

**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
September 23, 2004**

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1. Call to Order and Roll Call

Chairman Eichenberg called the Regular Board Meeting to order at 9:00 a.m. Thursday, September 23, 2004. Roll was noted as follows:

Directors present:	Chairman Tim Eichenberg Director Linda Stover Director Danny Hernandez Director Daniel Lyon
Director excused:	Director Ronald D. Brown
Others present:	John Kelly, Executive Engineer Sam Bregman, Attorney Staff
Also present:	John Doran, District 5 Candidate

A quorum was present.

2. Approval of Agenda

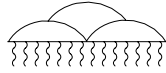
Chairman Eichenberg moved item 16, Bond Committee Update, to just before item 3.

Director Stover made a motion to approve the agenda as amended. Director Lyon seconded the motion, which passed unanimously (4-0).

16. Bond Committee Update

Kurt Browning, 2004 Bond Committee Chairman, gave a brief report to the Board. He stated that the committee had raised nearly \$24,000 so far, and he anticipated the final total to be in the \$25,000-30,000 range. An advertising campaign had been put together by Griffin & Associates, including television and radio spots.

Mr. Browning read a list of endorsements already received, which included APWA, Albuquerque Chamber of Commerce, Albuquerque *Journal*, American Council of Engineering Companies New Mexico, Associated Builders and Contractors, Associated Contractors of New Mexico, Economic Forum, Home Builders Association of Central New Mexico, NAIOP, New Mexico Society of Professional Engineers, and NUCA. Other endorsements are also expected.



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Mr. Browning also stated that he and John Kelly, AMAFCA Executive Engineer, would be speaking to the *Tribune* in the next two weeks to obtain their endorsement. He expressed appreciation to all the companies and individuals who had made contributions, and AMAFCA staff for tracking contacts and contributions.

Mr. Kelly introduced Steve House, also on the bond committee, who was in attendance at the meeting.

The Board expressed appreciation to the committee for all of their hard work.

3. Meetings Scheduled

- a. **October 21, 2004, 9:00 a.m. – Regular Meeting**
- b. **November 18, 2004, 9:00 a.m. – Regular Meeting**
- c. **December 16, 2004, 9:00 a.m. – Regular Meeting**

There were no changes or objections to the meeting schedule as set forth. Mr. Kelly stated that if the November 2 election results are not available by the November 18 meeting, a brief special meeting would need to be called to canvass the election results.

Director Hernandez made a motion to accept the meeting schedule. Director Stover seconded the motion, which passed unanimously (4-0).

4. Approval of Minutes

- a. **August 26, 2004**

Director Hernandez made a motion to approve the minutes of the August 26, 2004 Regular Board Meeting. Director Stover seconded the motion, which passed unanimously (4-0).

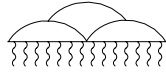
5. Financial Matters

- a. **Approval of August 2004 Expenditures**

Irene Jeffries, AMAFCA Business Manager, presented the August 2004 Expenditure Report. After a few questions from the Board, Director Stover made a motion to approve the August 2004 Expenditure Report. Director Hernandez seconded the motion, which passed unanimously (4-0).

- b. **Investment Report**

For Information.



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c. Financial Recap August 16, 2004 through September 15, 2004

For Information.

d. Financial Forecast September 16, 2004 through October 15, 2004

Ms. Jeffries presented the Board with the Financial Forecast for the period September 16, 2004 through October 15, 2004.

Director Lyon made a motion to approve the Financial Forecast. Director Hernandez seconded the motion, which passed unanimously (4-0).

6. Legal

a. Status Report

Attorney Sam Bregman gave the Board a brief report on the status of various legal matters.

7. FY-04 Audit Exit Conference (closed session)

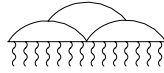
Chairman Eichenberg stated that the next item of business was an exit conference with AMAFCA's auditor to review the draft audit report. He also stated he had decided to have the exit conference with the entire Board. Chairman Eichenberg then introduced Chester Mattocks, AMAFCA's Auditor.

Since the audit had not been finalized, pursuant to the Open Meetings Act, NMSA 1978, Section 10-51-1, Subsection H, the meeting was closed in order to preserve the confidentiality of the information as protected by the Audit Act, Section 12-6-5, NMSA 1978.

Director Stover made a motion to close the meeting in accordance with the Open Meetings Act and the Audit Act, to review an audit which is not yet a public document. Director Lyon seconded the motion, which passed unanimously (4-0).

The meeting was closed at 9:22 a.m., and reopened at 9:30 a.m.

Chairman Eichenberg stated that during the closed session, the exit interview for the audit was conducted. CPA Chester W. Mattocks will forward the audit to the state auditor's office for their approval. No decisions were made during the closed session.



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8. On-Call Engineering Services – Extension of Agreements for 2nd Year

Category #1 (Hydrology/Hydraulic Analysis, FEMA Floodmap Revisions, Small Drainage Management Plans)

Smith Engineering
URS Corporation
Larkin Group NM

Category #2 (Small Project Design, Structural Review and Design, Project Review and Inspection, Utility Review and Design)

Boyle Engineering
ASCG, Inc.
Wilson & Company
HDR Engineering

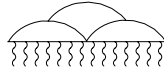
Category #3 (Erosion, Sediment, and Prudent Line Review and Analysis)

Mussetter Engineering
Owen Ayres and Associates
Resource Technology, Inc.

Mr. Kelly stated that these on-call contracts had been let in October, 2003, and were up for their first one-year extension. All were standard contracts, with the option to renew at the pleasure of the Board and with the concurrence of the engineering company. The contracts provided that the fee schedule will remain unchanged over the term of the contract. He directed the Board to a copy of the services log listing the tasks performed by each company under the current contracts.

Mr. Kelly further stated that AMAFCA staff was satisfied with the services of all the on-call contractors. All contractors had been contacted and all had indicated that they would like to extend their contract for another year.

Director Hernandez made a motion that the Board authorize the Executive Engineer to extend each of the above-listed on-call contracts for a one-year term as per the provisions of the contracts. Director Lyon seconded the motion, which passed unanimously (4-0).



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9. Amole Arroyo, from Amole Dam to Amole Bend – Authorization to Advertise Request for Proposals for Design Review and Construction Engineering Services

Loren Mainz, AMAFCA Drainage Engineer, presented a request to advertise an RFP for design review and construction phase services for the Amole Arroyo - Amole Dam to Amole Bend Project. He reminded the Board that they had approved the funding agreement with Curb, Inc., for this project at the December 18, 2003 Board meeting. He also stated that the AMAFCA FY-05 Project Schedule included this project.

Mr. Mainz stated that the suggested schedule was for proposals to be received on October 8, the Selection Advisory Committee to convene on October 13, and for the firm to be chosen at the October 21, 2004 Board Meeting. He said the negotiated contract would be presented to the Board at the November meeting.

Director Stover made a motion that the Board authorize advertisement of the RFP for design review and construction phase services for the Amole Arroyo from Amole Dam to the Amole Bend Project. Director Hernandez seconded the motion. After brief discussion, the motion passed unanimously (4-0).

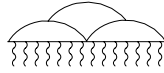
Chairman Eichenberg noted that Bo Johnson of Curb, Inc. was in the audience, and asked him if he would like to serve on the Selection Advisory Committee. Mr. Johnson stated that he would be honored to serve on the SAC. Chairman Eichenberg said that he would appoint the other members of the Selection Advisory Committee later.

10. Authorization to Advertise Request for Proposals for Storm Water Pollution Public Outreach and Education

Mr. Mainz presented a request to advertise an RFP for a Storm Water Pollution Public Outreach and Education Coordinator.

Mr. Mainz stated that to meet requirements of the EPA-NPDES permit, AMAFCA and the other agencies involved will need to identify progress and document public education activities by the end of 2004. The initial step will be to hire the Storm Water Pollution Public Outreach and Education Coordinator to assist the agencies in developing media for advertising and public awareness.

Mr. Mainz stated that the committee had already contacted KNME to seek their assistance in video production and editing services for a future PSA. Director Hernandez suggested that the committee also contact KUNM, stating his belief that they would be eager to help with a PSA.



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Director Hernandez made a motion that the Board authorize advertisement of the RFP for Storm Water Pollution Public Outreach and Education Coordinator. Director Stover seconded the motion.

After discussion, the motion passed (3-0). Director Lyon abstained.

11. North Diversion Channel Debris Collection Facility – Approval of On-Call Engineering Services Task Order One with Boyle Engineering, Inc.

Christy Burton, AMAFCA GIS Manager, presented a proposal from Boyle Engineering to provide On-Call Engineering services for design of a Debris Collection Facility at the North Camino Inlet to the North Diversion Channel. She stated this would be Task #1 on their On-Call Services Agreement dated October 23, 2003. She introduced Robert Hawthorne of Boyle Engineering, who was in the audience.

Ms. Burton also stated that the surveying services to support the project design would be procured via one of AMAFCA's on-call surveyors.

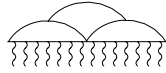
Mr. Kelly stated that construction of this facility was not dependent upon the bond election passing, as it was included in the operating fund budget for this year. He stated the facility will provide one central location in the northeast quadrant for construction and municipal trash drop-off for the AMAFCA crew and its contractors. This will save time and money by reducing the need for the AMAFCA crew to make frequent trips to the landfill.

Director Hernandez made a motion that the Board authorize the Executive Engineer to approve the proposal from Boyle Engineering, Inc., for On-Call Engineering Services, Task Order 1, Debris Collection Facility, on a time and materials basis not to exceed \$12,900.00, plus NMGRT.

Director Stover seconded the motion. Following brief discussion, the motion passed unanimously (4-0).

12. Lyon Boulevard Storm Drain – Amendment to Contract with Wilson & Company for Additional Geotechnical Investigations and Final Design

Lynn Mazur, AMAFCA Development Review Engineer, presented the Board with an amendment to the contract with Wilson & Company for Additional Geotechnical Investigations and Final Design of the Lyon Boulevard Storm Drain. She stated that Dan Aguirre was out of town, and introduced Robert MacLake of Wilson & Company, who was in attendance.



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The amendment would provide for additional geotechnical work, utility pothole information, and final storm drain design. She stated a few additional boreholes will be required to fill in some gaps in the basalt profile. Design funding is available, although construction is dependent upon the bond election passing.

Director Lyon made a motion that the Board approve Amendment No. 1, substantially the same as attached, to the Agreement with Wilson & Company for the Lyon Boulevard Storm Drain Project in the amount of \$73,210, excluding NMGRT.

Director Hernandez seconded the motion, which passed unanimously (4-0).

13. Review of Draft Agreement with Curb North, Inc., SSCAFCA and AMAFCA for Black Arroyo Dam Storm Water Quality Facility

Mr. Mainz presented the proposed agreement with Curb North, Inc., SSCAFCA, and AMAFCA for the construction and maintenance of a storm water quality facility at the Black Arroyo Dam. He also introduced Bo Johnson of Curb, Inc.

Mr. Mainz stated that the facility would be built by Curb North at Curb's expense. SSCAFCA would do surface maintenance, and AMAFCA would handle structural maintenance. The facility would treat all three major tributaries of the Black Arroyo Dam before they enter the dam. He also stated that there would be no change in property ownership.

Mr. Kelly stated that David Stoliker, Executive Director of SSCAFCA, was unable to attend today's meeting, but the agreement was scheduled to come before their Board at their next meeting.

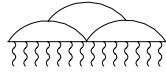
Bo Johnson, of Curb, Inc., stated that Curb expects to begin construction in November, 2004.

The Board reviewed the proposed agreement.

14. Calabacillas Arroyo Upstream of Swinburne Dam – Briefing on Potential Cost Sharing Project among AMAFCA, City of Albuquerque, and Vista Arroyo, LLC, for Arroyo Grade Control Structures and McMahon Boulevard Crossing

Chairman Eichenberg excused himself from consideration of this item, turning the meeting over to Vice Chair Stover. Chairman Eichenberg was not present during the discussion.

Mr. Kelly introduced Bob Lupton, of Vantage Raylee Homes/Vista Arroyo, LLC, and Annette Montoya and Mike Riordon, of the City of Albuquerque.



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Mr. Kelly discussed the proposed cost sharing project to involve AMAFCA, Vista Arroyo, and the City. He explained the various elements of the project, and the cost to the various parties. Of a total grade control project costing around \$1,125,000, AMAFCA's share would be \$200,000, plus the \$100,000 Curb West will be contributing directly to AMAFCA for their share of Grade Control Structure #2.

Mr. Lupton briefly addressed the Board, stating that as a part of developing Vista Arroyo, they will be building the extension of McMahan Boulevard (except the bridge). The company will also purchase the arroyo, dedicate drainage easements to AMAFCA, then dedicate the arroyo to City Open Space.

Discussion followed, with questions being answered by Mr. Kelly and Mr. Lupton. The Board reviewed and commented on the proposed project. The consensus of the Board was that they supported the project. Mr. Kelly requested and received positive direction to bring an agreement back to the Board detailing the cost sharing as was discussed.

Vice Chair Stover called a brief recess at 10:10 a.m.

Chairman Eichenberg reconvened the meeting at 10:17 a.m.

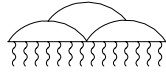
15. Election Update

Mr. Kelly gave the Board an update on the upcoming election. He stated that no District Five Director candidates had withdrawn by the deadline. The names will be listed on the ballot in the following order: Janet W. Saiers, John Doran, and Gregory N. Raver.

Mr. Kelly also stated that Jamie Diaz, Bernalillo County Elections Administrator, had confirmed that the District Five Director's Election and the \$20,000,000 Bond Question will be on the November 2004 ballot.

In response to a question from Chairman Eichenberg, Mr. Kelly stated that he had not yet seen a proof copy of the ballot. He said that the ballots will be printed at the end of the month.

Chairman Eichenberg noted that District Five candidate John Doran was in the audience.



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17. Real Estate

a. Four Short-Term Recreational Licenses

Martin Eckert, AMAFCA Real Estate Manager, stated that four short-term recreational licenses had recently been granted for cross country running races at the Powerline Channel (West Mesa High, Sept. 18), Black Arroyo Dam (Cibola High, Sept. 25), and the John Robert Dam/Bear Canyon Arroyo (Albuquerque Athletic Track Club, Sept. 26, and Eldorado High, Oct. 9).

Mr. Eckert stated that in accordance with Resolution 1994-3, *Short Term Recreational Licenses*, the Executive Engineer is authorized to issue these licenses provided that the Board is informed of the issuance at the next regular meeting. No Board action was required.

18. Field Highlights

a. Construction Report

b. Field Report

Jerry Lovato, Field Engineer, presented a slide show depicting progress on current projects. Included were slides of the West I-40 Diversion Channel Project and the La Cueva Arroyo Avulsion Four Project. Mr. Lovato and Mr. Mainz commented on the projects.

Mr. Lovato also showed some slides of Dr. Julie Coonrod at the University of New Mexico, testing a model of a box culvert crossing. Mr. Kelly explained this was to test a box culvert that staff is concerned won't be able to handle its design flow.

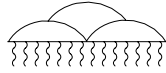
Other slides showed the AMAFCA crew draining the "bathtub" at the North Diversion Channel Outfall, and welding handrails at the North Pino.

19. Unfinished Business

There was no unfinished business.

20. New Business

Chairman Eichenberg stated that Director Lyon had expressed an interest in the Mid Region Council of Governments (MRCOG) Conference in Phoenix, Arizona, October 20-22, but did not wish to miss the October Board meeting. Suggestions from the Board included flying back



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for the Board meeting, or flying to Phoenix Thursday afternoon for the last half of the conference.

Director Stover made a motion that the Board authorize out of state travel for Director Lyon to attend the MRCOG Conference in Phoenix, Arizona, at his discretion. Director Hernandez seconded the motion, which passed (3-0). Director Lyon abstained from the vote.

21. Items from the Floor / Public Comment

None.

22. Adjourn

With no further business to discuss, Chairman Eichenberg adjourned the meeting at 10:33 a.m.

/s/
Ronald D. Brown, Secretary-Treasurer 10/21/04

Recorded by Pam Woodruff, Secretary to the Executive Engineer