



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
December 15, 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, December 15, 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 all items under Consent Agenda Item 15. AMAFCA Agricultural Leases be moved to the Regular Agenda.

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

It was noted that the 11th Edition of the Robert's Rules of Order were disseminated to all Directors.

3. Meetings Scheduled

- a. January 3, 2017, 11:00 a.m. – Swearing-in Ceremony (not an official Board meeting)**
- b. January 26, 2017, 10:00 a.m. – Regular Meeting**
- c. February 23, 2017, 10:00 a.m. – Regular Meeting**
- d. March 23, 2017, 10:00 a.m. – Regular Meeting**

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Mr. Jerry Lovato, AMAFCA Executive Engineer, stated the January 3, 2017 Swearing-in Ceremony would not be an official Board meeting and there would be no action items required. A quorum does not need to be present; however, a notice of a possible quorum would be posted. Judge Alan Malott would be present to carry on the duties for the swearing-in. There were no changes to the listed dates.

4. Items from the Floor/Public Comments

No one signed up for Public Comment.

5. Approval of Minutes

a. November 17, 2016

Director Borrego made a motion to approve the minutes of November 17, 2016. Director Stover seconded the motion, which passed (5-0).

Chair Thomson requested that the CWA abbreviation under the Consent Agenda Item be spelled out.

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. AMAFCA received and paid payroll invoices going back to October 2016. Responding to a question from Director Eichenberg, Mr. Lovato stated that AMAFCA is not seeing an immediate cost savings by using the 30 and 40-foot rolloff containers; but there are significant savings in labor and staff time. The savings are attributed to less AMAFCA staff and vehicle time that is needed to deliver trash and debris to the landfill and return to the original location. Once the cost analysis is finished, it is anticipated there will be approximately \$7K in cost savings. He further stated that by having the trucks on the road for less time it is safer for both staff and others drivers.

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 November 2016 Expenditures

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the November 2016 Expenditure report. Responding to a question from Chair Thomson, Mr. Lovato stated that the payment to Parsons Brinkerhoff (PB) America was for the Tijeras Arroyo Project and the additional work done on Kirtland Air Force Base. Another part of the project would be to update the Operation and Maintenance Manual, Volume 2. PB would take the information and put it into the right format to submit to the Office of the State Engineer (OSE). Responding to a

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question from Director Borrego, Mr. Chavez stated that AMAFCA pays an administrative fee to CoA for processing payroll, making the required direct deposits, State/Federal filing, as well as processing benefits for AMAFCA.

Director Eichenberg made a motion to approve the November 2016 Expenditure Report. Director Borrego seconded the motion, which passed (5-0).

d. Financial Position Recap November 11, 2016 through December 10, 2016 & Forecast December 11, 2016 through January 15, 2017

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, presented the Financial Position Recap and Forecast. He stated that due to the December meeting moving up a week the Financial Position and Forecast moved up as well.

Director Brown made a motion that the Board approve the Financial Forecast. Director Stover 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.

7. Legal

a. Status Report

Attorney Randy Autio stated that there were a couple minor matters for the reporting period. A Tort Claim notice received by AMAFCA was for a CoA facility (Skies Park) and not an AMAFCA facility. The notice was sent to AMAFCA in error. AMAFCA General Counsel was able to respond quickly and save taxpayer funds by not having the issue drawn out. There were no questions.

8. Executive Engineer's Report

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

- **Environmental Protection Agency (EPA) MS4 Permit - 2016 MS4 Permit – Annual Report, AMAFCA Stormwater Management Plan, and the Program Strategies and Procedures Manual.** Reference was made to the three binders on the Board table stressing the importance of each one.
- **Hamilton Dam:** On November 17, 2016, Director Brown, Mr. Brad Bingham, and Mr. Jerry Lovato, attended the North Albuquerque Acres Community Association (NACA) annual meeting to discuss the Hamilton Dam project. AMAFCA explained how the residents around the proposed Hamilton Dam site had requested that the dam footprint be maximized, thereby reducing the height of the earthen embankment. The project was well

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received by the members of the NACA. AMAFCA will be moving forward with Bernalillo County (BernCo) to start the vacation process for the Eubank Boulevard right-of-way.

- **AMAFCA**

AMAFCA Maintenance Superintendent: AMAFCA's Maintenance Superintendent, is on a medical leave of absence for approximately six to seven weeks. Mr. Salomon Hernandez volunteered to take over as Maintenance Supervisor and assume some of the duties. He will be on on-call status to address emergencies and will have access to a take home vehicle, and an AMAFCA cell phone.

Bernalillo County and University of New Mexico Joint Project: AMAFCA staff have been in discussions with both BernCo and the University of New Mexico (UNM) staff concerning drainage issues at the UNM North Golf Course. Issues involve erosions and sediment that flow into the North Diversion Channel (NDC). BernCo has an open space agreement with UNM. By working with UNM, floodplain will be removed just north of the golf course. Responding to a question from Chair Thomson, Mr. Lovato stated that AMAFCA had been present at three separate meetings with BernCo where the Master Plan was discussed. Mr. Lovato stated that in 2015 the Master Plan had proposed using the AMAFCA property at Indian School and the NDC as part of their development plan. AMAFCA contacted both UNM and BernCo and advised them that AMAFCA needed to be involved in the Master Plan.

- **Public Outreach**

Design Awards: Mr. Bradley Bingham, AMAFCA Drainage Engineer, stated that AMAFCA (along with MRGCD, BernCo, and CoA) were part of the Alameda Drain and Trail Master Plan. AMAFCA had been presented with an award by the New Mexico Chapter of the American Society of Landscaping Architects (ASLA) for the planning document associated with the project. He stated that Mr. Nolan Bennett, AMAFCA Field Engineer, was part of the project when he worked for BernCo. The New Mexico Chapter of the ASLA had also presented AMAFCA with an award for the Valle de Oro Master Plan in the Design Exploratory Category. He stated that Ms. Lynn Mazur, AMAFCA Drainage Review Engineer, was part of that project. Responding to a question from Director Brown, Mr. Bingham stated that the Alameda Drain Trail Master Plan starts at Interstate 40, runs along the entire Alameda Drain, all the way to the North Diversion Outlet. The plan is to build trail, landscaping, and install water quality features in various segments.

2016 AMAFCA Tumbleweed Snowman: The 2016 Snowman was featured in the December issue of the Sandia Lab News. The photograph taken by Mr. Randy Montoya (with his wife helping light the snowman) rivals the photos taken by National Geographic.

Twinkle Light Parade: AMAFCA participated in this year's parade. The Tumbleweed Snowman won in the Government Category and was named the winner for "Best in Show." It was noted that the Twinkle Light Parade was recently awarded the second best

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holiday parade in the Nation by USA Today. Mr. Lovato thanked staff for their work putting together the float and the various donations provided. Directors Thomson and Stover attended this year's parade.

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.

Consent Agenda:

Chair Thomson stated that agenda Items 9 through 14 were on the Consent Agenda and Item 15 had been moved to the Regular Agenda earlier in the meeting. Director Brown made a motion that the Board accept the items on the Consent Agenda. The motion taken approved / authorized the following:

- Authorized the Executive Engineer to extend the on-call contract with AECOM Technical Services, Inc. for a one-year term, as per the provisions of the contract;
- Authorized the Executive Engineer to extend each of the On-Call Engineering Services Agreements for a one-year term, as per the provisions of the agreements, with no increase in fees;
- Authorized the Executive Engineer to advertise construction bids for the Agency and Area-Wide 2016-2017 Project;
- Authorized out of state travel and expenses for the AMAFCA Field Engineer to attend the Inspection and Assessment of Dams Class, at the University of Florida in February 2017, not to exceed \$3,000.00, pursuant to Resolution 1998-16;
- Authorized out of state travel and expenses for the AMAFCA Finance & Administration Manager to attend the Governmental Financial Officers Association (GFOA) Annual Conference in Denver, CO, May 21-24, 2017, not to exceed \$2,500.00, pursuant to Resolution 1998-16; and
- Authorized the Executive Engineer to extend the on-call contract with NV5, Inc. for Geotechnical/Environmental Engineering Services, for a one-year term, as per the provisions of the contract.

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

Director Eichenberg cautioned staff and asked that travel costs be scrutinized for out of state travel. He reminded everyone that there are cuts backs happening at State level of Government.

15. AMAFCA Agricultural Lease

Responding to a question from Chair Thomson, Mr. Lovato stated that during the ribbon cutting for Pond 187, the BernCo County Commissioner and Rio Grande High School principle had referred to the pond as Raven Pond. Prior to the ribbon cutting, Director Stover had requested that the pond have another name and not a number. Responding to a question from Director Stover, Mr. Lovato stated that the name of the pond came right off the Drainage Report (basin number) and in the past, the Board has passed a Resolution to change a name of an existing

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AMAFCA facility. He stated that a Resolution could be drafted and approved by the Board. Chair Thomson asked that all facilities that are renamed come before the Board. Director Borrego suggested having Albuquerque Public Schools present at the January Board meeting for the official renaming of the pond.

Responding to a question on Agricultural Lease costs, Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, went through the difference in the various Agricultural Leases, which included acreage, how the land was being used, the specific location(s), the costs associated, as well as the applicable issues for each parcel. He further stated he keeps in contact with various farmers and receives many comments on transportation, location, and other issues. It was acknowledged that the leaseholders do a good job in keeping the property looking presentable. Mr. Lovato emphasized that the Agricultural Leases are accepted based on the high bid and not low bid. He further stated that having a farmer next to the property is convenient for the farmer and there is not an access issue for AMAFCA.

a. Miranda Property – Approval of Third Extension

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, stated the AMAFCA had constructed a drainage facility (Danny's Diversion) on the Miranda Property. Part of the land is farmed and irrigated. The other part has a small berm, sits approximately six feet below the other piece, and the soil stays damp due to the irrigation of the other piece of land. The low rate for the property takes into consideration the issues with the land.

Director Brown made a motion that the Board authorize the Executive Engineer to execute the Lease Option Extension Agreement with Marvin Abeita. Director Stover seconded the motion, which passed (5-0).

b. Rutherford Property – Approval of First Extension

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, stated the Rutherford Property is along the far southern end of Bernalillo County. It is a large piece that is being reserved for a possible drainage facility. The transportation issue involved takes into account the fact the farmer lives farther from the Rutherford Property and needs to transport the equipment to the property.

Director Brown made a motion that the Board authorize the Executive Engineer to execute the Lease Option Extension Agreement with Marvin Abeita. Director Stover seconded the motion, which passed (5-0).

c. Raven Pond (Formerly Pond 187) – Approval of First Extension

No discussion took place pertaining to this extension.

Director Brown made a motion that the Board authorize the Executive Engineer to execute the Lease Option Extension Agreement with James Moya. Director Stover seconded the motion, which passed (5-0).

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d. Herring Property – Approval of First Extension

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, stated the Herring Property has 15 acres, farmer lives next door to the property, it in its original condition, has always been agricultural land, and AMAFCA has it reserved for a possible sediment location in the future for a storm water quality feature on the South Diversion Channel. With no transportation issues to get equipment to the pasture since the farmer lives next-door, it allows a premium for the property. Mr. Lovato stated that the farmer keeps the area secure and does not want to be leaving the area open for public access. Access complications could arise if another farmer takes over the lease.

Director Brown made a motion that the Board authorize the Executive Engineer to execute the Lease Option Extension Agreement with Ron Maestas. Director Stover seconded the motion, which passed (5-0).

16. Approval of Resolution 2016-14 – 2016 AMAFCA Bond Question Canvass

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, stated that Modrall, AMAFCA's Bond Counsel, had reviewed Resolution 2016-14, 2016 Bond Question Canvass. The Bernalillo County Commission, acting as the Board of Canvassers, certified the election results, which included the Bond Question Canvass, on November 21, 2016. He recommended that the Board adopt the Resolution as required.

Director Eichenberg made a motion that the Board adopt Resolution 2016-14, 2016 Bond Question Canvass. Director Borrego seconded the motion, which passed unanimously (5-0) on a roll-call vote.

17. Approval of Resolution 2016-15 – 2016 AMAFCA Board of Directors Election Canvass

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, stated that the Bernalillo County Commission, acting as the Board of Canvassers, certified the election results on November 21, 2016. He recommended that the Board adopt the Resolution as required.

Director Eichenberg made a motion that the Board adopt Resolution 2016-15, 2016 AMAFCA Board of Directors Election Canvass. Director Borrego seconded the motion, which passed unanimously (5-0) on a roll-call vote.

18. Ditch Safety Coordinator Annual Report

Ms. Dezaree Vega Garcia with Griffin and Associates, Ditch Safety Coordinator, briefed the Board on the Ditch Safety Program. She reminded the Board that the program had been rebranded in 2014 with a new tag line / characters, and had stepped away from using the Ditch Witch character. 2017 Tactics for the program include continuing with ongoing special events, presentations, and connecting with area food banks and homeless shelters, etc. Ms. Vega Garcia thanked the Board for their time.

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19. AMAFCA Projects

a. NPDES Permit – FY 2016 AMAFCA Annual Report

Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo.

The presentation included the following:

- The Annual Report was submitted on December 1, 2016 (included the 45-day comment period)
- Incidental Take Statement: Reports the amount of Silvery Minnows that were harassed or killed in the Rio Grande due to the embayment area being filled with water
- Status of Implementation Performance Assessment
- Temperature in the Rio Grande River at Central Bridge from July 2015 to June 2016 (Sonde report)
- Total Sediment Removed: 22,093 cubic yards
- Mutt Mitt Station AMAFCA Agreements with Neighborhood / Homeowners Association(s); CoA and BernCo have a similar program
- Wet Weather Reporting – Discharge Monitoring Reports (DMRs)

Responding to a question from Chair Thomson, Mr. Chavez stated that if there is vegetation in a dam that is inhibiting it from functioning correctly it needs to be removed. Mr. Lovato stated that AMAFCA does need to maintain vegetation in the facilities to make sure they are hydraulically efficient and provided the Mariposa Diversion as an example. The channel looks beautiful with all the grasses and cattails, but when the vegetation gets above five feet, the facility will not function as it should. He also reminded the Board that CoA has a weed ordinance, which AMAFCA is required to abide by. It was noted that it is a requirement of the OSE to have woody vegetation removed from the dam(s).

b. NPDES Permit – Storm Water Management Plan Update

Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo.

The presentation included the following:

- The Storm Water Management Plan (SWMP) was submitted on December 1, 2016 (included the 30 day comment period)
- 2nd SWMP for AMAFCA
- Goal of the SWMP is to protect the health of the Rio Grande River
- Permit Activity, plan, measureable goal, implementation schedule, and responsible personnel
- Advised the Storm Water Quality Education Coordinator, CWA Strategic Communications, was present at the meeting
- The core emphasis of the SWMP is to cooperate – provided examples of Cooperative Coordination Letters

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- Illicit Discharge Response Plan – the Albuquerque Bernalillo County Water Utility Authority has an Overflow Response Plan
- Annual Report and SWMP Distribution

Responding to a question from Chair Thomson, Mr. Chavez stated that the Pueblo standards for E.coli is 88 colony-forming unit (cfu), per 100 millimeters (mills) and New Mexico standard is 410 cfu, per 100 mills. Mr. Lovato stated that the Pueblo(s) have dictated to EPA their standards, which are much more stringent than other standard(s). He further stated AMAFCA has been trying, for the past three to five years, to establish a water quality treatment regime known as a BMP Train (Best Management Practices treatment train) for AMAFCA facilities. This approach coincides with the regionalization of some of AMAFCA facilities to address storm water quality. So far, EPA and the New Mexico Environment Department concur with the direction AMAFCA is going. To fully realize the potential of regionalization, BernCo is proposing to change their stormwater ordinance to allow future development for this option. The CoA at this time is not considering a similar change to their ordinances, but if and when it does happen, AMAFCA has put things in motion to move forward. Director Borrego thanked Mr. Chavez for being proactive in responding to the new requirements of the SWMP.

c. Amole-Hubbell Dam System Analysis – Project Update

Mr. Bradley Bingham, AMAFCA Drainage Engineer, introduced Mr. Craig Hoover with Bohannan Huston, Inc. (BHI).

The presentation included the following:

- Watershed of the full Probable Maximum Precipitation (PMP) watershed was reviewed – not part of the 100-year system analysis, but showed the big picture of the watershed
- The system is a complicated and interconnected
- Hubbell Dam used to be gated, Amole is still a gated facility
- When the Amole Del Norte Channel was constructed it was installed 14 feet below the 100-year water surface elevation – therefore the channel became part of the dam pool
- 260 acre feet of storage was lost in the Amole Dam once the Amole Del Norte Channel was built
- 700 acre feet of storage at Westgate Dam, which ends up in the Amole Dam, was not properly accounted for in the original design
- As part of the current study, BHI updated the Hydrology using the Whitepaper Methodology that AMAFCA had developed (new standard used in the community, state of practice).
- Guac Dam (preferred option) to be expanded to the west, based on high level constructional grading
- Overflow / emergency spillways were reviewed
- Property expansion is needed near the Salazar Property
- Tract has a high-voltage power line easement bisecting the property - power line supports would need to be relocated

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- Analysis had included the possibility of six or seven alternatives to get water to the Rio Grande; however, they all included adding bridging pipes to the river to drain Amole in 96-hours – by modifying and ungating the Amole it will save approximately \$6M-\$8M

Responding to questions from Director Brown, Mr. Lovato stated that floodwater does not get to the Rio Grande River and it was a CoA facility that had spilled in 2013, because the Amole Del Norte channel was impaired by the Amole Dam pool. Responding to a question from Chair Thomson, Mr. Lovato stated that the 100-year storm would be covered. Responding to questions from Director Eichenberg, Mr. Bingham stated AMAFCA could not ask for an exception since actual volume needs to be demonstrated and the Amole was built in 1977. Responding to a question from Director Borrego, Mr. Bingham stated that it would take care of existing development; however, there are some areas that are undevelopable. Responding to a question from Director Eichenberg, Mr. Lovato stated that in the original dam design report it was apparent that the Amole Del Norte would have six feet of water in the channel. He further stated that it was not known how the invert was missed, but it had been found, and needs to be addressed. Responding to a question from Chair Thomson, Mr. Bingham stated that data would need to be provided to show how fast it would drain. Mr. Hoover stated that the hydrology had been done; however, a grading plan is needed. Responding to a question from Director Brown, Mr. Lovato stated that it would not meet the 96-hour requirement under the existing conditions; Mr. Hoover concurred. The Board acknowledged that it was a clever strategy and would comply with both OSE and the Interstate Stream Commission (ISC). The Board requested that staff bring back the item for consideration at the January Board meeting.

20. Construction Report

Chair Thomson referred the Board to the Construction Report. There were no questions.

21. Unfinished Business

None.

22. New Business

None.

23. Adjourn

There being no further business to come before the Board, Chair Thomson adjourned the meeting at 11:37 a.m.

, Secretary-Treasurer, 1/26/17