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Arroyo Flood Control Authority
Regular Meeting Minutes
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1. Call to Order and Roll Call

Chairman Eichenberg called the Regular Board Meeting to order at 9:05 a.m. Thursday, February 26, 2004. Roll was noted as follows:

Directors present: Chairman Tim Eichenberg
 Director Linda Stover
 Director Ronald D. Brown
 Director Daniel Hernandez
 Director Daniel Lyon

Others present: John Kelly, Executive Engineer
 Sam Bregman, Attorney
 Staff

2. Approval of Agenda

Director Brown made a motion to accept the agenda as presented. Director Hernandez seconded the motion. Executive Engineer John Kelly requested that two informational items be added to the agenda as new business, items 23.c. and 23.d. Chairman Eichenberg added the items. The motion passed unanimously (5-0).

3. Meetings Scheduled

- a. **March 4, 2004, 9:00 a.m. – Second Workshop on Drainage Facility Planning Review**
- b. **March 17, 2004, 11:00 a.m. – Regular Meeting**
- c. **April 8, 9:00 a.m. – Third Workshop on Drainage Facility Planning Review**
- d. **April 22, 2004, 9:00 a.m. – Regular Meeting**

John Kelly stated that Director Lyon had requested that the March 17 meeting be rescheduled for 9:00 a.m.. Following discussion, the meetings were scheduled as follows:

- **March 4, 2004, 9:00 a.m. - Second Workshop on Drainage Facility Planning Review**
- **March 17, 2004, 10:00 a.m. - Regular Meeting**
- **April 8, 2004, 9:00 a.m. - Third Workshop on Drainage Facility Planning Review**
- **April 22, 2004, 9:00 a.m. - Regular Meeting**



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Director Brown made a motion to approve the revised meeting schedule. Director Lyon seconded the motion, and the motion passed unanimously (5-0).

4. Approval of Minutes

a. January 22, 2004

Director Hernandez made a motion to approve the minutes of the January 22, 2004 Regular Board Meeting. Director Brown seconded the motion, and it passed unanimously (5-0).

b. February 5, 2004

Director Brown made a motion to approve the minutes of the February 5, 2004 Special Board Meeting. Director Hernandez seconded the motion, and it passed unanimously (5-0).

5. Appointments to Boards and Committees

- a. MRCOG Board of Directors**
- b. Middle Rio Grande Water Resources Board**
- c. Metropolitan Transportation Board**
- d. Personnel and Salary Committee**

Chairman Eichenberg made the following appointments to the above boards and committees: Director Lyon to the MRCOG Board of Directors, Director Hernandez to the Middle Rio Grande Water Resources Board, Director Brown to the Metropolitan Transportation Board, and Director Stover and himself to the Personnel and Salary Committee. All stated their willingness to serve on their respective boards and committees.

Director Lyon made a motion to accept the appointments as given by Chairman Eichenberg. Director Hernandez seconded the motion, and it passed unanimously (5-0).

6. Financial Matters

a. Approval of January 2004 Expenditures

Irene Jeffries, AMAFCA Business Manager, presented the January 2004 Expenditure Report. Chairman Eichenberg asked about item 10750, tuition and book reimbursement for Denise Cook. Ms. Jeffries stated that Denise Cook had taken two computer classes and received an "A" in both. Chairman Eichenberg also asked about item 10760, tuition and book reimbursement for Irene Jeffries. Ms. Jeffries stated that she had taken an accounting class and had also received an "A".



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Following a few more questions, Director Brown made a motion to approve the January 2004 Expenditure Report. Director Hernandez seconded the motion, and it passed unanimously (5-0).

b. Investment Report

For Information.

c. Financial Recap January 16, 2004 thru February 15, 2004

For Information.

d. Financial Forecast February 16, 2004 thru March 15, 2004

Irene Jeffries presented the Board with the Financial Forecast for February 16, 2004 through March 15, 2004. Director Brown made a motion to approve the Financial Forecast. Director Hernandez seconded the motion, and it passed unanimously (5-0).

e. County Treasurer Tax Distribution Status Report

Irene Jeffries reported she and Mr. Kelly met with representatives of the County Treasurer's Office, and they have provided additional information to AMAFCA. She and Mr. Kelly also requested some other information which the County Treasurer's Office is in the process of providing.

7. Legal

a. Status Report

For information only.

b. Election Schedule

Counselor Bregman noted one change to the Election Schedule as presented to the Board: the March 25, 2004 Regular Board meeting noted on the Election Schedule had been moved to March 17, 2004. Chairman Eichenberg asked if the Election Notice could begin publishing on October 5, (the day absentee voting begins) instead of October 12, or if publication dates were set by statute. Counselor Bregman stated that the dates couldn't be moved but an additional ad could be run on October 5. The Board expressed agreement with adding an Election ad around October 5. Director Lyon asked how many signatures were required to get on the



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ballot. The answer was 50 signatures. There were no other questions. Director Stover's position in District 5 is the only one up for election this time, along with the Bond Issue.

8. Banking and Cash Management Services -- Approval of Contract with Wells Fargo

Executive Engineer John Kelly introduced Elena Garcia, Assistant Vice President for Wells Fargo Bank, and Mark Pike, Senior Vice President for Wells Fargo Bank, who were present in the audience. Ms. Jeffries presented Wells Fargo's Contract for Banking and Cash Management Services, which had previously been reviewed and approved by Attorney Sam Bregman. She stated that the contract is substantially the same as the previous contract with Wells Fargo, with the exception that the electronic banking module (formerly REBA - Remote Electronic Banking Access) is now referenced as CEOSM (Commercial Electronic Office). The contract expires in two years, but provides an option to renew for an additional two years, if both parties are agreeable. Discussion followed.

Director Brown made a motion to approve the contract with Wells Fargo Bank New Mexico, N.A., to provide banking and cash management services, and to authorize the Executive Engineer to execute the contract. Director Stover seconded the motion. Following further brief discussion, the motion passed (4 - 0). Director Hernandez abstained from the vote.

9. Selection Advisory Committee Recommendation for Financial Advisor Services

John Kelly stated that the Selection Advisory Committee met at 8:00 a.m. on February 26, 2004, to evaluate proposals received in response to AMAFCA's request for proposals for Financial Advisor Services. Members of the committee were Chairman Eichenberg, Director Hernandez, John Kelly, and Irene Jeffries. Three firms submitted proposals by the deadline, and all three were considered responsive. The firms were ranked by the committee. The top ranked firm was RBC Dain Rauscher. The SAC recommended that the Board authorize the Executive Engineer to negotiate a contract for Financial Advisor Services with RBC Dain Rauscher.

After brief discussion, Director Brown made a motion that the Board accept the recommendation of the Selection Advisory Committee, authorize the Executive Engineer to commence negotiation of a contract with RBC Dain Rauscher per the NM Procurement Code, and to present an agreement for approval by the Board at the March 17, 2004 Board meeting. Director Stover seconded the motion, and after brief discussion, the motion passed unanimously (5-0).



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10. 2004 Legislative Session -- Briefing by New Mexico Outsourcing

AMAFCA's Lobbyists, Maurice and Mary Hobson of New Mexico Outsourcing, gave a briefing on the results of the 2004 Legislative Session. SB 184 passed both houses and is now on the Governor's desk. SB 184 restores AMAFCA's ability to sell surplus property via the negotiated sale method, and contains an emergency clause which will cause it to take effect immediately upon the Governor's signature. Mr. Hobson recommended Chairman Eichenberg or the Board send a letter to the Governor supporting SB 184 and asking him to sign it.

Mr. Hobson reported that SB 438, which would have put AMAFCA under the Water Utility Authority, never made it out of the first committee. SB 438 and SB 184 were the two bills that would have had the most effect on AMAFCA. Mr. and Mrs. Hobson then answered several questions presented by the Board.

Director Lyon made a motion for Chairman Eichenberg to send the recommended letter to the Governor, and Director Brown seconded the motion.

Some more discussion followed. Chairman Eichenberg asked if there was any chance of a Special Session this year. Mr. Hobson stated that he would know within 15 days (20 days after the session ended) if there will be a Special Legislative Session called.

The motion to send the recommended letter to the Governor passed unanimously (5-0).

Chairman Eichenberg asked about the makeup of next year's Legislature. Mr. and Mrs. Hobson reported that they expect about 20-30% turnover in both bodies in the next election.

11. NPDES Floatables Collection System Program Evaluation -- Approval of Selection Advisory Committee Recommendation

Drainage Engineer Loren Mainz reminded the Board that this study was originally advertised on October 26, 2003, and three proposals were received and reviewed by the Selection Advisory Committee. The SAC recommended that the proposals be rejected and a revised scope of services be prepared. At the December 18, 2003 Board meeting, the Board directed staff to re-advertise the project. The project was re-advertised on December 28, 2003 for new proposals to be submitted by February 5, 2004. Fourteen firms picked up the RFP and Scope of Services. Representatives of nine engineering firms attended the non-mandatory pre-proposal meeting on January 20, 2004. Five firms submitted proposals by the deadline, and were reviewed. All were deemed responsive.

Mr. Mainz stated that the SAC met on February 17, 2004 to evaluate the proposals. The committee consisted of John Kelly, Executive Engineer; Loren Mainz, Drainage Engineer;



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Jerry Lovato, Field Engineer; Dan Hogan, City of Albuquerque Storm Drainage Design; and Chuck Caruso, City of Albuquerque Storm Drainage Design. The SAC ranked ASCG, Inc., first and recommends that the Board select ASCG, Inc., to perform the study, and authorize the Executive Engineer to negotiate an agreement with them. He stated that representatives of ASCG, Inc., Clint Dodge and Karen Jacobsen, were present at the meeting to answer any questions the Board might have.

Brief discussion followed. Questions were answered by Mr. Kelly and Mr. Meinz. Director Hernandez made a motion that the Board accept the Selection Advisory Committee selection of ASCG, Inc., to perform the study, and authorize the Executive Engineer to negotiate an Engineering Services Agreement with the selected firm to perform the NPDES Floatable Collection System Program Evaluation Study, with the final Engineering Service Agreement to be presented to the Board at a future meeting. Director Brown seconded the motion and it passed 4-0 (Director Lyon was absent during this vote).

12. Authorization to Advertise Request for Proposals for Design and Construction Phase Services -- Lyon Boulevard Storm Drain

Development Review Engineer Lynn Mazur presented a draft Request for Proposals and Scope of Services for the Lyon Boulevard Storm Drain project, which had been discussed at the January 22, 2004 Board meeting. She stated that AMAFCA would be the lead agency on the construction project. Executive Engineer John Kelly stated that staff wanted to get this project in the pipeline for January 2005 construction (after the next Bond Election), and that money for the design portion was available now. Further discussion followed.

Mr. Kelly stated that AMAFCA would own the basalt core drilling data, and that landowners in the area have proposed that they will extend all the facilities, including the ponds needed south of Paradise Boulevard and west of Unser Boulevard, at their expense, if AMAFCA builds the portion up to the intersection of Lyon and Paradise Boulevard.

Director Brown moved that the Board approve the issuance of the RFP for design and construction phase services for the Lyon Boulevard Storm Drain Project. Director Lyon seconded the motion. Chairman Eichenberg added Director Lyon to the proposed Selection Advisory Committee of John Kelly, Jerry Lovato, and Lynn Mazur (representing AMAFCA), Dan Hogan (representing the City), and Roger Paul (representing the County), as the project is in his district. The Board then voted on the motion, which passed unanimously (5-0).

13. Authorization to Advertise Contract for Manual Trash and Debris Removal

Drainage Engineer Loren Meinz presented a request for authorization to advertise a contract for Manual Trash and Debris Removal for 2004. He stated that the similar contract for manual



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trash removal that is expiring next month has been extremely successful, providing needed trash removal from many facilities, some of them multiple times. He requested authorization to advertise for a similar contract for this year. He stated the main difference in this new contract is that it provides for three-man crews only, as that was the most efficient crew size in the current contract. It would allow for some cleanup in every month, with more cleanup concentrated in the months just before and after storm season. He stated that manual trash removal works very well where machines can't fit, and that the current three-man crew is very good at trash removal.

Discussion followed. Questions were raised as to the areas being cleaned, private contractor versus AMAFCA temporary or part-time employees doing the work, and if the contract workers were being paid a living wage. These questions were answered by Mr. Kelly and Mr. Mainz. Chairman Eichenberg asked if this contract could include one-year renewals rather than re-bid every year. Mr. Kelly stated that there would likely be a lot of interest in the contract if it came with three one-year renewal options, particularly if the amount could be re-negotiated based on cost of living and amount of work to be done. The Board stated their support of renewals to be included in the contract.

Director Lyon made a motion that the Board authorize the Executive Engineer to advertise for maintenance contract bids for Manual Trash and Debris Removal from Flood Control Facilities for 2004. The motion was seconded by Director Hernandez, and passed unanimously (5-0).

14. Authorization to Advertise Contract for Mechanical Trash and Debris Removal

Field Engineer Jerry Lovato presented a request for authorization to advertise a contract for Mechanical Trash and Debris Removal from Flood Control Facilities for 2004. He stated that the current contract for storm sewer conduit cleaning has been effective. The current contractor has used high velocity hydro cleaning, hydraulically propelled cleaning methods, and vacuum removal of debris to remove and dispose of foreign material from principle spillway conduits, storm sewer lines, and manhole structures within AMAFCA's jurisdiction. The current contract expires in March 2004, and this authorization is to request a similar contract for the period through March 31, 2005, with the main difference being to address the measurement and payment of water used in the cleaning process. AMAFCA's legal counsel has reviewed the contract proposal and suggested changes have been incorporated. Mr. Lovato stated that a renewal option in this contract as well would be helpful for attracting more bidder interest. Discussion followed, with Directors agreeing that a renewal clause be considered for this contract as well.



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Director Brown made a motion that the Board authorize the Executive Engineer to advertise for maintenance contract bids for Mechanical Trash and Debris Removal from Flood Control Facilities for 2004. Director Hernandez seconded the motion, and it passed unanimously (5-0).

15. Approval of Brad Bingham, P.E., City Hydrologist as AMAFCA Co-Designee

Executive Engineer John Kelly introduced guest Brad Bingham, who was recently promoted into the City Hydrologist position, as Richard Dourte had moved up to the City Engineer position. Mr. Kelly discussed the appointment of Primary and Secondary AMAFCA Designees per the 1975 Memorandum of Agreement between AMAFCA and the City of Albuquerque. Mr. Kelly stated that the promotions has resulted in the need to designate a new AMAFCA Designee. Mr. Kelly stated that staff concurred with Mr. Dourte's recommendation that Mr. Bingham be appointed Designee, with Mr. Dourte as Alternate Designee when Mr. Bingham is unavailable.

Director Brown made a motion that the Board appoint Brad Bingham, P.E., as primary designee, with Richard Dourte being retained as alternate designee. Director Hernandez seconded the motion, and discussion followed. Mr. Kelly answered questions regarding the scope of coordination between the Designee and AMAFCA. Brad Bingham spoke briefly, then the Board passed the motion, 4-0. Director Lyon abstained from the vote.

16. Authorization to Advertise AMAFCA Maintenance Yard Fence Project

Drainage Engineer Loren Mainz presented a request for authorization to advertise for bids to build the concrete and masonry portions of a new security fence for the AMAFCA maintenance yard. Currently it is fenced with chain link, with portions topped with concertina wire, which is unsightly and possibly dangerous. He stated that under the proposal, most of this fence would be replaced with a concrete block post/wrought iron security fence, which would improve security and the appearance of AMAFCA facilities. He stated this request is to advertise for a contractor to build the concrete block pilasters and trash container area, and would be stucco finished to match the current AMAFCA office building. Mr. Mainz stated that AMAFCA employees would build the steel wrought iron portions of the fence.

Director Hernandez expressed his appreciation for the project, and moved that the Board authorize the Executive Engineer to advertise for construction bids for the AMAFCA Yard Fence Project. Director Brown seconded the motion. Brief discussion followed concerning the expense per linear foot, improved appearance, and greater security that would be offered by the new fence. The motion passed unanimously (5-0).



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17. Authorization to Advertise AMAFCA Parking Lot Project

GIS Manager Christy Jones presented a request for authorization to advertise for construction bids for the AMAFCA Parking Lot project, which would extend the parking area at the AMAFCA offices.

Director Lyon made a motion that the Board authorize the Executive Engineer to advertise for construction bids for the AMAFCA Parking Lot Improvements, subject to receipt of the necessary rights of way for the project. Director Hernandez seconded the motion.

Chairman Eichenberg inquired as to the status of prairie dog relocation for the project. Ms. Jones stated that AMAFCA staff has been working with Prairie Dog Pals, who have informed her that prairie dogs fully emerge after March 15th, so the relocation cannot happen before then but should occur shortly thereafter. The motion passed unanimously (5-0).

18. County Wide Re-Mapping Project -- Consideration of Request to Participate in Project

Chairman Eichenberg noted the presence of Carol Earp of MRCOG in association with the next item of business. Ms. Jones presented the county-wide re-mapping project and asked the Board to consider AMAFCA's participation in the project, which would produce new digital orthophotos and LIDAR updates. Ms. Jones stated that AMAFCA is particularly interested in two areas of Albuquerque's west side that need to be remapped. She stated that MRCOG did not ask AMAFCA to participate financially in the project, but has asked AMAFCA to pay the fee for the LIDAR update option in these two areas.

Director Hernandez made a motion that the Board authorize AMAFCA to participate with MRCOG and other agencies in the acquisition of county digital mapping. Director Brown seconded the motion.

Chairman Eichenberg asked Ms. Earp who primarily uses this information for the county. Ms. Earp stated that Bernalillo Public Works, City Planning, City Public Works, and Parks and Recreation all use this information, in addition to AMAFCA. The motion passed unanimously (5-0).

19. Paseo del Norte-Coors Boulevard Pond Briefing

Ms. Mazur presented an information briefing on the status of the Paseo del Norte-Coors Boulevard Pond and necessary improvements in the area. This pond area is owned by AMAFCA as the result of a swap of surplus property that occurred between NMDOT and AMAFCA during the Big I project in December 2000.



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Ms. Mazur discussed the current drainage facilities and planned improvements that have become necessary due to development in the area. She stated the Board has already budgeted \$100,000 for expansion of the existing pond in FY04, which may also include an additional 36-inch culvert under Coors just north of Paseo del Norte. She stated that the existing culvert does not have adequate capacity to convey developed flows across Coors to the pond. Ms. Mazur stated that NMDOT plans on developing a storm drain on the east side of Coors, and will be bidding this project in May or June 2004, and AMAFCA is in discussion with NMDOT about participation in the project, to include enlarging the pond, the additional pipe under Coors, and modification to the outlet for floatable removal prior to discharge into the MRCOG Corrales Main Canal.

The Board asked several questions, which were answered by Ms. Mazur and Mr. Kelly. Mr. Kelly stated that no action was necessary today, but NMDOT is proceeding with the project and will be asking for AMFCA's participation.

20. Real Estate

a. Lot A Larry Vigil West Subdivision -- Encroachment Permit and Quitclaim/Release of Easement

Chairman Eichenberg introduced two guests, René Jacquez and Lisa Jacquez, in regards to the Lot A Larry Vigil West Subdivision - Encroachment Permit and Quitclaim/Release of Easement. Real Estate Manager Martin Eckert addressed the Board concerning this item.

Mr. Eckert stated that the southerly portion of Lot A of the Larry Vigil West Subdivision is currently show as being located within Flood Zone AO, however, the drainage channel on the north side of Dennis Chavez Boulevard constructed by Bernalillo County, and subdivision improvements in the Arrowood Ranch Development located directly west of Lot A, have allowed all of Lot A to be taken out of the Flood Zone. Mr. Kelly stated that RTI has prepared a LOMR for this area and the LOMR is pending approval by FEMA. Mr. Kelly also stated that the current owners of the lot would like AMAFCA to issue an encroachment license to allow them to build a house on the lot, and upon receipt of the LOMR, that the entire easement that encumbers Lot A be quitclaimed/released, as is allowed for in the original easement language. Attorney Bregman stated that he had reviewed the license and it was acceptable as presented.

Following brief discussion, Director Lyon made a motion that the Board authorize the Executive Engineer to grant an encroachment license to allow a permanent home to be built outside of the FEMA floodplain near the northwest quadrant of Lot A, Larry Vigil West Subdivision, and subject to receipt of a LOMR, approval for the Chairman to execute a



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quitclaim deed to release the easement on Lot A, Larry Vigil West Subdivision. The motion was seconded by Director Hernandez, and passed unanimously (5-0).

- 21. Field Highlights**
- a. Construction Report**
 - b. Field Report**

Mr. Lovato stated that AMAFCA staff and AEI have been putting together schedules for the West I-40 Diversion Channel Phase III project so that it could be started, and Notice to Proceed is planned for March 15.

Mr. Mainz stated that the Amole Arroyo - Snow Vista to Delgado Drive project is roughly 95% complete, showing pictures of the project as he spoke. John Kelly, Loren Mainz, and Jerry Lovato answered Board questions during the presentation. Mr. Lovato presented a slide show depicting progress on the Isleta Phase 1-A Drainage Improvements - Sanchez Farm Detention Basin and Pump Station, and answered questions about that project and related elements. Mr. Kelly also provided details about some elements of the project. Mr. Lovato and Mr. Kelly also discussed fencing at the Los Ventanas Dam.

- 22. Unfinished Business**

None.

- 23. New Business**

- a. Out of State Travel Request -- Development Review Engineer to Conference on National Environmental Project Act, Austin, Texas, April 16, 2004.**

John Kelly presented a request for out of state travel, for the AMAFCA Development Review Engineer to travel to the Conference on the National Environmental Project Act in Austin, Texas on April 16, 2004. After discussion, Director Hernandez made a motion to approve staff's request for authorization for out of state travel, for the AMAFCA Development Review Engineer to travel to the Conference on the National Environmental Project Act in Austin, Texas on April 16, 2004, and the motion was seconded by Director Brown. It passed unanimously, (5-0).



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b. Out of State Travel Request -- Executive Engineer to Conference on Colorado River Super Conference, Las Vegas, Nevada, May 13-14, 2004.

John Kelly presented a request for out of state travel, for the AMAFCA Executive Engineer to travel to the Conference on the Colorado River Super Conference in Las Vegas, Nevada on May 13-14, 2004. After discussion, Director Brown made a motion to approve staff's request for authorization for out of state travel, for the AMAFCA Executive Engineer to travel to the Conference on the Colorado River Super Conference in Las Vegas, Nevada on May 13-14, 2004, and the motion was seconded by Director Stover. It passed unanimously, (5-0).

c. Notice of Press Conference March 2, 2004, 10:00 a.m.

John Kelly stated that there would be a Press Conference on March 2, 2004 at 10:00 a.m. regarding the opening of the irrigation season.

d. Corps of Engineers meeting March 2, 2004 7:00 p.m.

Mr. Kelly stated the Corps of Engineers will hold a public meeting at 7:00 p.m. on March 2, 2004, at Rio Grande High School in Albuquerque, to discuss the Southwest Valley Project.

24. Items from the Floor / Public Comment

Director Lyon reported that he and Director Hernandez were able to attend the February 12, 2004 MRCOG/NMDOT Press Conference on Commuter Rail Service. Director Hernandez stated he was able to take the demonstration ride to Bernalillo and back, which he described as smooth and quick.

There were no other comments.

19. Adjourn

With no further business to discuss, Chairman Eichenberg adjourned the meeting at 11:04 a.m.

Ronald D. Brown, Secretary-Treasurer 03/17/04

Recorded by Pam Woodruff, Secretary to the Executive Engineer