and Maintenance (CMOM) Program is utilized to reduce and prevent sanitary sewer overflows (SSOs) of untreated wastewater.



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Director Thomson opined this was a remarkable event that showed if AMAFCA had not been quick to react and keep the flow of sewage out of the Rio Grande; it would have been a significant environmental incident. Director Borrego opined that there might be time when agencies need to be reminded that AMAFCA was there to help and picked up the slack. Director Borrego stated, for the record, this issue was very concerning to her and she purposely drove by the area many times. She thanked AMAFCA staff for the work done to mediate the environmental impact the sewer break could have caused, if it made it into the Rio Grande.

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. There were no questions.

Consent Agenda:

Chair Brown stated that agenda items 9 through 12 were on the Consent Agenda. There being no further items on the consent agenda, and no questions, Director Thomson made a motion that the Board:

- Approve the Agreement for Funding and Maintenance of a Bridge over the Amole del Norte Inlet into the Amole Dam and authorize the Chair to execute the same with Albuquerque Public Schools;
- Authorize the Executive Engineer to advertise for bids for a new backhoe to replace Unit 304;
- Authorize the Executive Engineer to advertise for bids for a new 3 CY front end loader to replace Unit 301; and
- Authorize the Chair to execute the 2015 Balloon Fiesta License.

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

Regular Agenda:

13. West I-40 Diversion Channel Phase IV – Approval of Joint Funding Agreement with the City of Albuquerque

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated the funding agreement is for the Design and Construction of the West I-40 Diversion Channel Phase IV. The project will remove the temporary channel and replace it with a concrete lined channel. CoA is planning to contribute \$300K, \$235K had been received by private developers, AMAFCA will fund approximately



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\$2.2M for construction and will maintain in the future. The Project will include water quality structures and will include artistic elements much like the elements found in Phase III.

Responding to a question from Director Thomson regarding using an On-Call Engineer to design the project, Mr. Lovato stated timing was essential, due to the agreement with I40 WEST and the completed LOMR by BHI. Wilson and Company was assigned the task in April and the design is already underway. The design is approximately 60% complete. The agreement does allow CoA to amend the agreement, to direct AMAFCA to design and construct a multi-use trail as part of the West I-40 Phase IV project, and provides for reimbursement to AMAFCA for the costs associated with the design and construction of the multi-use trail. Responding to a question from Director Thomson, Mr. Lovato confirmed that Wilson will do the design and landscaping and the CoA will handle the multi-use trail or pay AMAFCA to do design the trail.

Director Borrego made a motion that the Board approve the Agreement for Funding the Design and Construction of the West I-40 Diversion Channel Phase IV and authorize the Chair to execute the same with the City of Albuquerque, substantially as attached. Director Stover seconded the motion, which passed (4-0).

14. Marble Arno Pump Station - Approval of Joint Funding Agreement with the City of Albuquerque

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated the funding agreement is for the Design and Construction of the Marble Arno Pump Station. AMAFCA will help fund the acquisition of the property, planning documents, and construction of the project for approximately \$4.5M. CoA will be the project and construction manager. CoA will provide a Letter of Map Revision (LOMR) and a Conditional Letter of Map Revision (CLOMR) for the property at Broadway and Lomas, prior to the property going up for sale. He further stated that any monies received from the sale of the land would stay in the mid-valley area.

Responding to a question from Director Thomson, Mr. Lovato clarified that while the funding agreement states CoA will maintain the pump station, it is understood that CoA currently contracts with the ABCWUA to maintain storm sewer pump stations.

Director Stover made a motion that the Board approve the Agreement for Funding the Design and Construction of the Marble Arno Pump Station and authorize the Chair to execute the same with the City of Albuquerque, substantially as attached. Director Borrego seconded the motion, which passed (4-0).



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15. AMAFCA Projects

a. Boca Negra Dam Update

Mr. Kurt Wagener, Field Engineer, stated the final acceptance of the construction of Boca Negra Detention Dam was on November 11, 2014. A one-year inspection will take place in October 2015. The final Completion Report, final as-built drawings, and Operations and Maintenance Manual were accepted by the Office of the State Engineer – Dam Safety Bureau (OSE-DSB), and a Certificate of Construction was issued by the OSE-DSB on May 19, 2015.

The LOMR is approximately 95% complete and reflects the current conditions. The LOMR is undergoing a final review by AMAFCA, BernCo, and CoA for submittal to the Federal Emergency Management Agency (FEMA) within the next couple of weeks.

A license to operate the dam will not be issued by the OSE-DSB until the Emergency Action Plan (EAP) is accepted by the OSE-DSB. Volume I of the EAP had been accepted by the OSE-DSB. The Volume II EAP (dam specific information) for the Boca Negra Dam is almost complete. The supporting Dam Breach Analysis Report had been submitted to AMAFCA for review and is scheduled to be submitted to the OSE-DSB during the first week of July.

The Boca Negra Detention Dam project won a water and storm water engineering award from the American Council of Engineering Companies (ACEC) on April 10, 2015.

Mr. Lovato stated that the Boca Negra Dam agreement was signed in 2005 and AMAFCA did not get permission to construct from the OSE until 2012. There was a tremendous amount of time and money spent during this time. AMAFCA is currently having the same type of delay from the OSE in getting the EAP and mapping approved.

Mr. Bradley L. Bingham, Drainage Engineer, explained to the Board the delays experienced by AMAFCA are due to additional work requested / required by the OSE. For example, he described the types of equations, variations, and models for used for both an Erosion Breach and Prescribed Breach of a dam. He advised that doing two different types of breach analyses would get different mapping results; however, essentially the results are the same, given the amount of time and dollars expended, this exercise was un-necessary. Going forward AMAFCA hopes the modeling process will be streamlined. The Sunny Day Breach results were covered and it was noted the same map will be provided to the OSE. Responding to a question from Director Thomson, Mr. Bingham stated that the models are prescribed in the OSE-DSB rules and regulations. Mr. Lovato stated that when a simplified approach was prescribed, AMAFCA was told to do the 77 different models. Mr. Lovato further stated that there are 30+ more EAPs that need to be done. Responding to a question from Director Borrego, Mr. Bingham pointed out exactly where the breach on the mapping was located. Responding to a question from Chair Brown, Mr. Lovato stated that the



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discharge is 1,100 cubic feet per second (cfs) and there are some upstream solutions. Responding to a statement from Director Thomson on AMAFCA compiling a formal engineering analysis report that would be used for various agencies, Mr. Lovato stated that AMAFCA would put a report together.

b. Black Mesa Phase 1a Project Update

Ms. Lynn Mazur, Development Review Engineer, stated AMAFCA's portion of the project is part of the larger Black Mesa Phase 1, Three Dam Outlet Project. The Phase 1 project was the master plan to connect AMAFCA's three gated dams in the South Valley - Don Felipe, Raymac, and McCoy Dams, which provided gravity outfall to the river.

The first project after the Corps of Engineers Phase I Project was the Phase 1a Raymac Dam Outfall Project, completed in January 2015 at a total cost of \$720K. It connected a pipe to the existing Phase 1 pipe in Raymac Road, east of Coors and continued due west in an easement obtained on the Baca's field. The AMAFCA contractor, New Mexico Underground Contractors, and Mr. Chris Perea, Construction Manager with Wilson and Company, did a very good job getting the project constructed on time. The project also included a change order to address leaks in the existing pipe that were discovered during the new pipe installation. Four expanding mechanical joint seals were used to repair the leaks.

The next project will connect Don Felipe and Raymac Dam pipe outfalls to the recently completed Phase 1a pipe. This will be followed by the pipe connection to McCoy Dam. These projects are including in the FY-2015 Project Schedule for approximately \$8M.

AMAFCA staff had several meetings with BOR and MRGCD staff regarding use of the Gun Club Lateral prescriptive easement and right-of-way for installation of the Phase 1a pipe. The original design from USACE was to put the pipe in Coors Boulevard. Wilson and Company were tasked to investigate utility conflicts and found over 300 utility conflicts, as well as a huge disruption to traffic. Mr. Jerry Lovato, AMAFCA Executive Engineer, had presented the option at various MRGCD Board meetings. The MRGCD Board did not object to use of the lateral corridor as long as AMAFCA assumes maintenance of the lateral. Once the Operations, Maintenance, Repair, Replacement, and Rehabilitation (OMRRR) agreement is signed, AMAFCA will resume discussions with BOR and MRGCD on the Phase 1a project.

Responding to question from Director Thomson regarding how long AMAFCA will need to maintain the Gun Club Lateral, Mr. Lovato advised that the OMRRR needs to be signed in order for discussions to resume. Responding to a statement from Director Thomson about the Board not wanting to maintain a district canal, Mr. Lovato stated AMAFCA is very good at flood control and not very good at water distribution so it would be appropriate for the MRGCD to maintain a



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distribution facility; however, the OMRRR needs to be signed so that the design can be approved by the BOR.

c. Southwest Valley Flood Reduction Project Phase II Update

Mr. Bradley L. Bingham, Drainage Engineer, stated that Construction of Pond 187 is complete; however, the USACE contractor is still maintaining it. AMAFCA had not received the as-builts. \$3.3M is the estimated cost for the USACE project. AMAFCA planted alfalfa in the upper field and Mr. Jeffrey Willis, AMAFCA Real Estate Manager, is making sure it is being irrigated regularly.

AMAFCA's Pond 187A Excavation Project is 70% complete and should be complete by mid-August. A Permanent Order of Entry was received from the Second Judicial District Court on Tract B-2, the location of the conveyance between Pond 187 and Pond 187A. Final design has started.

The design of the Pond 187 Outfall in La Fonda Road is approximately 80% complete. The waterline relocation is scheduled for the fall and the outfall pipe installation is scheduled in the winter.

Responding to a question from Chair Brown, Mr. Lovato stated that Pond 187 has been completed, but has not been turned over to AMAFCA yet.

Responding to questions from Chair Brown and Director Thomson, Ms. Chavez stated that the defendants did not challenge the Order of Entry; however, compensation was challenged. Responding to a question from Director Borrego, Ms. Chavez stated that the owners claimed they are entitled to more compensation for water rights.

d. Southwest Valley Flood Reduction Project OMRRR

Mr. Jerry M. Lovato, Executive Engineer, provided an overview of the project and the reason(s) for signing the OMRRR. The project began in 1998 with the USACE and the 593 program. The original purpose of the project was to address the environmental impacts of flooding on septic tanks in the South Valley. By 1999, the project morphed into a feasibility study to address flooding over a twenty-two square mile area in the South Valley. In 2003, the project was virtually dead; it did not meet COE criteria therefore the government was not interested in the project. The Board allowed Mr. Lovato to attend a meeting in Washington, D.C. to meet with USACE staff to make the argument that this was a valid project. As a result, the USACE re-scope the project to meet criteria. The total amount of Federal funds spent from 1999 to 2015 on the South Valley Flood Reduction Project is approximately \$23,200,000.00. The ultimate project will include 19 miles of MRGCD drains and remove over 1,900 acres of flood plain in the South Valley. The plan widens



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MRGCD drains to provide for storm water storage and conveyance. A letter of support was received for the Flood Reduction Project from the Pueblo of Isleta. Infrastructure that has been installed to date cannot be placed into operation until the OMRRR is signed, therefore affected flood plain cannot be removed until the OMRRR is signed.

Responding to a question from Director Borrego, Mr. Lovato stated that Region 3 of the FY-2016 Project Schedule will be covered at the July Board meeting. Responding to a question from Director Thomson, Mr. Lovato advised CoA is not part of the OMRRR. He further stated the local partners; AMAFCA and BernCo are putting stormwater into the BOR and MRGCD drainage facilities. The federal project gets the BOR involved, the MRGCD maintains the facilities, and BernCo and AMAFCA will take care of the storm water portion of the facilities. In the future, CoA will be draining into the Isleta Drain. Once the facilities are put in by the CoA, the CoA will need to abide by conditions set forth by BernCo concerning maintenance and discharge. BernCo will be given the responsibility for managing the drainage facilities as appropriate.

The OMRRR agreement, is a four-way party agreement, which identifies the responsible parties for storm water quality, maintenance of the project on BOR rights-of-way and easements, transfer of project elements to the BOR, transfer of maintenance responsibilities from the MRGCD to AMAFCA and Bernalillo County, the maintenance of the project on rights-of-way, and easements not owned by the BOR.

16. Signing of the Operations, Maintenance, Repair, Replacement, and Rehabilitation Manual for the Southwest Valley Flood Reduction Project – AMAFCA, Bernalillo County, Middle Rio Grande Conservancy District, and the Bureau of Reclamation

Mr. Jerry M. Lovato, Executive Engineer, welcomed Ms. Jennifer Faler, U.S. Bureau of Reclamation, Mr. Mike Hamman, Middle Rio Grande Conservancy District, and Mr. Tom Zdunek, from Bernalillo County. He mentioned that Mr. John D'Antonio and Jerry Nieto from the USACE were present. He further stated that while Mr. D'Antonio and Mr. Nieto would not be signing the document, if it was not for the USACE starting the project, AMAFCA and the other partners would not be here to sign the OMRRR. Chair Brown welcomed Mr. Brad Catanach with BernCo, who provided each signer with their page(s) of the OMRRR document for signature. Chair Brown and the AMAFCA Board signed their applicable page. Mr. Catanach collected the signed documents and advised they will be disseminated when ready.

Chair Brown welcomed Mr. John Kelly, former AMAFCA Executive Engineer, and current MRGCD Board Director. Mr. Kelly stated there are great changes within the MRGCD and the BOR. He advised that projects affecting the Gun Club lateral need to be revisited to look at what would be best to serve all constituents. He acknowledged that when he was the Executive Engineer at AMAFCA, Mr. Lovato had survey work done to confirm elevations from the river to Los Padillas Drain up to Anderson fields to the Isleta Drain. Once the survey was complete and



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brought to his attention he did not believe the results. However; the numbers were double checked and the survey worked. He thanked Mr. Lovato for thinking outside of the box. He thanked the USACE and everyone who were part of the process to get the work done. Chair Brown thanked Mr. Kelly. Mr. Mike Hamman, Mr. Tom Zdunek, and Ms. Jennifer Faler provided comments and offered their thanks to those individuals and entities that helped with the project.

17. Field Highlights

a. Construction Report

Chair Brown referred the Board to the memo from Mr. Kurt Wagener, AMAFCA Field Engineer, which 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. The slides opened with a picture of egrets (small white heron) on the alfalfa field at Pond 187, followed by AMAFCA crew doing road maintenance, servicing of flood control gates done every spring, settlement monumentation at Ladera Dam 13, the crew fixing up the temp AMAFCA yard being housed at the BernCo North Valley Yard, sediment removal at Kinney Dam, various pictures of work being done by City of Rio Rancho (CoRR) on the Westside Blvd Widening that involves AMAFCA, SSCAFCA, CoA, and the CoRR. Multiple pictures of the Agency and Area-Wide 2014-15 concrete work at the confluence at the South Pino, and the void on the Hahn. Numerous pictures of the Pond 187a project, Piedras Marcadas Dam Water Quality Structures, North Domingo Baca Park at Kinney Dam (purple pipe is not treated - do not drink), NDC Bird spikes and spiders to curtail the birds and homeless under the Indian School bridge, AMAFCA and BernCo crews at North Domingo Baca to place fill for the fields and place the drop structures (Chair Brown coaches the All Star little league team and stated the new field is awesome), picture of contractor in a raft doing water monitoring at the Rio Grande, pictures of the Art Show with renditions by artist Ryan Henel of how art can be integrated into infrastructure, the Pathogens in Storm Water webinar that was held at the AMAFCA office, Dr. Thomson giving a presentation on the Water Budget at the MRGCD Board meeting, and closed with a picture of a momma duck and her ducklings wading down the Corrales Main.

18. Real Estate

a. South Valley Dairy – Approval of Private Access License

Ms. Lynn Mazur, Development Review Engineer, stated that the private access road is northwest of McCoy Dam. The only way to access the dairy from Coors Boulevard is from Powers Way and this is leading to a number of complaints from residents. The daily traffic usage is low, but there



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are large service trucks and semis utilizing the roads, which are not designed to handle the heavy loads or larger turning radiuses associated with the service trucks. AMAFCA's maintenance vehicles also use this route, so a direct access from Coors will benefit AMAFCA as well.

Mr. Dustin Maloney, the dairy owner, his engineer, Mr. Richard Dourte, BernCo, New Mexico Department of Transportation (NMDOT), and AMAFCA staff met to discuss an alternative access road. Mr. Maloney had installed a 72-inch culvert to accommodate the crossing on the Gun Club Lateral. The entrance from Coors will be the existing access to the Dennison Polo Park. The road will be extended due west to the dairy and will have around nine trucks a day accessing the road.

BernCo agreed to maintain the road from Coors to Ray Lane. The section from Ray Lane to the dairy will be a 24-foot wide private access road across AMAFCA's property. Mr. Maloney is requesting a license for a 50-foot to 60-foot wide access area to allow room for the road and roadside drainage swales. He will be responsible for maintaining the road and swales.

Ms. Mazur covered the paragraph changes that were done to update the license.

Director Thomson made a motion that the Board authorize the Executive Engineer to issue the Private License Agreement for Access Road to South Valley Dairy by McCoy Dam. Director Borrego seconded the motion, which passed (4-0).

19. South East Valley – Project Updates

a. South Second Street – Briefing by Bernalillo County

Mr. Lovato introduced Mr. Brad Catanach with BernCo. Mr. Catanach referred to the location aeriels and walked the Board through the costs of some of the projects that impact this area.

- The access road from Valle de Oro (VDO) Wildlife Refuge from 2nd Street with a rebuild of the intersection at 2nd Street and Desert that will include sidewalk work up to Mountain View Elementary. \$12.5M (85/15 cost share between CFL and BernCo) funding from Central Federal Lands in Denver, Colorado. Construction should start in FY18.
- \$1M from FHWA of Santa Fe for a trail from the South Diversion Channel up to Prosperity Avenue.

The cost for the three options that were drawn up by Parsons Brinkerhoff and presented to the Board at the April 23, 2015 meeting by Mr. Roger Paul are as follows:

- Option 1 = \$10.6M
- Option 2 = \$8M
- Option 3 = \$5.6M



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Responding to a question from Director Thomson, Mr. Lovato stated that AMAFCA would be looking at Options 1 and 3.

b. Mountain View Elementary School – Briefing by Bernalillo County

Mr. Brad Catanach stated that the drainage plan approved by BernCo and AMAFCA for onsite infrastructure includes putting in a pond and releasing flows into the South Diversion Channel. AMAFCA will be getting the USACE to release flows into the SDC. BernCo will be putting in a bridge so that the kids attending Mountain View Elementary school can cross safely. In the next three years BernCo plans to improve the maintenance road to Shirk Lane, which will enable kids to walk down and see agriculture activities. Responding to a question from Director Thomson, Mr. Catanach stated that 2nd Street crossing will have flashers and normal crossing guards.

c. Valle de Oro National Wildlife Refuge – Briefing by the U.S. Fish & Wildlife Service

Ms. Lynn Mazur, Development Review Engineer, provided a brief recap of the following: The Valle de Oro (VDO) National Wildlife Refuge is located four miles south of Rio Bravo. AMAFCA contributed \$1.8M to the property acquisition. AMAFCA is working closely with the U.S. Fish and Wildlife Service (FWS), the owner of the property. AMAFCA holds a floating drainage easement on approximately 340 acres for future drainage facilities and outfall for the Southeast Valley. The final, permanent easement will be refined once AMAFCA's drainage infrastructure is in place.

FWS and AMAFCA staff met many times. Public meetings were held to collect input from the public, and the conceptual plan was approved. Friends of VDO hosts various activities every month. Funding for the Visitors' Center is in the President's proposed 2016 Federal budget. The FWS contracted Ducks' Unlimited to prepare design plans for constructed wetlands on the site. FWS will use irrigation water from their water rights to supplement the wetlands. FWS will submit the Environmental Assessment later this year; AMAFCA's proposed projects will be included. The document is required as part of the National Environmental Policy Act (NEPA) for work on Federal land. FWS is the lead for the Federal Land Access Program (FLAP) money received in October 2014.

Mr. Paul Tashjian with FWS stated that the VDO project was a new, innovative, and exciting opportunity for dual partnerships. He briefed the Board on the Ducks Unlimited Project and how the FWS will be working with MRGCD. Mr. Tashjian responded to numerous questions including ensuring the Board that the vast diversity of wildlife on the Refuge is welcome and will be protected to the best of their ability.



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20. Storm Water Quality Update

Mr. Patrick Chavez, Storm Water Quality Engineer, provided a recap on various segments of the program and answered questions from the Board. The topics covered were: Notice of Minor Permit Modification, Notice of Intent, Wet Season Storm Water Quality Monitoring, Sampling Cooperative, Polychlorinated Biphenyls, Sediment, Floatables and Trash, Flow and Rainfall Gaging, DO and Temperature, Public Outreach, Storm Water Quality Team, and the ASCE Webinar Series.

21. CY 16 Project Schedule – Review of Region 2

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, presented information on a few of the projects that might be included in the FY-2016 Project Schedule for Region #2.

A summary is as follows:

The possible projects: Avulsion One, Hamilton Dam, North Camino Drainage Management Plan (DMP), Kirtland Air Force Base (KAFB) South Pond, South Diversion Channel Freeboard Improvements.

The total funding estimated to construct all projects in Area 2 exceeds \$268 million. The breakdown is as follows:

Drainage Deficiencies in existing neighborhoods	21%	\$56.6M
Rehab of Existing Flood Control Facilities	43%	\$116.3M
Master Planned Drainage Facilities	31%	\$82.1M
Storm Water Quality Projects, retrofits, and new projects	5%	\$13.1M

Responding to a question from Director Thomson, Mr. Lovato stated that AMAFCA has a 30 foot easement at UNM and they are encouraging AMAFCA to take dirt from the pit for an embankment.

Responding to a question from Director Stover regarding flooding in the area near Broadway and Bethal, Mr. Bingham stated that AMAFCA has looked at this area and it is part of the South Broadway Drainage Management Plan. Mr. Lovato stated that the area would be scoped out and information will be provided at a future Board meeting. Mr. Bingham mentioned that Mr. Kevin Daggett from the CoA, who was present at the Board meeting, had been made aware of the issue as well.



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22. Old Business

Mr. Lovato referred the Board to the complete listing of all tasks associated with On-Call Services used by AMAFCA. He stated that AMAFCA has spent \$750K more to date, than the same period from two years ago (old contracts). The services provided by the On-Call contacts save money and time in the end and AMAFCA staff have become much more efficient in administrating the contacts allowing more work to be accomplished. Each of the agreements provide a fee schedule and a method to compensate the contractor for each identified task (time and materials or lump sum). The Executive Engineer has the authority to commit up to \$75K for each task.

Responding to a question from Director Thomson, Mr. Lovato responded that a dedication will be done in the near future; with the sewage break on Manual and the move of the AMAFCA yard, the dedication was delayed.

23. New Business

None.

24. Adjourn

There being no further business to come before the Board, Chair Brown adjourned the meeting at 1:15 p.m.

Tim Eichenberg, Secretary-Treasurer, 7/30/15

Recorded by Guylene Harris, Executive Administrative Assistant