



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
November 17, 2016**

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1. Call to Order and Roll Call

Chair Thomson called the Regular Board Meeting to order at 10:01 a.m. Thursday, November 17, 2016. Roll was noted as follows:

Directors present:	Chair Bruce M. Thomson Director Cynthia D. Borrego Director Ronald D. Brown Director Deborah L. Stover Director Tim Eichenberg
Directors excused:	None
Attorney present:	Attorney Randy Autio, 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

Chair Thomson asked that the Board Recess be moved to after Item 19. AMAFCA Field Highlights.

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

3. Meetings Scheduled

- a. December 15, 2016, 10:00 a.m. – Regular Meeting and Holiday Luncheon**
- b. January 3, 2017, 11:00 a.m. – Special Meeting**
- c. January 26, 2017, 10:00 a.m. – Regular Meeting**
- d. February 23, 2017, 10:00 a.m. – Regular Meeting**

There were no changes to the above dates.

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4. Items from the Floor/Public Comments

No one signed up for Public Comment.

5. Approval of Minutes

a. October 27, 2016

Responding to a request from Director Eichenberg, the detailed discussions will not be part of the Board meeting minutes. Only those comments during long discussions that have been requested to be part of the record will be recapped. No Board member had any objections to the request. Mr. Lovato mentioned that over the last couple of years AMAFCA staff has been directed to create more detailed Board Memos to facilitate Board discussions.¹

Director Borrego made a motion to approve the minutes of October 27, 2016. Director Brown seconded the motion, which passed (5-0).

6. Financial Matters

a. FY 17 Budget to Actual

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the FY 17 Budget to Actual noting that AMAFCA is trending as expected. Responding to questions from Directors Eichenberg and Borrego, Mr. Chavez stated that invoices from the City of Albuquerque (CoA) are verified prior to payment. The delay in payment is not due to invoice errors; it is an issue of the invoices not being sent to AMAFCA. Responding to a question from Director Eichenberg, Mr. Chavez stated that money is held in LGIP and once invoices come in from CoA, funds will be pulled for the check run(s). Responding to a question from Chair Thomson, Mr. Chavez stated the new welding truck payment would be paid from FY-2016 funds. The FY-2017 budget will show the payout amount.

b. AMAFCA Cash & Investments

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, referred the Board to the graph from Memo Item 6b. There were no questions.

c. Approval of October 2016 Expenditures

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the October 2016 Expenditure report. Responding to a question from Chair Thomson, Mr. Chavez stated that the invoices to Hall Environmental were for wet season monitoring. Mr. Patrick Chavez explained the current sampling process and stated that the PCB sampling is done by an out of state company.

Director Brown made a motion to approve the October 2016 Expenditure Report. Director Stover seconded the motion, which passed (5-0).

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d. Financial Position Recap October 16, 2016 through November 15, 2016 & Forecast October 16, 2016 through November 15, 2016

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Financial Position Recap and Forecast. He stated that due the November meeting being moved up a week the Financial Position was through November 10, 2016 and the Forecast began on November 11.

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

e. Fiscal Agent Funds – Proof of Cash and Savings

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Fiscal Agent Funds. There were no questions.

f. AMAFCA FY-2016 Audit and CAFR Update

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, stated he had spoken with the Auditor and the Audit Report had been submitted, approximately 30-days before the deadline.

7. Legal

a. Status Report

Attorney Randy Autio stated that the primary issue for the past month pertained to providing input on contracts and finalizing items for Tract 2B, which would be concluded soon. There were no questions.

8. Executive Engineer's Report

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

- **EPA MS4 Permit - *Urban Waters Federal Partnership***: EPA facilitated a workshop, co-hosted by the Office of the State Engineer (OSE) and the New Mexico Environment Department (NMED) for small MS4s in the State, including those in the Middle Rio Grande Urban Area (MRGUA) on November 3, 2016, in Albuquerque. Directors Borrego and Thomson attended the meeting.

The OSE determined that infiltration of storm water and holding surface water for 96 hours would be allowed, as long as the water stays in the river basin. This determination is in complete agreement with how AMAFCA had implemented its storm water quality program and allows for multiple treatment options that include local and regional treatment of storm water. A draft of the Frequently Asked Questions for Low Impact Design were handed out at the meeting. Storm water quality efforts on a regional basis

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was also covered. Responding to a request from Chair Thomson, Mr. Lovato elaborated on what a Regional Plan means.

On November 4, 2016, EPA toured both completed and proposed regional treatment facilities that could be used to augment treatment of storm water, if needed. On average, for facilities less than 50 acre-feet, the cost would be close to \$75K an acre-foot. For facilities greater than 150 acre-feet, the cost drops to \$12K an acre-foot, due to economy of scale.

- *2016 MS4 Permit – Annual Report:* AMAFCA completed its Annual report as required for the 2015 permit. The Annual report is currently in public review and will be submitted by December 1, 2016.
- *AMAFCA Stormwater Management Plan:* AMAFCA revised its stormwater management plan to address changes and requirements in the new watershed based MS4. The revised document is currently in public review and will be sent to EPA by December 1, 2016.
- **Public Outreach**

Design Awards: AMAFCA provided funding and technical support for two planning projects that were recognized during the 2016 New Mexico Chapter of the American Society of Landscaping Architects Design Awards Gala held earlier this month. The Valle de Oro Master Plan and the Alameda Drain Trail Master Plan were the projects being recognized. More information will be provided at a later date.

2016 AMAFCA Snowman: The snowman will be put together on November 29, 2016 and placed on his pedestal along I-40.

Twinkle Light Parade: AMAFCA will be participating in this year's parade on December 3, 2016.

Responding to a question regarding the downstairs area of the AMAFCA building, Mr. Lovato stated that due to safety reasons files are being stored offsite temporarily, since the current file room is in the crew / truck bay. To address staff safety, a solution is being formulated to build a file room that meets current code requirements. Responding to a question from Director Borrego, Mr. Lovato stated that a presentation from the Ditch Water Safety Task force would be done at the December meeting.

b. Notification of On-Call Services Task Orders

Mr. Lovato referred to his memo for task orders that had been issued the prior month. There were no questions.

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Consent Agenda:

Chair Thomson stated that agenda Items 9 through 12 were on the Consent Agenda. Director Brown made a motion that the Board accept the items on the Consent Agenda. The motion taken approved the following:

- Authorized out of state travel and expenses for two crew members to attend the World of Concrete Conference and Trade Show in Las Vegas, NV, not to exceed \$2,650.00;
- Authorized out of state travel and expenses for one staff member to the 2017 ESRI International User Conference in San Diego, CA, not to exceed \$2,750.00;
- Authorized the Executive Engineer to extend the On-Call Storm Water Quality / Environmental Engineering Services Contracts with Bohannon Huston, Inc., CDM Smith, Inc., and NCS Engineers, Inc. for a one-year term, as per the provisions of the contracts; and
- Accepted the recommendation of the Selection Advisory Committee and authorized the Executive Engineer to commence contract negotiations with CWA Strategic Communications for the Storm Water Quality Education Coordinator Services.

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

Responding to a question from Chair Thomson, Mr. Lovato stated that the CWA Strategic Communications would continue with Storm Water Quality Education Coordinator Services contract, which would start in January 2017.

13. Tijeras Arroyo Sediment Retention Structure Phase I – Consideration for Award of Construction Contract to Qualified Low Bidder

Mr. Kevin Troutman, AMAFCA GIS Manager, summarized information provided in the memo.

- The project was a design built at the UNM modeling lab which includes three basins and two weir structures
- Phase I will complete the lowest basin, adjacent to the concrete channel, the lowest weir structure over one petroleum pipeline, and a portion of the large middle basin
- The additive alternate included additional portions of the middle basin, reducing the scale of the second phase of the project
- 10 bids were received with 9 found to be responsive; one bid did not have the required license and classifications
- Weston recommends, and staff concurs, with the award of construction contract to Mountain States Constructors, to include the additive alternate, for a total project cost of \$2,304,000.65, not including New Mexico Gross Receipts Tax.

Responding to a question from Chair Thomson, Mr. Troutman confirmed that the project quantities listed on the Engineer's Estimates were the same bid quantities in the bid package.

Director Brown made a motion that the Board accept Mountain States Constructors as the lowest responsible bidder and authorize the Chair to execute the contract for the construction of the

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Tijeras Arroyo Sediment Retention Structure Phase I Project with the acceptance of the additive alternate in the amount of \$2,304,000.65, plus New Mexico Gross Receipts Tax. Director Stover seconded the motion, which passed (5-0).

14. West I-40 Diversion Channel Phase IV - Consideration for Award of Construction Contract to Qualified Low Bidder

Mr. Nolan Bennett, AMAFCA Field Engineer summarized information provided in the memo.

- This is the fourth phase of the project
- Will divert much of the water on the north side of I-40, keeps it from flooding many areas in the south valley by moving water into channels adjacent to I-40, then into the river
- Three contractors submitted bids
- Wilson & Company recommends, and staff concurs, with the award of construction contract to go to Salls Brothers Construction, Inc., in the amount of \$3,876,691.64, plus New Mexico Gross Receipts Tax

Responding to a question on the small number of bids received versus the Tijeras Arroyo Sediment Retention Structure Phase I Project, Mr. Lovato stated that most of the companies bidding on the Tijeras Project were road contractors and earthmovers; the project was very simple. There is a future DOT project at Rio Bravo and I-25 that may have enticed contractors to bid the Tijeras Project because they would already be mobilized for the DOT project. Mr. Bennett noted that the project would be a little more complicated due to the channel work and the volcano structure, which would require a more select group of contractors to put in bids for the job.

Director Borrego made a motion that the Board accept Salls Brothers Construction, Inc., as the lowest responsible bidder and authorize the Chair to execute the contract for the construction of the West I-40 Diversion Channel Phase IV Project in the amount of \$3,876,691.64, plus New Mexico Gross Receipts Tax. Director Stover seconded the motion, which passed (5-0).

15. AMAFCA Projects

a. Upper Piedras Marcadas Drainage & Water Quality Master Plan – Project Update – Consideration of Operational Changes for the Piedras Marcadas Dam

Mr. Bradley Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo.

- Piedras Marcadas Dam is a gated structure and requires someone to physically go and open the gate

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- The Dam is undersized for future condition flows
- The results of the modeling indicate that the outlet pipe discharges 66 cfs when the water surface in the dam is at the emergency spillway
- As-built records indicate there is approximately 300 cfs capacity in the Corrales Main Canal, therefore allowing the dam to drain safely without modifying the Canal if it is empty
- Using telemetry and modifying the Corrales Main may make it possible to address the undersized dam in a more cost effective manner
- Various pictures of the gate and weir structure were viewed

Responding to a question from Director Stover, Mr. Bingham explained how a weir works. Mr. Lovato explained the importance of an automatic gate. Responding to a question from Director Borrego, Mr. Bingham stated that the proposed operational changes for the Piedras Marcadas Dam would make the dam more sustainable and easier to maintain. Responding to a question from Chair Thomson, Mr. Bingham stated that conversations with the MRGCD are forth coming. Responding to questions from Director Brown, Mr. Bingham stated the discharge would be up to 88 cfs, and then the water will go over the spillway. Mr. Lovato stated that it is important not to add storm water on top of the irrigation water. Mr. Lovato confirmed that there is concern with the downstream check gates. Responding to a question from Chair Thomson, Mr. Lovato confirmed that AMAFCA would pay for and maintain the automatic gate. Mr. Kurt Wagener noted that if the gates can be opened automatically it would be a better plan as opposed to waiting for up to three days for MRGCD personnel to open the gate(s). The Board concurred to start discussions with the MRGCD.

b. Amole-Hubbell Dam System Analysis – Project Update

Mr. Bradley Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo.

- The Amole Del Norte, Guac, and Hubbell Dams work as one system
- The Amole Dam is undersized, has no emergency spillway, and is gated
- The original design assumed that the dam would contain 582 acre-feet of storage with an ultimate storage capacity of 1,444 acre-feet of storage once the Guac dam was constructed
- The Amole Del Norte Channel was built and breached the dam pool
- The actual available storage volume of the Amole Dam is reduced by approximately 200 acre-feet
- A solution would be to ungate the Dam and put in a gravity outlet

Responding to questions from Director Brown, Mr. Bingham stated there is 540 acre-feet presently if the Amole Del Norte channel is not there. Hubbell has approximately 490 acre-feet. The latest update is 804 acre-feet for the Guac. Nexrad rain totals will be presented at the December Board meeting. Mr. Lovato stated that 100-year protection of the system has been compromised due to the construction of the Amole Del Norte Channel.

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16. Results of November 8, 2016 Board of Directors and Bond Election

Mr. Lovato presented the results as noted on the Bernalillo County website. Responding to a question from Chair Thomson, Mr. Lovato stated that the election results came directly from the Bernalillo County Website. He further stated he appreciated the voters taking the time to vote and approving the AMAFCA Bond.

17. Final Bond Committee Report

Mr. Lovato introduced Mr. Pat Conley with Conley Engineering. Mr. Lovato stated the 2016 Bond Committee did a great job bringing in over \$27K, which paid for television and billboard advertising. Chair Thomson presented Mr. Conley with a plaque. Mr. Lovato stated that there were 156,242 voters who voted for and 74,143 voting against the Bond, which had the third highest turnout for the AMAFCA Bond(s). Mr. Conley thanked the Board and the members present who participated in the 2016 Bond Committee.

18. Legislative Liaison

a. Legislative Liaison – Consideration for Approval of Second Extension of Professional Services Agreement with Alarid Consulting

Mr. Lovato stated the Legislative Liaison agreement with Alarid Consulting was up for a second extension.

Director Eichenberg made a motion that the Board authorize the Executive Engineer to extend the Professional Services Agreement with Alarid Consulting for a one-year term, as per the provisions of the agreement. Director Borrego seconded the motion, which passed (5-0).

b. Briefing before 2017 New Mexico Legislative Session

Ms. Vanessa Alarid with Alarid Consulting thanked the Board and congratulated Chair Thomson on his re-election efforts. Her presentation covered some of the following:

- 62% of registered votes participated in the election
- Last election cycle there was a change in the makeup of the Legislature with this election cycle having more Democrats
- Covered various House District changes - Leadership has changed for Majority and Minority, and covered the various seats up for automatic recount
- Revenue Estimates will be discussed next month during the Legislative Finance Committee on December 5, 2016
 - David Abbey, Legislative Finance Committee Finance Director, has been stressing Adequacy at the committee meetings
 - Leanest Budget in 20 years
 - Shortfall still high at \$100M, New Mexico is required to have a balanced budget
 - Need enough revenue for all of the expenses
 - Medicaid expansion numbers currently at \$80M

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- Cannot raise Personal Income Tax – might be possible to delay lowering Corporate Income Tax and leave it at 6.6% for two years
- January 5, 2017 Governor to provide budget to Legislature
- January 6, 2017 Legislative Finance Committee to provide to Legislature
- Election Legislation Update - have not seen a copy, will forward once received
- Session 60 days, begins January 17, 2017

19. AMAFCA Field Highlights

a. Field Report

Mr. Nolan Bennett, AMAFCA Field Engineer, gave a report of various projects and events over the past month.

The slides opened with a picture of deer at the High Desert area, various slides at the Amole Dam, that included a video of cranes in the area, and a couple of pictures of nine year old Simone Bennett, Nolan Bennett's daughter. The presentation continued with multiple slides of work from the AMAFCA Crew at Raymac Dam Outfall, South Diversion Channel, Las Ventanas Access Control, CoA work at the Singer Road Widening Project, various slides of the Pre-Bids for the Tijeras Arroyo Sediment Retention Structure Phase I and West I-40 Phase IV projects, slides for the Office of Emergency Management Coordination – Web EOC, Emergency Management Coordination – Bernalillo County, Emergency Management Coordination – Operation Vigilant Guard, multiple slides of the ABCWUA Waterline at Swinburne Dam, a couple slides of AMAFCA and MRGCD staff on inspection, a slide of Octopus Pond Sediment Removal, various slides of the High Desert Inspection, a picture of plants coming up at Boca Negra Dam, a picture of the LOMR acceptance letter for Boca Negra Dam, a couple pictures of the deer in the area, and closed with pictures of a Sunrise and Super moon taken near the AMAFCA office.

b. Construction Report

Mr. Nolan Bennett, AMAFCA Field Engineer, referred to the Construction Report. There were no questions.

c. Recognition of Public Service – Recognition of Retiring AMAFCA Field Engineer Kurt Wagener

Mr. Lovato introduced retiring AMAFCA Field Engineer, Mr. Kurt Wagener. He stated one of the duties Mr. Wagener oversaw was the building of the AMAFCA Tumbleweed Snowman from 2006 through 2015 and showed pictures of the same. He further stated that Mr. Wagener brought a lot of knowledge of construction from his previous employment including construction of concrete channels. Over the last 11 years, in addition to inspecting projects and managing construction, Mr. Wagener modified AMAFCA designs to allow easier maintenance of facilities, which allows AMAFCA to maintain all of their facilities with an 11- person crew. "Leave it better than you found it" was the focus of Mr. Wagener's tenure at AMAFCA.

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Chair Thomson presented Mr. Wagener with a plaque of appreciation from the Board and congratulated him on his upcoming retirement. Mr. Wagener thanked the Board and read the plaque, which stated, "In recognition of eleven years of dedicated public service in providing flood control and protection of life and property to the citizens of Albuquerque and Bernalillo County." Mr. Wagener introduced his wife, Mrs. Pam Wagener, followed up with various sentiments about AMAFCA, stating that he would miss AMAFCA, the staff, and the guys on the crew, and closed stating he is not dying, just retiring.

20. Colorado – New Mexico Regional Extreme Precipitation Study – Project Update

Mr. Kevin Troutman, AMAFCA GIS Manager, summarized information provided in the memo. Mr. Bradley Bingham was available as well. Some of Mr. Troutman's presentation was as follows:

- Last month was the second workshop; the first one was an introduction, the second one more in depth
- Has a 19 member project review board that oversees the entire project
- Selected co-chairs for the project
- Task 1 will focus on maximum precipitation estimation
- Task 2 will focus on precipitation frequency analysis
- Task 3 will use an existing forecast model to look at rainfall forecast modeling
- Task 4 will put everything together and keep everyone on track

Responding to a question from Chair Thomson, Mr. Troutman stated COCORAHS and bucket data are being used for Task 1.

Mr. Troutman stressed that there are still some unknowns with the process. The biggest question facing the project review board is the issue regarding the ratio of rain to snow on large events at high elevations. While this should not be an issue within the AMAFCA jurisdiction, the solution to this issue will affect the timing of the project. The end product has yet to be determined. Some of the options are a gridded data set, a watershed by watershed analysis, or a series of tables. The consultant for Task 1 has stated that a gridded product is already accounted for in their scope and would not require additional funding. A watershed by watershed analysis would require more time and effort to generate. For AMAFCA, this may not be at a scale that would account for the varying sizes of individual dam watersheds within AMAFCA jurisdiction. The project board has also indicated that climate change is outside the scope of this project and will not be handled in the analysis. However, they want this project to be reproducible. This has been the largest issue with the current HMRs.

21. Real Estate

a. State Employees Credit Union by North Diversion Channel – Consideration of Approval of Turnkey Agreement

Ms. Lynn Mazur, AMAFCA Development Review Engineer, summarized information provided in the memo.

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- AMAFCA holds a 30-foot wide drainage easement in the western section of the tract for a side channel
- State Employees Credit Union (SECU) will discharge 6 cfs to a water quality pond with a pipe outfall to the side channel
- AMAFCA asked that SECU to install rip rap to mediate potential erosion problems
- An encroachment license will be done
- AMAFCA will maintain the rip rap under the turnkey agreement

Responding to questions from Director Eichenberg, Mr. Lovato stated there is no foot traffic in the immediate area. Ms. Mazur stated the access will be from the car wash driveway and there was also a private access easement to Carlisle. Mr. David Soule with Rio Grande Engineering stated that there are access easements for SECU.

Director Brown made a motion that the Board approve the Turnkey Agreement, and authorize the Chair to execute the Agreement. Director Stover seconded the motion, which passed (5-0).

b. Vista Del Norte Homeowners Association Land Donation – Approval of Land Donation to AMAFCA

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, summarized information provided in the memo.

- Encompasses 12.6 acres next to a slope that AMAFCA owns
- At the August 25, 2016 Board meeting, a proposal was introduced from the Vista Del Norte Homeowners Association to donate land to AMAFCA for public purposes
- At the September 22, 2016 Board meeting, a draft dedication deed was presented to the Board for review
- AMAFCA Staff had inspected the area and no serious maintenance issues were found
- Corp of Engineers had inspected the area as well
- Vista Del Norte Homeowners Association Board approved the land donation at their recent Board meeting

Responding to a question from Director Eichenberg, Mr. Willis advised that the slope would not be landscaped. Mr. Lovato stated that landscaping is not part of maintenance on a levee section.

Director Eichenberg made a motion that the Board approve the Donation Deed, and authorize the Chair to sign. Director Borrego seconded the motion, which passed (4-0). Director Brown recused himself.

c. Verizon Wireless Facility on AMAFCA Property – Discussion of Possible Land Lease to Verizon Wireless

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, summarized information provided in the memo.

- Verizon is asking for a lease for a 20 foot by 20 foot section with a concrete walled building

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- AMAFCA and Verizon would be using the same access for maintenance activities
- This is not the standard utility license
- The AMAFCA typical utility encroachment license is not applicable in this case due to the loss of use
- Verizon will make money by allowing them to have equipment on AMAFCA's property
- Possible yearly or every five year lease was discussed

The Board requested that an appraiser survey other leases.

22. Unfinished Business

None.

23. New Business

None.

24. Adjourn

There being no further business to come before the Board, Chair Thomson adjourned the meeting at 1:10 p.m.

Ronald D. Brown, Secretary-Treasurer, 12/15/16

¹ Detailed information may be found in the applicable Board memo for each agenda item