



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Special Meeting Minutes
February 1, 2005**

Page 1

1. Call to Order and Roll Call

Chairman Brown called the Special Board Meeting to order at 8:15 a.m. on February 1, 2005. Roll was noted as follows:

Directors present:	Chairman Ronald D. Brown Director Daniel Lyon Director Tim Eichenberg Director Janet Saiers Director Danny Hernandez
Directors absent:	None
Others present:	John Kelly, Executive Engineer Sam Bregman, Attorney William "Dub" Yarbrough, Chairman of SSCAFCA Board of Directors David Stoliker, SSCAFCA Executive Director Bernie Metzger, SSCAFCA Attorney

A quorum was present.

2. Approval of Agenda

Director Hernandez made a motion to accept the agenda as presented. Director Eichenberg seconded the motion. The motion passed unanimously (5-0).

3. Bernalillo County / Sandoval County Boundary Change

- a. Acceptance of New County Line as AMAFCA Boundary**
- b. Endorsement of SSCAFCA Draft Legislation Changing South SSCAFCA Boundary**

John Kelly, AMAFCA Executive Engineer, referred the Board to a memo summarizing the discussion of this item from the January 27, 2005 Board meeting. He introduced William "Dub" Yarbrough, Chairman of the SSCAFCA Board of Directors, David Stoliker, SSCAFCA Executive Director, and SSCAFCA's Attorney, Bernie Metzger.

Mr. Kelly briefly reviewed the discussion held at the January 27 Board meeting, referring to a large map of the area where the Bernalillo/Sandoval county line had recently changed. He pointed out the flood control facilities in the area, and cited recent projects done in partnership



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Special Meeting Minutes
February 1, 2005**

Page 2

with the Village of Corrales and SSCAFCA. He stated that facilities had been installed to protect the area from upland drainage, but no local drainage facilities had been built on the valley floor. Large lots in the area and raised house pads have resulted in very few drainage complaints from landowners.

Mr. Kelly stated that the AMAFCA enabling legislation specifically set AMAFCA's boundary at the county line. After discussions with David Stoliker of SSCAFCA and Mr. Metzger's partner, Jeffrey Dahl, his recommendation is that the AMAFCA Board accept the AMAFCA boundary changing with the county boundary.

Mr. Kelly also recommended that the Board endorse the legislation SSCAFCA will introduce at the legislature that redefines their boundary. The SSCAFCA boundary is currently described as starting on a fixed point on the river and then proceeding west along the county line. The boundary starting point needs to be redefined to coincide with the new boundary, because the metes and bounds portion of their legislation referenced a specific section no longer in the boundary.

Mr. Kelly stated that the change will benefit the transferred area because they will continue to be protected from flooding by a flood control authority, SSCAFCA. Benefits to AMAFCA are that it will continue to deal only with one Assessor and one Treasurer, and one County Clerk during election years.

Mr. Kelly stated that maintenance costs along the Cabezon Channel are about \$10,000/year. AMAFCA's agreement with Corrales to extend the channel's shotcrete lining provided that Corrales handle the aesthetic maintenance of Skyview Pond. Total AMAFCA tax revenue from that area is about \$25,000 a year; about 60% of that goes to debt service and the other 40% to operations.

Following discussion, David Stoliker, SSCAFCA Executive Director, addressed the Board urging the Board to endorse SSCAFCA's draft legislation changing the AMAFCA/SSCAFCA boundary. He stated that SSCAFCA would endorse the additional language AMAFCA had requested, reaffirming that the outstanding indebtedness would be repaid by area residents. He stated that the County had confirmed that the outstanding AMAFCA bonds would continue to be repaid, because area residents had not voted on SSCAFCA's bonds, they had voted on AMAFCA's bonds.

"Dub" Yarbrough, SSCAFCA chairman, stated his concurrence with Mr. Stoliker's statements.

Director Eichenberg asked if AMAFCA would be compensated in any way for the loss of tax revenue from this area.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Special Meeting Minutes
February 1, 2005**

Page 3

Mr. Kelly replied that of the \$25,000 in lost revenue, about \$10,000 was for operations and about \$15,000 was for debt service. Corrales has already agreed to accept aesthetic maintenance of the Skyview Pond. The only financial impact is about \$10,000 in the operations fund. He stated that there had not been any discussions between AMAFCA and SSCAFCA regarding an offset in maintenance responsibilities.

Further discussion ensued, with Director Eichenberg stating his preference of going through the legislature to implement the boundary change, rather than the Board attempting to change the boundaries itself. He requested that the proposed bill have a survey attached, rather than just a metes and bounds description.

Chairman Brown summed up the discussion by stating that SSCAFCA was asking AMAFCA to endorse the legislation, and accept the boundary change upon it passing the legislature.

Director Eichenberg made a motion that the Board endorse the draft of the SSCAFCA legislation as provided; that it include the appropriate language drafted by Attorney Sam Bregman regarding repayment of the outstanding debt incurred; that SSCAFCA survey the boundary along the newly-annexed portion of Corrales; and that AMAFCA's lobbyist, Maurice and Mary Hobson, be allowed to work in conjunction with SSCAFCA to ensure that the legislation is passed.

Director Hernandez seconded the motion.

Mr. Bregman pointed out that the Legislative Council Service may determine that the language regarding repayment of outstanding debt is redundant or unnecessary, as it is included in another statute, and thus the language may not be included in the final legislation. Director Eichenberg stated that this would not be a problem as long as it was approved by Mr. Bregman.

After further discussion, the motion passed unanimously (5-0).

4. Unfinished Business

None.

5. New Business

None.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Special Meeting Minutes
February 1, 2005**

Page 4

6. Items from the Floor / Public Comment

There were no items from the floor or public comments.

7. Adjourn

With no further business to discuss, Chairman Brown adjourned the meeting at 9:00 a.m.

/s/ Tim Eichenberg
Tim Eichenberg, Secretary-Treasurer 2/24/05

Recorded by Irene Jeffries, Business Manager

Transcribed by Pam Woodruff, Secretary to the Executive Engineer