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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, January 28, 2016. Roll was noted as follows:

Directors present:	Chair Ronald D. Brown Director Cynthia D. Borrego Director Tim Eichenberg (left at 12:21 p.m.) 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.

**2. Approval of Agenda**

Director Eichenberg stated he would need to leave the meeting early due to another commitment and asked that **Item 20. General Legal Counsel Services – Consideration of SAC Recommendation** be moved up on the agenda so that he may participate in the Selection Advisory Committee process. After a brief discussion Chair Brown stated Item numbers would change to reflect the following items being moved: 18, 20, 17, and 19.

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

**3. Meetings Scheduled**

- a. **January 28, 2016, 10:00 a.m. – Regular Meeting**
- b. **February 25, 2016, 10:00 a.m. – Regular Meeting**
- c. **March 24, 2016, 10:00 a.m. – Regular Meeting**



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**4. Election of Officers**

**a. Chair**

Chair Brown nominated Bruce M. Thomson as Chair. Due to no other nominations for Chair Director Eichenberg made a motion to close the Chair position. Director Borrego seconded the motion, which passed unanimously (5-0). Director Eichenberg made a motion to approve Director Thomson for the Chair position. Director Borrego seconded the motion, which passed unanimously (5-0).

**b. Vice Chair**

Chair Thomson nominated Director Brown for Vice Chair. Director Eichenberg nominated Director Brown for Secretary-Treasurer since he had already served as Chair. After a brief discussion, Director Brown advised he would be open to either position and would be agreeable to the Secretary-Treasurer position. Director Eichenberg nominated Director Borrego for Vice Chair. Director Eichenberg made a motion to approve Director Borrego for the Vice Chair position. Director Brown seconded the motion, which passed unanimously (5-0).

**c. Secretary-Treasurer**

Director Eichenberg made a motion to approve Director Brown for Secretary-Treasurer position as discussed during the Vice Chair nominations. Director Borrego seconded the motion, which passed unanimously (5-0).

**d. Assistant Secretary-Treasurer**

Director Borrego nominated Director Stover for Assistant Secretary-Treasurer. There were no other nominations for Assistant Secretary-Treasurer. Director Borrego made a motion to approve Director Stover for the Assistant Secretary-Treasurer position. Director Eichenberg seconded the motion, which passed unanimously (5-0).

The new Board officers, who took office immediately, were:

Bruce M. Thomson, Chair  
Cynthia D. Borrego, Vice Chair  
Ronald D. Brown, Secretary-Treasurer  
Deborah L. Stover, Assistant Secretary-Treasurer

Chair Thomson chaired the rest of the meeting.



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**e. Board appointments to the MRCOG Boards**

This item was postponed until next month.

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

Chair Thomson recognized former AMAFCA Executive Engineer, Mr. Richard Leonard was in the audience. Mr. Leonard addressed the Board. He complimented AMAFCA on the AMAFCA 2016 Project Schedule and further stated it is a great document.

**6. Approval of Resolution 2016-01, Open Meetings Standards**

Chair Thomson stated the Resolution reflected the dates that are to be considered the normal meeting schedule during the year.

Director Brown made a motion that the Board approve and adopt Resolution 2016-01, Open Meetings Standards, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Eichenberg seconded the motion. The motion passed unanimously (5-0), on a roll-call vote.

**7. Approval of Minutes**

**a. December 17, 2015 Regular Meeting**

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

**8. Financial Matters**

**a. Approval of December 2015 Expenditures**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the December 2015 Expenditures. There were no questions.

Director Brown made a motion to approve the December 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. No Board action was required. There were no questions.



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**c. Investment Report for December 2015**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Investment Report for December 2015. No Board action was required. There were no questions.

**d. Financial Position Recap December 11, 2015 through January 15, 2016 & Forecast January 16, 2016 through February 15, 2016**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Financial Position Recap and Forecast. He stated that the Recap dates included an extra week due to the timing of the December check run and the need to capture the information. There were no questions.

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

**e. Mid-Year Budget Recap Fiscal Year 2016 Operating Budget**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Mid-Year Budget Recap Fiscal Year 2016 Operating Budget. Responding to a question from Chair Thomson, Mr. Chavez stated that hourly employees had received an increase in wages. He further stated that there is still room for increases for salaried individuals. Responding to a question from Chair Thomson, Mr. Chavez advised that Review and Development for construction is not part of the Operating Budget.

**f. AMAFCA Cash Reserve Policy - Discussion**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, advised that during reviews with the Bond Rating Agencies, one item that AMAFCA did not score very high on was money management, which was attributed to the absence of a formal cash reserve policy.

Mr. Chavez provided a summary for initial discussion proposes as follows:

**Operating Cash Reserve:** This reserve would set aside a certain percentage of the budget. The recommendation would be 25% of the subsequent year's budget.

Part of his presentation covering the different methods that were reviewed is as follows:

- The Governmental Financial Officers Association (GFOA) recommended a minimum reserve of 16.5%. The GFOA has a risk assessment analysis that identified an operating cash reserve in the range of 17-25%.
- Other entities across the state were looked at. New Mexico State Statute requires



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counties in New Mexico to have a 25%, operating cash reserve. AMAFCA faces many of the same emergency risk factors that a county would face.

- AMAFCA's cash flow needs were considered. Based on AMAFCA's analysis, a 25% reserve was recommended. This would yield a cash reserve of approximately \$1M for FY-16. Currently, there is \$4M in the General Account.

**AMAFCA Infrastructure Contingency Reserve:** This reserve is similar to the current Contingency Reserve.

The Rating agencies had brought up two issues: 1. AMAFCA always adds infrastructure, but does not change the Reserve. 2. Board Policy identifies different projects, but items that are part of board action remained unchanged.

The new policy would address both of these concerns and would be a moving balance at 1.5% of the total current cost of the AMAFCA infrastructure.

**Board of Directors Contingency Reserve:** This reserve will be used at Board discretion to help solve emergencies as the Board sees fit. Due to the source of the funds, any purpose they are spent on must be flood control related. Initial funding of this reserve would be \$500K.

**Executive Engineer Contingency Reserve:** This reserve would be a stopgap utilized by the Executive Engineer without Board Approval, for emergencies. The reserve would not change from the current amount of 400K.

**Insurance & Other Operating Reserve:** This reserve would be used for unplanned expenses at the direction of the Executive Engineer. Items include insurance deductibles, fuel spikes, retirement payouts, and redistricting costs. The funds must be replenished within three years.

Responding to a question from Director Brown, Mr. Chavez stated that instead of adjusting the Operating Budget, the subsequent budgets would be used to pay back the Reserve. Mr. Lovato stated that the Board in all cases have the authority to dictate how and when contingency plans will be used and funded. Staff will make recommendations to the Board.

Mr. Chavez stated that the number one goal of creating this policy is to maintain AMAFCA's AAA rating from Moody's and Standards and Poor's. Mr. Lovato stated that staff would like to proceed with drafting a policy for later discussion.

There was a brief discussion concerning making the policy more broad so that the policy does not become cumbersome; not wanting to raise the Mill Levy due to a policy requirement; unrealistic payback times; and, it was suggested if the contingency fund is tapped, the Board should decide how it would be restored.



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Responding to a question from Chair Thomson, Mr. Chavez stated that the Operating Cash Reserve would need to be done prior to the FY-17 Budget. There would be need for a policy prior to meeting with the Bond Rating agencies.

Mr. Chavez stated that a draft of the policy will be available for the next Board meeting.

**9. Legal**

**a. Status Report**

Attorney Vanessa Chavez stated that the memo to the Board pertained to various legal matters. There were no questions.

**10. Executive Engineer's Report**

Mr. Jerry Lovato, AMAFCA Executive Engineer, provided a verbal report highlighting significant activities of the past month:

- **AMAFCA – Job Shadow Program:** Referring the Board back to the Legal Status Report, Mr. Lovato advised the Job Shadow Release Agreement is a document that parents and youth will sign. This program will enable youth to follow AMAFCA Engineers around to give them a glimpse of what their job at AMAFCA entails. Responding to a question from Chair Thomson, Mr. Lovato stated that the volunteers at UNM, who are helping to build the Hydraulic Model, are not paid and there was a concern about their safety; this is being looked into. Chair Thomson advised that his understanding is that a UNM student doing their duties under a UNM sanctioned activity will be covered by UNM insurance.
- **City of Albuquerque (CoA) and Bernalillo County (BernCo):** With the signing of the Hazard Mitigation Plan, AMAFCA will now have access to Federal Emergency Management Agency (FEMA) grant money. There is a plan to put together a grant request for \$7M to help design and construct the Montano Levee. CoA will be taking the lead; BernCo is willing to help as well. The split at this time will be approximately 25/75 split. AMAFCA had spoken with Mr. Kevin Daggett with CoA, who has been working with the US Army Corp of Engineers (USACE). There is no federal interest to build this project; however, CoA will have access to the geotechnical reports completed by the USACOE.

*MS4 Program:* Mr. Patrick Chavez, AMAFCA Storm Water Quality Manager, has been doing a great job getting the program up and running. AMAFCA has been given notice that the Notice of Intent (NOI) had been accepted. It is going through public comment



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now. AMAFCA will put together and start a cooperative. Responding to a question from Director Brown, Mr. Lovato responded there is a 30-day comment period. Responding to a question from Chair Thomson, Mr. Patrick Chavez stated that the NOI is posted on the Environmental Protection Agency (EPA) website. The comment period concluded on January 20, 2016. He further stated he spoke with EPA and no comments were received. AMAFCA is waiting on the letter to be received. Responding to a question from Chair Thomson, Mr. Chavez stated there are 12 potential permittees with the compliance monitoring program and all the NOIs have either been issued or posted. Some of the comment periods do not close until February. Responding to a question from Director Borrego, Mr. Lovato stated that CoA had an Administrative Order (AO) from an Audit back in July 2015. He further stated that AMAFCA is a co-permittee, but is not part of the AO charge to the CoA.

Sediment Removal: AMAFCA staff has been doing a lot of work on the west side of town. The neighborhoods that are impacted are being contacted to inform them when and how sediment and vegetation will be removed. The website will be modified to include a calendar that will show when and where work will be done. Director Borrego advised that Mr. Lovato attended a meeting in her absence for the Taylor Ranch Neighborhood Association. There was verbal agreement with one of the counselors many years ago mandating that the area be left in its natural state; which conflicts with the work that AMAFCA needs to do in this area.

Pond No. 4: AMAFCA staff is working with CoA to obtain different properties for the pond. There will be an update at the next Board meeting. Responding to a question from Director Brown, Mr. Lovato stated that Pond No. 4 was the Caravan location.

**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. Responding to a question from Director Brown, Mr. Lovato stated that task No. 4 was reviewed by CoA. This was concerning the north side of the channel and an existing waterline. Mr. Lovato further stated the project is off by about 45 days; the question was whether to wait until September or take care of it now. Some contractors will build during monsoon season and some will not.

**11. City of Albuquerque Project – Update by John MacKenzie**

Mr. Bradley Bingham, AMAFCA Drainage Engineer, introduced Mr. John MacKenzie, Mr. Ron Romero, and Mr., Kevin Daggett, with CoA Municipal Development.





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Mr. MacKenzie thanked the Board and stated he hopes to be updating the Board every six months on the projects. He stated there are three projects currently on the North Diversion Channel (NDC) and two others in the vicinity. He provided a brief recap, some of which is reflected below:

**a. Osuna Road Project**

Bike lanes will be added in each direction, and sidewalk improvements will be done. Phase II will go down to Edith. Award notice for construction issued to Albuquerque Asphalt on January 13, 2015. Notice to proceed is February 8, 2016. The striping and signage plan at the NDC Bridge was reviewed, as well as the road cross sections. Responding to a question from Director Brown, Mr. MacKenzie advised that work will be done in the channel. The license had been received and should be approved soon. It is anticipated the work will be done before monsoon season. Responding to a question from Chair Thomson, Mr. Lovato advised that the Right-of-Way (ROW) was once owned by AMAFCA; however, the Board had given it to CoA about two years ago. The bridge, bridge abutment, and ROW belong to CoA. The License is for access to the drainage easement.

**b. Singer Road Project**

Additional bike lanes in each direction will be added, sidewalk and ramp improvements, and an additional transitional bridge will carry two westbound lanes across the channel. Construction bids were opened on January 28, 2016 for the bridge over the NDC. It is hoped to have work start March 1. Most of the work will be in the channel and the license should be approved soon. Bridge striping and signage was reviewed, as well as the Trail notch on the south and north sides at the bridge. There is an existing license for the Trail.

**c. Channel Road Project**

North part of Channel Road –will pick up at Hawkins in the existing AMAFCA right of way. The road will extend north to El Pueblo, have a connection at Masthead and extend across the North Pino Arroyo.

- Consultant for the Project is TY Lin International:
  - Project Team: John MacKenzie - CoA Project Manager and Eric Froberg with TY Lin
  
- Project Limits:
  - Channel Road (CoA facility) from Hawkins Street to El Pueblo Road
  - Channel Road Connections from Masthead Street and Hawkins Street
  - Crossing of North Pino Inlet





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- Purpose & Need:
  - Alleviate traffic congestion along Jefferson Street
  - Provide additional bicycle facility along Channel Road and enhanced connectivity to Journal Center businesses
  
- Schedule:
  - Design complete end of 2016
  - Construction anticipated to begin spring 2017

**12. 2016 On-Call GIS, IT, DBA, and Mobile Services – Consideration of Approval of Engineering Services Agreement with AECOM**

Mr. Kevin Troutman, AMAFCA GIS Manager, stated the only change that had happened since the Board received their mailout package was that Legal had reviewed the agreement.

Director Eichenberg made a motion that the Board approve the Agreement and authorize the Chair to execute the Agreement for On-Call GIS, IT, DBA, and Mobile Services with AECOM Technical Services, Inc. Director Borrego seconded the motion, which passed (5-0).

**13. Authorization to Advertise Request for Proposals**

**a. Bond Counsel Services**

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that AMAFCA will be putting out a Bond sale. He further stated there might be a slight overlap with the current contract. If that is the case the contract will need to be extended. Responding to a question from Director Brown, Mr. Lovato advised the Bond Sale will be in March or April. Chair Thomson referred to Mr. Lovato with a suggestion that evaluation criteria include a request to demonstrate their understanding of AMAFCA's mission, funding and financial mechanisms. Mr. Lovato advised that the information will be added to the Request for Proposal (RFP) package.

Director Brown made a motion that the Board authorize the advertisement of Request for Proposals for Bond Counsel Services. Director Stover seconded the motion, which passed (5-0).

**b. Financial Advisor Services**

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that the same criteria as discussed under the previous item will be made part of the Financial Advisor Services RFP. Responding to a question from Director Brown, Mr. Lovato stated that the contract expiration is the same for both the Bond Counsel and Financial Advisor Services.



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Director Brown made a motion that the Board authorize the advertisement of Request for Proposals for Financial Advisor Services. Director Stover seconded the motion, which passed (5-0).

**14. Valle de Oro Drainage Facilities Design Project – Consideration of Approval of Engineering Services Agreement with Wilson & Company**

Ms. Lynn Mazur, AMAFCA Development Review Engineer, stated that the Board had approved negotiating the Valle de Oro (VdO) Drainage Facilities Design Project contract at the December meeting. Staff and Wilson & Company had met and discussed at length the Scope of Work. The agreement with Wilson and Company, Inc. is for the amount of \$469,957.00. Ms. Mazur stated the length from the northern boundary to the southern boundary is one mile. The swale is approximately 30 acres of drainage. Design will be coordinated with the Middle Rio Grande Conservancy District (MRGCD), Fish and Wildlife Service (FWS), Bureau of Reclamation, and other project stakeholders. Construction will be going through the Rio Grande riverside levee, which needs to be coordinated with the USACE. Staff plans to keep the Board updated on the progress.

Responding to a comment from Director Brown about the estimate being a big number, Ms. Mazur stated it is a big project. Mr. Lovato stated that the project is not just one project. The construction costs for the various projects separately will run approximately as follows: \$4M, \$.6M, \$.6M, \$1M, \$1M, and another \$3M to \$5M. The total amount for the Engineering Fee may be too low for approximately 12.2 million dollars of infrastructure. In addition, the entire project will need to design all the parts, to make sure they all work together to provide flood protection and storm water quality, while being approved by the US Fish and Wildlife and the Bureau of Reclamation.

Ms. Mazur stated that there have been two meetings with BernCo to coordinate the FLAP (Federal Lands Access Program) Project for 2nd Street. This project will drain into Valle del Oro. There are drainage facilities that need to be coordinated with the 2nd Street project as well. MRGCD has asked AMAFCA to look at the entire alignment of the Barr Main Drain since it is not draining well and look at options to augment discharge from the drain along Clark Road to the Rio Grande.

Responding to a question from Director Brown, Mr. Lovato stated AMAFCA did purchase land along Shirk Lane for a future Water Quality Structure. The plan is to divert flows from the South Diversion Channel/Tijeras Arroyo, treat said flows and discharge those flows into the Barr Drain. AMAFCA and the MRGCD will need to address the additional 300-400 cubic feet per second (cfs) that will be added to the Barr Drain base flow.



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Chair Thomson stated that **Item 14. Valle de Oro Drainage Facilities Design – Consideration of Approval of Engineering Services Agreement with Wilson & Company**, might be perceived as a conflict of interest and advised that he would not vote on the item and recused himself.

Director Borrego, as Vice Chair, asked for a motion to approve the agreement. Director Brown made a motion that the Board approve the Agreement and authorize the Chair to execute the Agreement with Wilson and Company, Inc. in the amount of \$469,957.00, excluding New Mexico Gross Receipts Tax. Director Stover seconded the motion, which passed (4-0), Chair Thomson recused himself.

Responding to a question from Chair Thomson, Mr. Lovato stated that design schedule will take about a year. Ms. Mazur stated that the FLAP project is scheduled for construction in 2018. Director Borrego requested information on the participating entities and their funding amounts for the entire project. Responding to questions from Director Brown and Chair Thomson, Mr. Lovato stated the Board would be updated approximately every 60 days on the progress and various tasks. Director Borrego stated that this project will have numerous impacts on the local area and State, and should receive National Recognition, which AMAFCA should take advantage of.

**15. AMAFCA Telemetry**

**a. AMAFCA Telemetry Phase I – Project Update**

Mr. Kevin Troutman, AMAFCA GIS Manager, stated the Board had asked for additional information last month. Part of his presentation covered the following:

On July 8, 2013 the Amole Dam had filled up 26 feet. AMAFCA did not know about it until July 9, 2013. The project was identified in the 2014 Project Schedule. Shortly thereafter a Feasibility Study was done. The Project Schedule for 2016 looked at costs. Other flood control agencies (in California and Colorado) were contacted. The original RFP was provided as part of the mailout package.

Responding to a comment from Director Brown, Mr. Lovato stated that prices, per hour for the professional staff billings, are high as there were no local consultants with the needed specialized training, those consultants are located out-of-state. Mr. Troutman stated that the \$500K listed in the Project Schedule was a project schedule cost, not an actual cost. He further stated that Mr. Patrick Chavez, Storm Water Quality Engineer wants sonde data so it would be natural to include as part of the Telemetry. The project will allow for future expansion to incorporate new technologies. Each additional phase will be brought to the Board. Responding to a comment from Director Brown, Mr. Lovato stated that the Telemetry technology is already off the shelf.



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He further stated that Item 15a was the project update. 15b is for consideration of approval for Amendment Three for Construction Management Services with AECOM to continue the work. 15c would be the advertisement of construction bids to add telemetry structures to five dams and two channels. Staff has talked with BernCo, the police department, and emergency managers to share costs in the future. Next month there will be a Web EOC meeting to discuss how to tap into the AMAFCA Telemetry feeds and allow AMAFCA to do the same in return. This will enable AMAFCA to maximize the public dollar to get more bang for the buck. AMAFCA did not want something that was proprietary; therefore, AMAFCA designed the entire system. Mr. Lovato advised the Board for past cost comparison, one water quality Sonde cost about \$30K a year to maintain and read. AMAFCA is trying to get the cost down to \$18K once the Telemetry Project is completed. Responding to a question from Director Brown, Mr. Lovato stated that the recent payment to USGS was for a 2012 report that was not up to AMFACA standards; it was reworked and resubmitted to AMAFCA in 2014. Mr. Lovato stated that the USGS contract with CoA and AMAFCA ran approximately \$570K a year. Mr. Patrick Chavez stated that cost to read the sondes is about \$70K with AMAFCA consultants today.

Mr. Lovato stated that getting the Telemetry Project completed would enable AMAFCA to compile data. Responding to a question from Director Eichenberg, Mr. Troutman responded that the telemetry would be running 24/7/365. While during the rainy season it will be used more; it will also be used during the off seasons. Responding to a question from Chair Thomson, Mr. Lovato stated that during a rain event in 2013, Kurt Wagener was requested to inspect Kinney Dam. The dam pool was already 18 ft. deep and there was a concerning with a dam spill. It took him over four hours to get to the Dam, Mr. Lovato went in another direction to get there, Brad Bingham went up to Tramway and noticed there was no water flow so was sure Kinney Dam was okay. With limited staff and resources, it is very important to understand exactly where the water is. If there was a camera that would be able to view the rainfall, staff would not have put themselves into danger. Director Stover commented that it is very important to keep up with technology and the Telemetry will help in many ways including testing the water and staff safety.

**b. AMAFCA Telemetry Phase I – Consideration of Approval of Amendment Three  
for Construction Management Services with AECOM**

Mr. Kevin Troutman, AMAFCA GIS Manager, stated the agreement called for contingency for unforeseen Tech Management. Responding to a question from Director Borrego, Mr. Troutman stated that the amendment needed to be approved for Construction Management before Construction Bids could be done.

Director Borrego made a motion that Board approve Amendment Number Three with AECOM Technical Services, Inc., to provide Construction Management Services for the construction of the AMAFCA Telemetry Project Phase 1 in the amount of \$72,000.00, excluding New Mexico Gross Receipts Tax 1. Director Stover seconded the motion, which passed (5-0).



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**c. AMAFCA Telemetry Phase I – Authorization to Advertise for Construction Bids**

Director Borrego made a motion that Board authorize the Executive Engineer to advertise for construction bids for the AMAFCA Telemetry Project Phase 1. Director Stover seconded the motion, which passed (5-0).

**16. Legislative Liaison – Briefing on the 2016 New Mexico Legislative Session**

Ms. Vanessa Alarid with Alarid Consulting referred to her handout that was sent to Mr. Lovato. Some of her presentation pertained to the following:

The 2016 New Mexico Legislative Session was in its tenth day; will be mid-point next week; and ends on February 18, 2016. Revenue estimates are \$300M; which were down by \$200M. The State needs to pay \$85M for Medicaid. She further stated that House Bill 143 is the Consolidation of Election Dates, which will change all non-partisan elections to one election. A brief discussion took place regarding the Bond Elections. Responding to a question from Director Eichenberg, Ms. Alarid stated that pertaining to School Board Elections; the bill had not come up yet. She stated that Senator Ivey Soto is the sponsor of the Bill; however, she had not seen the latest draft. Responding to a question from Chair Thomson, Mr. Lovato stated that the pending Bill would keep Elections in odd years and Bond elections in even years. It was agreed by the Board to keep the Bonds Elections as they are. Responding to a question from Director Brown, Ms. Alarid stated that the BernCo Commission would be part of the same election cycle and they are just as concerned with the Bond Elections and low turnout for the election. Responding to a question from Director Eichenberg, Ms. Alarid stated that she was not sure if mailout ballots would be sent out; other than absentee ballots. There was a brief discussion on how the County Clerk could handle and had recommended at one time. Responding to a question from Chair Thomson, Mr. Lovato stated the HB 28 will have criteria that would need to be followed for disposition of obsolete public property. Ms. Alarid asked the Board if they wanted her to watch the Forest and Watershed Bill since the Board had asked for her help supporting the same during the 2015 Legislative Session. The Board asked that as part of the Rio Grande Water Fund she continue to watch and track. Ms. Alarid advised she would keep the Board and Mr. Lovato updated.

Items 18, 20, 17, and 19 were moved, per the amended agenda.



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**18. Real Estate**

**a. Pond 187 Property – Consideration of Approval of the Agricultural Lease**

Director Brown made a motion that the Board approve a Lease Agreement with Mr. James Moya and authorize the Executive Engineer to execute the Lease on behalf of AMAFCA. Director Eichenberg seconded the motion, which passed (5-0).

Responding to a question from Chair Thomson, Mr. Lovato stated that Mr. Moya is an AMAFCA employee. Chair Thomson advised that the record should reflect that Mr. Moya is an AMAFCA employee and at no time should AMAFCA equipment be used on the parcel being leased by Mr. Moya. Mr. Lovato concurred that there will not be an issue with issuing a lease to Mr. Moya.

**20. General Legal Counsel Services – Consideration of SAC Recommendation**

Chair Thomson mentioned that a couple of Directors had questions on how to proceed. Director Stover asked if it would be possible to form a small committee of two members to hold interviews and get answers quickly. There was a brief discussion on how questions could be asked of some respondents and not others. It was suggested that if there is a tie between respondents, to look at scores and if all agree on the No. 1 candidate, the No. 2 candidate does not come into question. Responding to a question from Chair Thomson, Ms. Chavez stated that if the Campaign Contribution Form was not part of the page count, the second page, which was signed and properly executed, should be considered a substantial compliance. Some Directors scored all the proposals, some did not. In order to fulfill the requirements of the SAC, the Board requested a Special Meeting to take place at 11:00 a.m. on Thursday, February 4, 2016.

**17. AMAFCA Field Highlights**

**a. Field Report**

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

The slides opened with various pictures/coverage of the AMAFCA Snowman and a picture of snow falling at the AMAFCA office. The slide presentation covered some of the following: a picture of the Tijeras Water Quality Model and the University of New Mexico (UNM) Hydraulics Lab, a couple of slides with the AMAFCA crew during the John Deere Promotional Video, various slides of AMAFCA crew work performed on the Corrales Main Canal, Southwest Sewer cleaning the Corrales Main/Cabazon Channel and Alameda Water Quality structure, AMAFCA crew doing fence repair, concrete repair on the Rinconada Channel, sediment removal at Black's Diversion, erosion repair and rip rap installation, vegetation removal at Kinney Dam, Chainsaw Safety Training, Ms. Lynn Mazur giving a Valle de Oro presentation to UNM students,





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Mr. Patrick Chavez doing Water Sampling in the Rio Grande, various before, during, and after pictures of the NDC Grade Control Structures Embayment Regrading Project, multiple slides of the Pond 187 Outfall Project and Pond 187 Conveyance Project, various slides for the Miscellaneous AMAFCA Construction Projects – Mariposa Rundowns, multiple pictures of the Miscellaneous AMAFCA Construction Projects – Grandma’s Pond Rundown, CoA NDC Trail Rehabilitation, a few slides of the High Desert Arroyo Inspection, a slide showing the names of 36 NM students nominated to Military service academies, one of which was Colby Brown, and closed with a picture of the AMAFCA Tumbleweed Snowman.

**b. Construction Report**

Mr. Kurt Wagener, AMAFCA Field Engineer, referred to the Construction Report. There were no questions.

**19. Executive Engineer’s Evaluation – Closed Session**

**a. Executive Engineer’s Evaluation – Closed Session (§10-15-1(H))**

Chair Thomson advised that Item 19 was a Closed Session agenda item. Director Brown 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 Executive Engineer’s Evaluation. Director Stover seconded the motion, which passed unanimously (5-0), on a roll call vote.

Chair Thomson closed the meeting at 12:46 p.m. Chair Thomson asked for a motion to re-open the meeting at 1:29 p.m. Director Brown made a motion that the meeting be re-opened. Director Stover seconded the motion, which passed unanimously (5-0), on a roll call vote.

Director Brown made a motion that the Board approve the Personnel and Salary Committee's recommendation to increase the Executive Engineer's salary by \$7,000.00 this year. Director Borrego seconded the motion, which passed unanimously (4-0). Director Eichenberg left the meeting prior to vote on this Item.

**21. Unfinished Business**

None.

**22. New Business**





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Mr. Jerry Lovato, AMAFCA Executive Engineer, mentioned Mr. Bingham had left early in order to attend a Ribbon Cutting at Rio Grande High School Soccer Field, which is adjacent to Pond 187A. AMAFCA will continue to have a drainage easement at this location. APS had paid AMAFCA for the fill (sediment) for the soccer field. There was a brief discussion regarding Directors receiving an invite via email from APS; however, the date and time conflicted with the scheduled Board meeting.

**23. Adjourn**

There being no further business to come before the Board, Chair Thomson adjourned the meeting at 1:32 p.m.

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Ronald D. Brown, Secretary-Treasurer, 2/25/16

Recorded by Guylene Harris, Executive Administrative Assistant