



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 1**

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

Chair Brown called the Regular Board Meeting to order at 10:00 a.m. Thursday, November 19, 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
Others present:	Jerry M. Lovato, P.E., Executive Engineer Staff

Other attendees on file at AMAFCA

A quorum was present.

Chair Brown announced that Mr. William “Bill” Hereford, former AMAFCA Director, passed away November 4, 2015. He gave his condolences to family and friends and further stated that the passing of Mr. Hereford is a great loss.

**2. Approval of Agenda**

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that the Board received late mailouts for Items 9a, 18b, and 27. He further stated that Item 18b was a request for a Special Meeting to award the Contract for the Southwest Valley Flood Reduction Project Phase IIa. The original bid opening was scheduled for Tuesday, November 17, 2015. Staff realized that a bid item concerning the existing water well on the project site was not clearly defined. The bid opening was extended by seven days to address the Thanksgiving Holiday.

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

**3. Meetings Scheduled**

- a. **December 17, 2015, 10:00 a.m. – Regular Meeting and Holiday Luncheon**
- b. **January 28, 2016, 10:00 a.m. – Regular Meeting**



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 2**

**c. February 25, 2016, 10:00 a.m. – Regular Meeting**

The Board approved a Special Meeting for December 3, 2015, at 9:00 a.m. as referenced earlier.

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

Mr. Charlie Bennett, Vice-Chair of the La Mesa Community Improvement Association, signed up for public comment. He thanked the Board for allowing him an opportunity to speak. Part of his statement included the following:

- The Association will be happy to collaborate with the City of Albuquerque (CoA) and AMAFCA with any project that enhances the public safety and livability of the neighborhood;
- The Association would appreciate a voice to help decide on a suitable location for a flood control project in the neighborhood;
- The Association noted that the project should not harm any past or current efforts or projects that would be improvements to the neighborhood;
- Thanked AMAFCA for the October public meeting regarding the Drainage Project;
- The Association hopes for another public meeting; and
- Looking forward to a completed project that the La Mesa Neighborhood, CoA, and AMAFCA will be proud of.

Chair Brown thanked Mr. Bennett and advised the Board recognizes the challenges a project in the area would entail.

**5. Approval of Minutes**

**a. October 22, 2015 Regular Meeting**

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

**6. Financial Matters**

**a. Approval of October 2015 Expenditures**

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

Responding to a question from Director Thomson, Mr. Chavez advised the rented excavator was used for cleaning the channels. Mr. Lovato stated that the excavator that was rented is a special



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 3**

piece of equipment with a 30-foot boom. Mr. Chavez stated the bottom portion of the Construction Report shows the assigned construction funds that have been committed. Responding to a question from Director Thomson, Mr. Lovato stated that the Telemetry Project might be ready next month to go out for Construction Bids and the current amount noted on the Construction Report is for the design work. He further stated the Board will receive a presentation at a future Board meeting. Responding to a question from Director Eichenberg on if there is anything the State Treasurer's office can do differently for AMAFCA, Mr. Chavez stated that it is key to be able to draw funds at any time. He further stated that safety is a concern and a quick turn-around is a plus. A listing of significant investments may be beneficial. It might be a good idea to invest funds in the New Mexico community such as schools, counties, etc. Director Eichenberg advised that the State Treasurer already buys local and suggested that Board consider an Investment Policy to be the subject of a future Board agenda.

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

**b. Bank Reconciliation Fiscal Agent Funds**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Bank Reconciliation Fiscal Agent Funds. He stated that the check for the National Flood insurance cleared in November. Responding to a question from Director Thomson, Mr. Chavez stated the check was issued last December. Responding to a question from Director Eichenberg, Mr. Chavez clarified AMAFCA checks are valid for one year. No Board action was required.

**c. Investment Report for October 2015**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Investment Report for October 2015. He noted that the rates of return were listed. No Board action was required. There were no questions.

**d. Financial Position Recap October 16, 2015 through November 15, 2015 & Forecast November 16, 2015 through December 15, 2015**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Financial Position Recap and Forecast. Director Thomson commented that he appreciated the explanations that are listed on the report.

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



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 4**

**e. FY16 1st Quarter Budget to Actual Comparison**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the first quarter report for FY 2016. He stated the report was new for this year; the first graph showed the first quarter actual(s); AMAFCA is trending to budget. The second graph shows each budget category in the form of a pie chart; AMAFCA is spending to trend. Mr. Lovato advised that AMAFCA staff uses this information on a weekly basis and staff will provide this information to the Board every quarter basis in the future.

**f. AMAFCA FY2015 Audit**

**a. Update on Audit Process**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, stated this item was in two parts. The review by the outside firm was completed, nothing major was noted, and there were slight changes that had to do with grammar, etc. He advised that the next agenda item could be utilized; should the Board desire to discuss items called out in the Audit. He further stated that the State Audit Rule states the audit cannot be discussed in a public setting until approved by the State Auditor.

**b. Audit Discussion – Closed Session (§10-15-1(H))**

Chair Brown advised that Item 6f was a Closed Session agenda item. Mr. Martin Mathisen with Atkinson and Company was present. 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,”* eight edition, 2015, to discuss the FY-2015 Audit. Director Borrego seconded the motion, which passed unanimously (5-0), on a roll call vote.

Chair Brown closed the meeting at 10:17 a.m. Chair Brown asked for a motion to re-open the meeting at 10:40 a.m. Director Stover made a motion that the meeting be re-opened. Director Thomson seconded the motion, which passed unanimously (5-0), on a roll call vote. Chair Brown stated that no action was taken during the Closed Session. Chair Brown further stated that the Audit should be sent to the State Auditor for review and approval.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 5**

**7. Personnel and Salary Committee**

**a. AMAFCA Personnel Manual – Approval of Revisions**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, stated that once the new Manual was put in place, some deficiencies were found and staff determined that modifications to the manual were needed. Chair Brown referred the Board to the items detailed in their memo. Director Thomson stated that as part of the Personnel and Salary Committee, he reviewed the revisions and approved the changes.

Director Thomson made a motion that the Board approve the changes to the AMAFCA Personnel Manual. Director Stover seconded the motion, which passed (4-1). Director Eichenberg voted against the motion pertaining to the changes to sick payout done at retirement.

**8. Legal**

Attorney Vanessa Chavez stated that the memo to the Board pertained to various legal matters. Responding to a question from Director Thomson, Ms. Chavez stated that Item 6 on the report was a lawsuit filed between two companies that were required to pay into the project in order to construct the Dam. Responding to a question from Director Borrego, Ms. Chavez stated AMAFCA was not part of the lawsuit; however, Legal is monitoring the lawsuit.

**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:

- **Boca Negra Dam Letter of Map Revision:** AMAFCA had been working on the Letter of Map Revision (LOMR) as required by the four party agreement since the project was completed last year. The LOMR will revise the current flood plain maps to include the dam and other drainage improvements in the area. The LOMR was submitted to FEMA on October 30, 2015. The check that had been pending for almost a year was cashed.

*Emergency Action Plan:* The Emergency Action Plan (EAP) for Boca Negra Dam was submitted to the OSE. AMAFCA was notified the EAP is currently being reviewed.

- **West I-40 Diversion Channel Hydraulic Model:** Director Thomson requested that staff show the Board video of the model built at the Engineering Building on the University of New Mexico (UNM) campus. The Board viewed a video of the model that was



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 6**

developed by Wilson & Company for the West I-40 Channel. The model is a 1 to 36 model of a proposed concreted lined channel, on the north side of the I-40 between Unser and 98th street. The project includes a vertical aeration devise (volcano) that will provide aeration of the runoff to comply with Environment Protection Agency (EPA) requirements. It is hoped that it will become an asset to the neighborhood, and will be a visual highlight while driving out of town. The plans are currently at CoA for review.

Director Thomson stated that at a recent U.S. Conference on Irrigation and Drainage, members of the audience were green with envy after seeing the model. It was suggested by Director Thomson that at some point there be a naming contest. Responding to a request from Director Borrego on tying the project into the history of the location or Route 66, Mr. Lovato stated it could be included as part of the information signage that will be put up. Mr. Lovato stated that AMAFCA hopes to award in January, with most construction completed in June.

- **EPA MS4 Permit AMAFCA Public Meeting – Stormwater Quality - Input from Constituents:** During the October Board Meeting, Director Eichenberg, requested that an Item be put on the November agenda to gather public input concerning new storm water quality requirements. There was a lot of public input that indicated that more constituents would attend if the meeting was held in the afternoon and that attendance may exceed the capacity of the AMAFCA Board room. An alternative date, time, and location were discussed with the Chair. Chair Brown stated that the CoA had requested that AMAFCA defer the meeting until after he (Chair Brown) had met with the Mayor of Albuquerque on November 20, 2015. The deferred meeting might take place in January.

*2012 MS4 Permit – Annual Report:* AMAFCA has completed the Annual report under the old permit.

*AMAFCA Stormwater Management Plan:* AMAFCA has revised its stormwater management plan to address changes and new requirements in the new watershed based MS4 permit that will go into effect soon. The revised document is currently in public review and will be sent to EPA on December 1, 2015.

*Urban Waters Federal Partnership:* EPA facilitated a meeting between permittees, EPA, and the New Mexico Environmental Department concerning the establishment of the first cooperative agreements in support of the new Watershed Based Permit. The meeting was held on October 29, 2015 and was attended by Director Borrego. The discussions focused on the how the cooperatives would need to work to comply with the permit. The cooperative agreements will need to have clear lines of communications and designate responsibilities for each signatory.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 7**

**Public Outreach**

*District 6 Coalition of Neighborhood Associations Meeting:* The meeting was held on November 11, 2015. AMAFCA was given the opportunity to describe the Moon Mini DMP work to date. The project has identified flooding problems within District 6. Potential ponding sites identified in the Smith Engineering report were shown to the group.

*2015 AMAFCA Snowman:* The snowman will go up on December 1st. The crew has been busy finding tumble weeds that will be used for the snowman. Responding to a question from Chair Brown, Mr. Lovato confirmed that CBS in New York had contacted AMAFCA concerning a possible story about how the snowman was put together. Mr. Jeffrey Willis stated that this is tentative at this point.

*Twinkle Light Parade:* AMAFCA will be participating in this year's parade. The route will be in the Nob Hill area once again.

**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 10 through 16 were on the Consent Agenda. No items were moved from the Consent Agenda. There being no further items on the Consent Agenda, Director Thomson made a motion that the Board:

- Authorize out of state travel and expenses for two AMAFCA crew members to attend the World of Concrete Conference and Trade Show in Las Vegas, Nevada, not to exceed \$2,300.00, pursuant to Resolution 1998-16;
- Authorize out of state travel and expenses for Kevin Troutman, GIS Manager, to attend the 2016 ESRI International User Conference in San Diego, California, not to exceed \$2,750.00;
- Approve the On-Call Engineering Services Agreements and authorize the Chair to execute same on behalf of AMAFCA for the following: Category 1: Hydrologic/Hydraulic Analyses; FEMA flood Map Revisions; Small Drainage Management Plans; Dam Inundation Mapping with Bohannon Huston, Inc., Wilson & Company, Smith Engineering Company, Huitt-Zollars, and Occam EC Consulting Engineers; Category 2: Small Project Design; Construction Engineering & Architectural Services; Structural Review & Design; Project Review & Inspection; Utility Review & Design with Wilson & Company,



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 8**

Bohannan Huston, Inc., Molzen-Corbin, Smith Engineering Company, AECOM, and Parsons Brinkerhoff; Category 3: Erosion, Sediment and Prudent Line Review & Analyses with Huitt-Zollars, HDR, and Tetra Tech;

- Approve the Memorandum of Agreement for the 2016 Digital Orthophotography and authorize the Chair to execute the same with the MRCOG;
- Authorize the Executive Engineer to extend the third/final extension of the Professional Services Agreement with CWA Strategic Communications (formerly known as Cooney Watson & Associates, Inc.) for the Storm Water Quality Education Coordinator;
- Authorize the Executive Engineer to extend the On-Call Storm Water Quality / Environmental Services Contracts for a one-year term, as per the provisions of the agreements with Bohannan Huston Inc., CDM Smith, Inc., and NCS Engineers, Inc.; and
- Approve the recommendation of the Selection Advisory Committee and authorize the Executive Engineer to commence negotiations with Smith Engineering Company for the design and construction Management services for the Agency and Area-Wide Flood Control Maintenance Contract 2015-2016.

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

***Regular Agenda:***

**17. North Diversion Channel Outfall Grade Control Structures – Embayment Modification Project – Award of Construction Contract**

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that there was a potential protest for the item; however, an email was received, which the Board received a copy, confirming that the protest was to be pulled. Mr. Kurt Wagener, AMAFCA Field Engineer, confirmed that he followed up and did receive a verbal confirmation that it be rescinded as well. He further stated that the Board had authorized advertising of bids. Bids were accepted on Thursday, November, 12, 2015. There were seven bids; three were non-responsive. Weston Solutions, Inc. recommended award of the construction contract to Guzman Construction Solutions, LLC as the lowest responsible bidder. Staff had concurred and recommended that the Board approve awarding the construction contract to Guzman Construction in the amount of \$459,400.00.

Responding to a comment from Chair Brown, Mr. Wagener confirmed that one bid was not signed, one did not fill in the area acknowledging the bid addendum, and one submitted the entire bid in an unbound format. The contract specification documents are very specific on what needs to be done in certain circumstances. During AMAFCA Pre-bid conferences, all bidders are warned that AMAFCA cannot accept any bid that is deemed non-responsive, per the written requirements described in Information to Bidders. Responding to a question from Director Thomson, Mr. Lovato advised that there is an area for the signature. He further stated that the contractor has to fill in the paperwork. Responding to a question from Director





**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 9**

Eichenberg, Mr. Lovato stated that there is a specific area on the form that is not filled out. Mr. Wagener stated that this information is left blank for the bidder to specifically fill out so that it is acknowledged they have seen the addendum. Responding to a question from Director Thomson, Mr. Lovato stated that there are three different locations that give direction. Responding to a question from Director Eichenberg, Mr. Wagener stated that AMAFCA will look at the verbiage and formatting for future bid documents.

Director Thomson made a motion that the Board accept Guzman Construction Solutions, LLC as the lowest responsible bidder and authorize the Chair to execute the contract for the construction of North Diversion Channel Outfall Grade Control Structures Modifications Embayment Regrading Project in the amount of \$459,400.00, plus New Mexico Gross Receipts Tax. Director Eichenberg seconded the motion, which passed (5-0).

**18. Southwest Valley Flood Reduction Project Phase IIa**

**a. Southwest Valley Flood Reduction Project Phase IIa – Pond 187A/187 Conveyance Project Construction Management Services – Approval of Amendment 14 with the Larkin Group**

Mr. Bradley Bingham, AMAFCA Drainage Engineer, stated this item was for the construction management of the Pond 187A/187 Conveyance Project. The construction project entails connecting the two ponds between Phase IIb. A condition of the design contract with Larkin Group stipulated that construction management services would be negotiated once each design task was completed. The design of the Pond 187A/187 Conveyance Project is complete and currently advertising for bids. Staff is seeking an amendment in the amount of \$45,505.50 for the construction management and testing. Responding to a question from Chair Brown, Mr. Bingham stated that the amount was not part of the bid; however, it was part of the scope of work. Responding to a question from Director Eichenberg, Mr. Bingham stated that in 90 days the project should be substantially complete, then 120 days for final completion. He further stated that there is a Middle Rio Grande Conservancy District (MRGCD) ditch that will need to be crossed that will have to be put back in place no later than March 1, 2016. Responding to a question from Chair Brown, Mr. Bingham stated the \$45K is for construction inspection, preparation of pay estimates / change orders, material testing, closeout, and as-builts.

Director Stover made a motion that the Board approve Amendment 14 with the Larkin Group to provide Construction Management Services for the construction of the Pond 187A/187 Conveyance Project in the amount of \$45,505.50, not including NMGRT. Director Thomson seconded the motion, which passed (5-0).



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 10**

**b. Southwest Valley Flood Reduction Project Phase IIa – Pond 187A/187  
Conveyance Project – Award of Construction Contract**

Mr. Jerry Lovato, Executive Engineer, stated that bid opening was postponed due to finding a well on site that staff did not have all the information to provide to the contractors on time. The bid opening was extended one week. Staff had requested that this Item be the subject of the Special Meeting for December 3, 2015. Director Eichenberg moved that the Board convene the meeting at 9:00 a.m. The Board approved the time and date earlier in the meeting.

**19. Bernalillo County Projects**

**a. Sunset Road Reconstruction Projects – Review of Draft Funding Agreement  
with Bernalillo County**

Mr. Jerry Lovato, AMAFCA Executive Engineer, introduced Mr. Roger Paul and Mr. Nolan Bennett with Bernalillo County (BernCo). Mr. Roger Paul thanked the Board for considering the item. Ms. Lynn Mazur, AMAFCA Development Review Engineer, stated that Goff Road was recently completed. In 2012, AMAFCA entered into an agreement with BernCo for Sanchez Farm Tributary Storm Drain Project that included the study of the entire area. The Sanchez Farm detention pond was constructed by AMAFCA and is now maintained by BernCo. When the design analysis report was done for the area, it was determined that there was excess capacity in Sanchez Farm pond. BernCo has taken this opportunity to get as much flood plain removed as possible. Before the Goff Road project was completed, it was determined that more flood plain could be removed by adding storm drains on side streets. She referred the Board to the areas where flood plains have been removed and may be removed by new storm drains.

Ms. Mazur stated BernCo has requested a lump sum contribution from AMAFCA in the amount of \$250K for design and \$1.25M for construction of the Sunset Road Project.

Mr. Nolan Bennett stated that the Sunset Road Storm Drain Improvement Project is the last backbone piece of the Sanchez Farm Tributary Storm Drains Project. The project had included the major pond at Sanchez Farms, storm drain work on Isleta Blvd, and approximately \$1.5M from AMAFCA for the Goff / Sunset Project. The project will connect Bridge Blvd, Goff Road, and Sunset Road drainage systems to work cooperatively. Responding to a question from Chair Brown, Mr. Bennett stated that the \$250K will be for the storm drain components within Sunset and for the LOMR for the work along Goff. Responding to a question from Chair Brown, Mr. Bennett confirmed the \$1.5M will be for construction of drainage facilities.

Ms. Mazur stated that the draft agreement was in the Board Mailout. The final agreement will be brought before the Board at the December Board Meeting for approval. Responding to a question from Director Stover, Ms. Mazur stated that it is a requirement of FEMA to notify the



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 11**

homeowners that they will be removed from the flood plain and the party responsible is the Flood Plain Administrator. Responding to a question from Director Stover, Ms. Mazur advised that the BernCo Flood Plain Administrator is Mr. Don Briggs. Mr. Bennett stated that the Sunset Project is funded with Federal, State, BernCo, and multiple local funds.

Responding to a question from Director Borrego, Mr. Lovato stated that there is a Master Drainage Plan for this area which was drafted in 1999. Director Borrego advised that she viewed Sanchez Farm the day before the Board meeting. Responding to a question from Director Eichenberg, Mr. Bennett stated that there is a need of \$3.35M for future funding for the construction. BernCo has \$1.5M in county funding. Responding to a question from Director Eichenberg, Mr. Bennett stated that CoA has no jurisdiction in the area where work is being done. Responding to a question from Director Thomson, Mr. Bennett stated that the contract is being negotiated with the design firm and estimated costs includes additional meetings to gather public input in this very active community. Public Meetings have taken place and the public process may take some time. Mr. Bennett stated the federal schedule requires the plans to be done by March of 2017 and the project may advertise for construction in the fall of 2017. Mr. Paul stated that the public came out during the Goff Project and did ask why this particular project was not done at the same time.

**b. Update on Ortega and Garduño Storm Drain Funding Agreement**

Ms. Lynn Mazur, AMAFCA Development Review Engineer, stated that AMAFCA is proceeding with coordinating a draft agreement with BernCo. She referred the Board to the various project locations and what was being planned in those locations. She stated recent discussions with BernCo presented options for the Garduño project near the former Garduño Restaurant; (now El Bruno's Restaurant) which would take a storm drain out to the Alameda Drain, with the possibility of taking one storm drain down to the Department of Transportation Pond on the north side of Paseo del Norte.

The Ortega Road Project would possibly utilize the BernCo pump station at the intersection of Ortega Road and 4th Street, which is in the Village of Los Ranchos (VoLR). By putting in additional storm drains to address finger flood plains along Ortega Road. Responding to a question from Chair Brown, Mr. Lovato stated water runs down Fourth Street to the NMDOT pond. VoLR is okay with using this location for discharge since the facility already exists.

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that BernCo has done a great job reaching out to the VoLR and looking at alternative designs to address drainage issues without using the VoLR pond. Mr. Bennett stated that BernCo has been in discussions with VoLR and elected officials; the agreement, which is a three party agreement, could change because VoLR may not participate. A brief discussion took place regarding the VoLR renegeing on the 2008 agreement with BernCo and AMAFCA.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 12**

Ms. Mazur stated that at the last Board meeting it was mentioned that BernCo would be taking the lead on the project. At the December Board meeting, it is proposed that a draft agreement will be presented. The final agreement to be presented to the Board in February or March of 2016.

Mr. Bennett stated BernCo is concentrating on the flood plain areas on Ortega Road in the unincorporated parts of the County and will not be taking care of the nuisance flows on Garduño Road.

Responding to a question from Director Borrego, Ms. Mazur advised that in the previous agreement \$2M was committed by AMAFCA, of which \$75K was spent on the Design Analysis Report. At this time, AMAFCA is not sure of how much BernCo will be requesting. Responding to a question from Director Thomson, Ms. Mazur stated she did not think a new Design Analysis Report would need to be done. Mr. Bennett stated that the numbers of the hydrology have not changed, just the flow direction.

Responding to a question from Director Eichenberg, Mr. Lovato stated that BernCo is looking at a number of options in the area. BernCo is looking at reducing flood plain, not nuisance flows, and ponding areas. Ms. Mazur reminded the Board that the best way to remove flood plain on flat areas is to put in inlets. Responding to a question from Director Thomson, Chair Brown concurred that it would be a good idea to have VoLR come and participate in a discussion at the December Board meeting.

**20. La Cueva Channel Extension / Signal Dike – Update**

Mr. Jerry Lovato, AMAFCA Executive Engineer, introduced Mr. Bob Keeran. Mr. Lovato reminded the Board that a trade of nine lots north of Alameda Boulevard was presented to the Board in 2014. This would have made a large facility in the La Cueva Channel. This project would drop out sediment before it got into the concrete channel. That proposal is no longer valid. Mr. Keeran has proposed a similar agreement, but with less property and it has not been decided how to bring water across Alameda Boulevard.

Mr. Keeran provided the Board with history on the project. Responding to a question from Chair Brown, Mr. Keeran stated that approximately two acres of land is currently being graded. Mr. Keeran stated he has been around the project for 11 years. A house that is currently being built will negate the building of the proposed La Cueva Channel extension now. Mr. Keeran has been talking to Mr. Lovato and Mr. Curtis Chernie, the CoA Flood Plain Administrator. Mr. Keeran asked the Board for direction. Responding to a question from Chair Brown, Mr. Keeran confirmed the two lots that he now owns. Mr. Lovato advised that the two lots being graded and the house being built will not allow the original plan to take place. Responding to a



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 13**

question from Director Eichenberg, Mr. Lovato stated AMAFCA does not have an easement. Mr. Lovato stated that AMAFCA will get a property value on their land and Mr. Keeran will get the same for his land. Mr. Keeran stated there might be up to five lots of land in the trade. He further stated that during talks with Mr. Chernie with CoA, Mr. Chernie asked if AMAFCA would be willing to maintain a pond in the area. Responding to a question from Chair Brown, Mr. Lovato stated that AMAFCA has the concrete channel to the west for maintenance. The Board concurred that they need to know more about values, discussing alternatives, and the cost to build a facility. Staff should proceed with getting values on AMAFCA property and Mr. Keeran should get the same for his property and provide same to staff.

**21. Montano Levee Gap – Project Update**

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that new information had become available concerning the federal costs to construct levees. The cost for the Corps of Engineers to construct approximately three miles of levee, known as the Montano Gap Levee, is estimated to be approximately \$14.6M. An optimistic schedule to have the Corp of Engineers design and start construction would be approximately six to seven years. The City of Albuquerque has signed an agreement with the Corps of Engineers to determine the feasibility of constructing a federal levee project. The value of the land that the new levee would protect would not reach \$14.6M, which would be a minimum requirement. If the project were done locally, without funding from the Corps of Engineers would be around \$5M. Responding to a question from Director Thomson, Mr. Lovato stated that the District (MRGCD) would not have any responsibility at that location. He referred the Board to the location on the aerial and advised an engineered levee would need to be constructed. Chair Brown stated that the Board had discussed previously the delay of waiting for the Federal Project versus getting the project done on a local level, which would be more cost effective. He further stated that while it is not our job to do the federal project, AMAFCA does have flood control in its name. Board consensus was to proceed with looking into the issue. Responding to a question from Director Borrego, Mr. Lovato stated that the cost of the project is \$5-7M; however, it is not AMAFCA's facility, it is a MRGCD facility located next to land owned by the CoA. Responding to a question from Director Borrego, Mr. Lovato advised he would ask if the State would help fund a levee project since the project is located in the State Park. Responding to a question from Director Thomson, Mr. Lovato stated AMAFCA contracted with Bohannon Huston to do the study. It was the consensus of the Board to get as many partners as possible to help with the costs of this project.

**22. New Mexico Legislature – Capital Outlay**

Ms. Vanessa Alarid with Alarid Consulting stated that she, along with Mr. Mark Fleshier, Mr. Jerry Lovato, and Chair Brown met last week to discuss Capital Outlay.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 14**

Part of her presentation covered the following:

The 2016 New Mexico Legislative Session will be starting the third Tuesday of January. Right now, there is approximately \$1.5M. BernCo has submitted a Resolution and CoA is working on getting information in to her as well.

Responding to a question from Director Thomson, Mr. Lovato stated that AMAFCA has not submitted a request for Capital Outlay since assets maintained by AMAFCA need to address flood control or water quality. AMAFCA can consider a request, which fund assets that are not flood control or water quality structures located on AMAFCA rights of way (such as a park bench) would need to be maintained by the state or another political subdivision of the state. Those assets would be placed on AMAFCA rights of way and easements through a license agreement.

Ms. Alarid and Mr. Fleisher stated that small allocations are key.

Responding to a question from Director Borrego, Mr. Lovato stated that this item could be part of the December 3, 2015 Special meeting.

Mr. Fleisher stated that while some items might not be part of AMAFCA's mission, it could help AMAFCA get credit for getting the funding and getting the project done. He further stated if there is something in any AMAFCA District, the Board member should let Mr. Lovato know.

Chair Brown suggested Kirtland Air Force Base (KAFB) Land. Director Thomson reminded the Board the issue might not be funding. He suggested a Legislative Request for a Joint Legislative Memorial to encourage the Base to work with the community. Director Thomson has requested a meeting between BernCo, AMAFCA, and KAFB staff to work on the flooding issue. Ms. Alarid stated they would work on getting this drafted.

## **23. Field Highlights**

### **a. Field Report**

Mr. Wagener gave a report on various projects and events over the past month. A brief recap is as follows:

The slides opened with picture of cranes at Pond 187, followed by a number of slides of the illicit discharge area at the Calabacillas which was in the Albuquerque Bernalillo County Water Utility Authority's (ABCWUA) jurisdiction. Mr. Wagener further stated that the AMAFCA has worked with ABCWUA on their Capacity, Management, Operations and Management Plan



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 15**

(CMOM) which dictates what the ABCWUA does in the event of an illicit discharge. Mr. Kevin Troutman, AMAFCA GIS Manager, noticed the overflow. Responding to a question from Director Thomson, Mr. Wagener stated that the ABCWUA would file a report with the EPA, the Pueblos, and the community. Mr. Lovato stated that the ABCWUA is also required to send a letter to EPA with five days. The discharge was stopped and treated by ABCWUA before it got to the river.

The slides continued with a couple pictures of an illicit discharge that appeared to be stucco washout at the NDC. Responding to a question from Director Thomson, Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer stated that CoA reported to EPA on the NDC washout; AMAFCA crew doing access control with boulders at Black Dam, along with vegetation removal; sediment and trash removal at the West I-40 Water Quality Structure; Fence Repair at North Borrega Channel; sediment removal at the South Diversion Channel. Responding to a question from Chair Brown, Mr. Wagener stated that AMAFCA does not test the sediment. He further stated if there were an issue with the soil, it would be tested. Mr. Lovato stated that the Pueblo of Sandia had requested testing in the past and some contractors who purchase sediment have asked if they could test the soil. The presentation continued with Mariposa Diversion vegetation removal and debris removal at the West Branch of the Calabacillas; various slides of the Agency and Area-Wide 2014-15 New Mexico Department of Transportation I-40 Channel at the tune of \$150K a year. Responding to a question from Chair Brown, Mr. Wagener stated AMAFCA does not contribute to the NMDOT portion; however, AMAFCA does to the AMAFCA portion. Numerous slides of the Pond 187 Outfall Project; multiple slides of the Piedras Marcadas Dam Water Quality Structures; Domingo Baca Water Quality Structures; pictures of the NDC Outfall Grade Control Structures Embayment Regrading Pre-Bid and SWVFRP Pond 187A/187 Conveyance Pre-Bid; Ms. Savannah Martinez, AMAFCA Intern, testing level loggers in the Fluids Lab; multiple pictures and videos of the W I-40 Phase IV model at UNM, including a picture of Directors Borrego and Thomson who were in attendance; slides of the Hazard Mitigation Plan that the CoA and VoLR had recently adopted, only Tijeras remains to official adopt; the presentation closed with a picture of the trees turning colors at the North Pino Water Quality Structure.

**b. Construction Report**

Mr. Wagener referred to the Construction Report. Mr. Wagener pointed out that the Agency and Area-Wide change order #12 was listed at zeros dollars. A \$5K task for the Mariposa / Dellyene culvert repair had been processed using CoA funding. After a review of the agreement, Staff noticed that AMAFCA is responsible for maintaining the culverts. The change order addressed the funding issue and refunded the CoA. There were no questions.

**24. Moon DMP update**



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 16**

Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, referred to the 12 potential pond sites identified within the study area. All sites were rough graded to ensure that elevations would allow for positive drainage to and from the potential ponds given the surrounding topography. Detention ponding within the study area generally allows for the underlying storm drains to flow at less than capacity during storm events. The full build-out of all 12 pond sites demonstrates a reduction in peak flows on the street surface along San Mateo. The reduction in peak flows along San Mateo are significant, the runoff from south of the study area still contributes to storm drains being over capacity, which in turn generates the surface flows that are problematic for the study area. The expanded study area to the west to Washington will focus on storing the excess runoff volume, but ponding may also be necessary south and outside of the study area to fully address the peak runoff volume. Responding to a question from Director Thomson, Mr. Lovato stated that there is approximately 400-acre feet of storage needed to take care of the overcapacity issues. AMAFCA has spoken with CoA regarding pond #1 and pond #4. CoA is moving forward with the pond #4 location. CoA would be in charge of purchasing the land. He further stated that staff is asking for Board input. Chair Brown stated that with the exception of KAFB, AMAFCA should be taking the position that this is CoA's responsibility. AMAFCA will be glad to participate, but it is CoA's call on what is to be done. AMAFCA should share the study and ask how AMAFCA can help with the CoA's lead. Responding to a question from Director Borrego, Mr. Lovato stated the study is not complete. The study showed the ponding alternatives help alleviate the flooding dramatically.

**25. AMAFCA 2016 Project Schedule – Approval of the Final Project Schedule**

Mr. Bradley Bingham, AMAFCA Drainage Engineer, stated the printed version of the Project Schedule was an abbreviated version. He further stated that the Board was emailed the full Project Schedule. Upon approval of the Project Schedule, the document will be printed, bound, and will be distributed to State, County, and City Elected Officials, Agency Executives, the AMAFCA Bond Committee, Sandia and Isleta Pueblo Officials, and other interested parties. The document will also be posted on the AMAFCA website, and be published in a format suitable for electronic down-loading. Responding to a question from Chair Brown, Mr. Lovato stated that no motion is needed to approve the Project Schedule. He further stated that the Project Schedule is a Board planning document and with the Board's approval staff will have the Schedule printed and sent out. The Board concurred to proceed.

**26. Real Estate**

**a. Pond 187 Lease Update**

Mr. Jeffrey Willis, AMAFCA Real Estate Manager, stated that at the August 27, 2015 Board meeting, the Board authorized staff to advertise the lease. Due to unforeseen economic factors, no bids were received. After speaking with several local farmers, it was determined the





**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 17**

\$1,000.00 damage deposit and the \$600.00 water deposit were too expensive for a 2-acre field to be profitable for the farmers.

The other AMAFCA agricultural leased properties range in size from 15 to 23 acres. The damage deposits on these properties average between \$43.00 and \$67.00 an acre.

Mr. Willis stated he revised the bid documents to reflect a \$100.00 damage deposit and a \$100.00 water deposit to adjust for the size of the 2-acre Pond 187 alfalfa field. He further stated that the lease would be re-bid.

There were no questions.

**b. Parking Lease with Liberty Gym for the Jefferson Property – Approval of Second Extension**

Mr. Jeffrey Willis, AMAFCA Real Estate Manager, stated the Liberty Gym Lease, off the Embudo Channel, was up for a second extension. There were no questions

Director Thomson made a motion that the Board approve the Lease Option Extension Agreement with Liberty Gym and authorize the Executive Engineer to execute the Lease on behalf of AMAFCA. Director Stover seconded the motion, which passed (4-0). Director Eichenberg left prior to this item.

**c. Agricultural Lease with Marvin Abeita for the Miranda Property – Approval of Second Extension**

Mr. Jeffrey Willis, AMAFCA Real Estate Manager, stated the Miranda Property was up for second extension. There were no questions.

Director Thomson made a motion that the Board approve the Lease Option Extension Agreement with Mr. Marvin Abeita and authorize the Executive Engineer to execute the Lease on behalf of AMAFCA. Director Stover seconded the motion, which passed (4-0).

**d. Lot 30, Block 10, Tract 2, Unit 2, North Albuquerque Acres – Approval of Quitclaim / Release of Drainage Easement**

Ms. Lynn Mazur, AMAFCA Development Review Engineer, stated that she had looked at the new Grading and Drainage Plan for Lot 30. She advised that the original plan was approved in



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 18**

1994. Staff recommended approval of the quitclaim / release of the easement.

Director Thomson made a motion that the Board authorize the Board Chairman to execute the Quitclaim Deed / Release of Easement for Lot 30, Block 10, Tract 2, Unit 2, North Albuquerque Acres. Director Stover seconded the motion, which passed (4-0).

**27. Executive Engineer's Evaluation – Closed Session**

The Board deferred this item

**28. Unfinished Business**

Director Thomson reported that he will be arranging a meeting between AMAFCA, BernCo, and the KAFB Base Commander in early December to discuss ponding at the base gate. He stated that there is new leadership at KAFB and the new Civil Engineer will be arriving in December. Director Thomson stated he would keep the Board updated.

Chair Brown reported that both he and Mr. Lovato have a meeting with the KAFB Deputy Civil Engineer scheduled for November 24, 2015.

**29. New Business**

Director Thomson reported that he was not aware that he had an AMAFCA email account. He asked the AMAFCA attorney to put something in writing for Board Policy regarding the use of personal email versus using AMAFCA email. Ms. Chavez stated if a Board Director uses their personal account to conduct AMAFCA business, then the personal account is subject to record request to the extent it is used for official business. If a personal account is used the AMAFCA subject has to be disclosed the same as if an official account had been used. As far as privacy, it is better to keep the email accounts separate, though there is no problem using a private account. If someone requests to inspect an email record for a certain Director, they have the right to request records that exist in the personal account that address AMAFCA business.

Mr. Lovato stated that AMAFCA staff does not monitor the AMAFCA email accounts. There is a way for AMAFCA to have an email from the AMAFCA account sent directly to a Director's personal account. Mr. Lovato advised that if a Board member does not want to utilize their AMAFCA account it could be removed or taken down. Mr. Lovato stated that the email that is forwarded from the AMAFCA account has no designation noting that it is coming from the AMAFCA account and being passing on. Responding to a question from Chair Brown, Mr. Troutman stated that emails are hosted offsite so there are limited options and it may not be able to note "from AMAFCA" in the subject line.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
November 19, 2015  
Page 19**

Director Thomson announced that he would be teaching an Ethics Training Class at Daniel B. Stephens on December 4, 2015 in the afternoon. \$20.00 is charged and will be donated to the UNM Civil Engineering Department.

**30. Adjourn**

There being no further business to come before the Board, Chair Brown adjourned the meeting at 1:05 p.m.

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12/17/15

Tim Eichenberg, Secretary-Treasurer,

Recorded by Guylene Harris, Executive Administrative Assistant