

**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 23, 2006**

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1. Call to Order and Roll Call

Chairman Eichenberg called the Regular Board Meeting to order at 10:03 a.m. Thursday, February 23, 2006. Roll was noted as follows:

Directors present: Chairman Tim Eichenberg
 Director Danny Hernandez
 Director Daniel Lyon
 Director Ronald D. Brown
 Director Janet Saiers

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

A quorum was present.

2. Approval of Agenda

Director Saiers made a motion to approve the agenda. Director Hernandez seconded the motion, which passed unanimously (5-0). Mr. Kelly stated that two late mailout items had been added, an updated lobbyist report (item 15), and item 21b under new business.

3. Meetings Scheduled

- a. March 23, 2006, 10:00 a.m. – Regular Meeting
- b. April 27, 2006, 10:00 a.m. – Regular Meeting

There were no changes to the meeting schedule as set forth. Mr. Kelly stated a workshop and field trip may be added to this schedule later in the meeting.

4. Appointments to Boards and Committees

Chairman Eichenberg stated that he would be making his appointments to the various Boards and Committees.

d. Personnel and Salary Committee

Chairman Eichenberg appointed Director Saiers and Director Brown to the Personnel and Salary Committee, with Director Saiers as Chair of the Committee. Both agreed to serve.



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e. Real Estate Committee

Chairman Eichenberg appointed himself as Chair of the Real Estate Committee. He stated that, whenever the Real Estate Committee went to the field, he would bring along the director in whose district the project was located. In his absence, Director Hernandez would chair the Real Estate Committee. All agreed to this plan.

c. MRCOG Water Resources Board

Chairman Eichenberg appointed Director Hernandez to the MRCOG Water Resources Board. Director Hernandez agreed to serve as AMAFCA's representative on this Board.

b. MRCOG Metropolitan Transportation Board

Chairman Eichenberg appointed Director Brown to the MRCOG Metropolitan Transportation Board. Director Brown agreed to serve as AMAFCA's representative on this Board.

a. MRCOG Board of Directors

Chairman Eichenberg appointed Director Lyon to the MRCOG Board of Directors. Director Lyon agreed to serve as AMAFCA's representative on this Board.

Mr. Kelly stated he would notify MRCOG of these appointments.

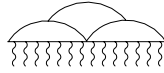
5. Approval of Minutes

a. January 26, 2006 Regular Board Meeting

Director Brown made a motion to approve the minutes of the January 26, 2006 Regular Board Meeting. Director Hernandez seconded the motion, which passed unanimously (5-0).

b. February 8, 2006 Special Board Meeting

Director Hernandez made a motion to approve the minutes of the February 8, 2006 Special Board Meeting, with a small change: in the last paragraph of page one, change "verbal" and "verbally" to "oral" and "orally". Director Brown seconded the motion, which passed (4-0). Chairman Eichenberg abstained from voting since he had not attended the meeting.



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6. Financial Matters

a. Approval of January 2006 Expenditures

Irene Jeffries, AMAFCA Business Manager, presented the January 2006 Expenditure Report. She and Mr. Kelly answered several questions from the Board.

Director Brown made a motion to approve the January 2006 Expenditure Report. Director Saiers seconded the motion, which passed unanimously (5-0).

b. Investment Report

For Information.

c. Financial Recap January 16, 2006 through February 15, 2006

For Information.

d. Financial Forecast February 16, 2006 through March 15, 2006

Ms. Jeffries presented the Financial Forecast for the period February 16, 2006 through March 15, 2006.

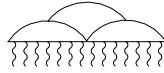
Director Saiers made a motion to approve the Financial Forecast. Director Brown seconded the motion, which passed unanimously (5-0).

e. Theft of AMAFCA Laptop Computer

Ms. Jeffries stated that on the afternoon of February 8, 2006, staff had discovered that the AMAFCA laptop computer was missing from its normal location in the Board room. It had last been seen on February 6. The theft was reported to the Albuquerque Police Department, and will also be reported to the NM State Auditor, pursuant to AMAFCA's resolution 1998-15, which states that AMAFCA will notify the State Auditor of any deletions of inventory.

She added that the laptop contained some AMAFCA information, mostly project pictures and field reports.

In response to a question from Director Saiers, Christy Burton, AMAFCA GIS Manager, stated she had tentatively priced a low-end laptop computer, sufficient for AMAFCA's needs, at \$700. Ms. Jeffries confirmed that projection equipment was now being stored in a secure location rather than in the Board room.



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Director Brown noted that, although the computer had been listed on the inventory at its acquisition cost of \$2,583, its depreciated value was probably around \$500. A \$500-700 computer available today would probably be a more powerful computer than the stolen laptop had been.

7. Legal – Status Report

Attorney Sam Bregman briefed the Board on the status of various legal matters.

8. AMAFCA Resolution Review Work Plan and Overview

Mr. Bregman briefed the Board on his review of old AMAFCA resolutions, 1963 to the present. He stated he was checking to be certain that rescinded resolutions were properly rescinded, and that resolutions are consistent with each other. He is also flagging resolutions concerning policy issues. No problems had been discovered in his review through 1994. He expected to finish this review by the next Board meeting, when he would give a full report.

He answered several questions from the Board. He confirmed that there was a table of contents for each year, summarizing the resolutions for the year. Mr. Kelly added that AMAFCA also had a searchable master index listing all resolutions, but that it had not been provided to Mr. Bregman.

Director Hernandez asked if electronic copies of the resolutions were available. Mr. Kelly replied that most of the resolutions from the mid-1990's to the present were available electronically. Scanned copies of earlier resolutions prior to the mid-1990's had not been made.

Mr. Bregman stated he would prepare a report for the next Board meeting, listing AMAFCA policies currently in place.

9. Approval of Second Year Extension of Contracts

Mr. Kelly introduced Kevin Powers, of RBC Capital Markets (formerly known as RBC Dain Rauscher), and Chris Muirhead, of the Modrall Law Firm, in place of Duane Brown

Mr. Kelly stated that staff recommended extension of both the Financial Advisor Services contract with RBC Capital Markets, and the Bond Counsel Services contract with the Modrall Law Firm. Both firms have agreed to extend their contracts at no change in their fee schedules. This would be the second one-year extension to each contract.



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a. Financial Advisor Services with RBC Capital Markets

Director Saiers made a motion that the Board extend the agreement with RBC Capital Markets for Financial Advisor Services for one additional year. Director Brown seconded the motion.

The motion passed unanimously (5-0).

b. Bond Counsel Services with Modrall Law Firm

Director Saiers made a motion that the Board extend the agreement with the Modrall Law Firm for Bond Counsel Services for one additional year. Director Hernandez seconded the motion, which passed unanimously (5-0).

10. 2006 Bond Sale

Mr. Powers of RBC Capital Markets briefed the Board on two scenarios for the 2006 Bond Sale. Discussion followed. Director Saiers left the meeting at 10:42 a.m., midway through the discussion.

Mr. Powers pointed out that in the \$10 M/year scenario AMAFCA would exceed its bonding capacity in 2011 by \$6.2 million. He stated that at some point in time the Board may want to consider raising its bonding capacity. Mr. Kelly stated that in 1997, AMAFCA's bonding capacity had been raised from \$20 million to \$40 million.

The Board invited Maurice and Mary Hobson, of New Mexico Outsourcing, AMAFCA's legislative liaison, to participate in the discussion. Chairman Eichenberg asked the Hobsons to address the Board concerning the question of having the legislature raise AMAFCA's bonding capacity.

Mr. Hobson stated that AMAFCA's history of being prudent and frugal with their money and designing drainage in a systematic manner would make it relatively easy to educate the legislators about the need to raise AMAFCA's bonding capacity. He concluded that, whether the Board decided to ask for a certain dollar level of authorization, or a percentage of assessed value, it was probable that the limit could be raised at a future legislative session. Director Lyon pointed out that going to a percentage would eliminate the need to go back to the legislature to have the bonding capacity raised again.

Consensus of the Board was to issue \$9,750,000 in a Bond Sale on April 27, 2006. Following discussion of the bond sale frequency and dollar amounts, the Board also came to a consensus



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that they would ask the voters for approval of an additional \$20 million in bonds at the November 2006 election.

Mr. Kelly stated that a Notice of Bond Sale Resolution would be prepared for the March 23, 2006 Board meeting, with the Bond Sale to be held on April 27, 2006. Acceptance of the bond sale bids would follow at the Board meeting later that day. Proceeds from the bond sale would be available by May 30, 2006. A Resolution for Bond Sale Election for \$20 million in bonds, to be placed on the November ballot, would also be approved at the April meeting.

11. AMAFCA Tenant Improvement Evaluation

Mr. Kelly introduced Miki Roth, of Studio M, who was working with the original architect of the AMAFCA building, Fanning Bard Tatum Architects. Ms. Roth stated that the architect, Art Tatum of FBT Architects, was unable to attend the meeting. She briefed the Board on proposed tenant improvements to the AMAFCA office building, including carpeting, paint, and ceiling tile improvements.

Chairman Eichenberg briefly left the meeting at 11:12 a.m., returning at 11:15 a.m. While he was absent, Director Brown commented that the Board should simply authorize a certain amount of money for tenant improvements in the next budget and let staff decide details such as the color scheme, rather than involving the Board in those decisions. The other Directors concurred with this statement, as did Chairman Eichenberg upon his return.

Mr. Kelly stated that the options set out by the architect and Ms. Roth ranged from approximately \$25,000 - \$45,000, depending on the options chosen. He added that he could add a figure for some improvements to the budget, rather than involve the Board in specific choices.

In reply to questions concerning security, technology, and the scope of the proposal, Mr. Kelly and Ms. Roth stated that security upgrades were not a part of the scope of services for this proposal. Mr. Kelly stated that a written estimate of audio-visual technology improvement options was not available in time for the Board meeting.

Following further discussion, the consensus of the Board was that a decision on the tenant improvements should be deferred until a comprehensive plan could be brought before the Board that included audio-visual technological upgrades, but that the plan did not need to include the level of detail such as color schemes. The improvements could be approved as a part of the budget for FY 07. The Board expressed that technology upgrades and functionality were more important than cosmetic items.



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Mr. Kelly stated that he would include a figure for tenant improvements in the draft budget for FY 07.

12. Boca Negra Detention Dam and Portions of Unser Boulevard Construction Engineering Services – Selection Advisory Committee Recommendation

Jerry Lovato, AMAFCA Drainage Engineer, stated that the Selection Advisory Committee (SAC) for Construction Engineering Services for the Boca Negra Detention Dam Project met on February 14, 2006, to evaluate the proposals received. Six firms were provided with the RFP, and five firms submitted proposals. The SAC included two members from the City of Albuquerque, two from AMAFCA, and one from the cost-share partner, developer Mesa Verde, Inc.

He stated that the proposal by Wilson and Company was ranked highest by the SAC, and was ranked either first or second in score by all members of the SAC. The SAC recommendation was that Wilson and Company be selected by the Board.

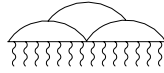
Director Brown made a motion that the Board accept the recommendation of the Selection Advisory Committee, authorize the Executive Engineer to commence negotiations per the NM Procurement Code, and come back to the Board at a future meeting for approval of an agreement for Construction Engineering Services with Wilson and Company. Director Hernandez seconded the motion.

In response to a question from Chairman Eichenberg, Dan Aguirre, of Wilson and Company, stated that Wilson and Company was currently involved in the West I-40 Diversion Channel Phase III and the Lyon Boulevard Storm Drain Projects. Both were expected to conclude by mid-year. Mr. Aguirre stated that he and Steve Metro, who was also present, will be personally involved in the Boca Negra Detention Dam project.

The motion passed (4-0).

13. Prima Entrada Subdivision – Consideration of Funding Agreement with Fuller Homes of New Mexico

Lynn Mazur, AMAFCA Development Review Engineer, stated that staff had recalculated the per-acre assessment for the Prima Entrada Subdivision, pursuant to direction from the Board at an earlier meeting. The revised figure was \$4600 per acre, which was acceptable to Fuller Homes, the current owner of the Prima Entrada Subdivision property. AMAFCA staff felt this figure was fair and recommended approval of the agreement with Fuller Homes. She pointed out that the agreement provides that Fuller Homes will not be required to participate in future extension of the West I-40 Channel.



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Discussion followed. Director Saiers returned to the meeting at 11:30 a.m., during the discussion.

While reviewing terms of the agreement, Chairman Eichenberg stated that the agreement should not include (as in paragraph 3.4) an obligation to or by the City of Albuquerque, since the City was not a party to the agreement.

The Board was concerned that the methodology used gave downstream protection credit to the developer for work that had already been done by AMAFCA – work that had been necessary to contain developed flow from upstream development above and beyond what would have been necessary to contain historic flows. Chairman Eichenberg and Director Hernandez opined that the developer should be responsible for the cost of any work beyond that which would be required to contain historic flows, rather than receiving a credit for that work.

The Board asked staff to develop a new methodology for the area west of 98th Street, with a revision to the downstream benefits credit.

Further discussion centered on whether or not this agreement would set a precedent, in that this agreement covers the last piece of undeveloped land east of 98th Street in this watershed. Questions arose as to whether or not this agreement would set a precedent for the land west of 98th Street. Consistency and fairness were two of the issues discussed.

Chairman Eichenberg stated that, since the first agreement of this type was made in 2003, any change that needed to be made should be made now so that future agreements are consistent with this one. He asked staff to develop a new formula for determining the per-acre assessment.

Director Lyon opined that this agreement, for an area east of 98th, did not need to be delayed while a formula for the area west of 98th was being developed. Mr. Kelly confirmed that this was the last piece of land in the basin east of 98th Street, between the Ladera Dam and I-40, to be developed.

Director Lyon made a motion that the Board approve the Agreement for Funding of West I-40 Diversion Channel, as related to the Prima Entrada Subdivision. The motion died for lack of a second.



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Director Brown made a motion that the Board defer action for one month, to allow staff time to review the assessment formula and determine if the downstream benefit credit was appropriate in this case. Director Hernandez seconded the motion, which passed (4-1). Director Lyon voted against the motion.

14. Isleta Boulevard Tributary Storm Drains

a. Approval of Cost Sharing Agreement with Albuquerque Bernalillo County Water Utility Authority for Water and Sewer Line Design and Construction

Ms. Burton stated that, during the design of the Isleta Phase I Tributary Storm Drain Project, the Albuquerque-Bernalillo County Water Utility Authority (ABCWUA) decided they would like to replace all old water lines in the project area rather than just those which needed to be moved for the storm drain design.

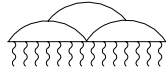
She stated that the cost share agreement provides that ABCWUA will pay for 100% of the additional design work required to replace the water lines. Construction costs, including construction management costs, will be paid by each agency for their respective elements of the project. ABCWUA will pay AMAFCA 8% of the cost of its construction items to cover construction management costs. AMAFCA's previous agreement with Bernalillo County concerning cost sharing of this project and the Hartline Drainage improvements will stay in effect.

Ms. Burton added that the agreement with ABCWUA was being reviewed by each agency's legal department.

Director Saiers stated her understanding that this "cost share" agreement provided that ABCWUA would replace the water lines entirely at their cost, which was confirmed by Ms. Burton and Mr. Kelly.

Chairman Eichenberg stated his concern that the fees to design this portion of the project would be added to AMAFCA's existing contract with Smith Engineering, resulting in a "no bid" situation.

Mr. Kelly responded that the RFP for this project included "related utility work," which was anticipated to include line relocation work. ABCWUA had asked that all pipe in this section be replaced, at their expense, rather than just those that needed to be moved for the storm drain work. He added that the fee and scope for construction engineering services were to be determined after the design was finalized.



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Director Brown made a motion that the Board approve the cost sharing agreement with Albuquerque Bernalillo County Water Utility Authority for Water Improvements Associated with Isleta Phase I Tributary Storm Drains, substantially the same as attached. Director Hernandez seconded the motion, which passed (3-2). Chairman Eichenberg and Director Lyon voted against the motion.

b. Approval of Amendment to Agreement with Smith Engineering Company for Additional Design and Construction Engineering Services

Ms. Burton stated that the original contract with Smith Engineering Services for Design and Construction Engineering Services for the project provided that the fees for Construction Engineering Services would be established after the design was complete.

She stated that the Amendment to that Agreement sets fees for pre-construction activities, on a lump sum basis, and fees for construction inspection, surveying, and geotechnical testing on a time and materials basis. It also adds a lump sum for design of the ABCWUA water line, which will be paid by ABCWUA. The previous cost-share agreement with ABCWUA provided that they would pay 100% for their construction items, plus 8% of the cost of their construction items for construction management services. Staff recommended approval of the amendment.

Director Hernandez made a motion that the Board approve the Amendment to Agreement with Smith Engineering Company for Additional Design and Construction Engineering Services for the Isleta Phase I Tributary Storm Drains Project in an amount not to exceed \$169,301.00, excluding New Mexico Gross Receipts Tax. Director Brown seconded the motion, which passed unanimously (5-0).

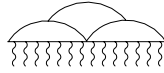
c. Authorization to Advertise for Construction Bids

Director Hernandez made a motion that the Board authorize the Executive Engineer to advertise for construction bids for the Isleta Boulevard Tributary Storm Drains Project. Director Brown seconded the motion, which passed unanimously (5-0).

Chairman Eichenberg called a recess for lunch from 12:09 p.m. to 12:30 p.m.

15. 2006 Legislative Session – Briefing by New Mexico Outsourcing, Inc.

Mr. Kelly reintroduced Maurice and Mary Hobson, of New Mexico Outsourcing, Inc., AMAFCA's legislative liaison. Mr. Hobson stated that they'd tracked 17 bills for AMAFCA during this session, and ten of those passed. He did not know if a special session would be scheduled to consider GRIP 2 funding.



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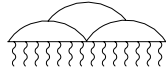
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Mr. Hobson briefed the Board on the status of several bills.

- HB 23 “Air Quality Control Act Compliance” gives the secretary or director of Air Quality Control the authority to revoke or suspend an air quality permit based on “alleged” violations of a previously-issued noncompliance order. The violator could be assessed a civil penalty up to \$25,000 for each day of non-compliance. A Senate amendment, approved by the House, made the assessment of civil penalties a function of the courts, not the Environment Department. Passed both House and Senate.
- HB 180 “Governmental Conduct Act Changes” amends the Procurement Code by prohibiting a public agency from entering a contract with a family member or a business in which an agency officer or employee has a substantial interest, unless that interest is disclosed and the contract is competitively awarded. An amendment prohibits a local public body from accepting a bid or proposal from anyone who directly or indirectly participated in preparing the bid specifications, qualifications, or evaluation criteria.

Mr. Hobson stated it would be a good idea for those who are involved in accepting contracts to have a copy of HB 180 for reference purposes. In response to a question from Chairman Eichenberg, Mr. Hobson noted the bill passed the House, and passed the Senate with amendments. The House did not concur with the amendments, the Senate did not rescind them, and the bill went to Conference Committee. The House adopted the Conference Committee report, but there was some question as to whether or not the bill failed.

- HB532 “Electronic Bid Submissions” allows, but not necessarily requires, that electronic bid submissions be accepted on certain projects. Bids or proposals could also be solicited electronically. The RFP may state whether all or a portion of the proposal may be submitted electronically. No hard copies would be required unless specified in the RFP. Electronic bids would be securely held, and opened publicly in the presence of a witness at the time and place designated in the RFP. Passed both House and Senate.
- HB596 “Public Money Investment Criteria” did not reach the Senate floor. Mr. Hobson opined that there will be further attempts to change the way that the State Treasurer handles public money, and what kind of investments the Treasurer can make.



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- SB 20 “Per Diem & Mileage Act Changes” sets the State’s per diem and mileage reimbursement rates. The state’s mileage reimbursement would be the same as the IRS rate. Amendments tied legislator’s PERA to the per diem rate. Passed by Senate and House, and signed by officers of both. Mr. Hobson opined that the pension amendment may cause the Governor to veto this bill.
- SB 344 “Campaign Reform” amends the Procurement Code to prohibit prospective contractors for providing campaign contributions or other things of value to public officials or their employees during the contract-award process. Gifts and contributions have to be disclosed, and contracts without disclosure statements are void. Passed both Senate and House, and the Senate concurred with House amendments. Mr. Hobson suggested that copies of this bill be provided to those it affects.
- SB 22 “Public Works Security Requirement Change” never got out of committee. Mr. Hobson stated he had spoken with NMDOT and they were also concerned that the requirement could change from a bond to a letter of credit. He reported he had also spoken to the bill’s sponsor, who stated the bill was only intended to apply to subcontractors. It may be re-written and submitted at a future legislative session.

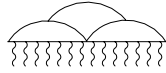
Chairman Eichenberg suggested the Board determine what issues AMAFCA would like the Hobsons to work on for the next legislative session, and meet with them again in April or May to discuss those issues. Mrs. Hobson stated that interim committees begin meeting in June.

The Board discussed seeking to have the legislature increase AMAFCA’s bonding capacity. Chairman Eichenberg directed staff to bring this issue back to the Board by the May meeting. Director Hernandez requested staff provide information on how bonding capacities for other agencies are set, especially special districts, school districts, and counties.

Mr. Hobson added that if other agencies’ bonding capacities are set by a percentage of assessed valuation, it should be easy to change AMAFCA’s bonding capacity to a percentage as well.

Chairman Eichenberg stated that the cost of additional work by the Hobsons on this issue would be covered under Mr. Kelly’s contract authority. The Board thanked the Hobsons for their work at the legislature this session.

Chairman Eichenberg deferred item 16 until later in the meeting.



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17. Volcano Heights Planning Study Report – Briefing and Further Discussion of Prudent Line Arroyo Treatments

Mr. Kelly introduced Jolene Wolfley, of the Volcano Heights Planning Study Team.

Ms. Wolfley stated the Volcano Heights area encompasses 3400 acres of land which surrounds portions of the Middle Fork and North Fork of the Boca Negra Arroyo. Their development plan uses a prudent line treatment with natural arroyos. The arroyos will be open space. The Study Team would like AMAFCA to commit to drainageway maintenance.

Referring to a map of Volcano Heights, Ms. Wolfley described proposed plans for various sections of the area, answering several questions from the Board.

In response to a question from Director Saiers about the area between the 100 year floodplain and the prudent line, Mr. Kelly stated that where the topography indicates, such as on the Calabacillas Arroyo, prudent line dedication can be the most economical choice for a developer. Easements to protect the erosion setback area are obtained on a lot-by-lot basis in North Albuquerque Acres.

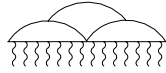
Ms. Wolfley stated that the proposed prudent line treatment for these two reaches of the Boca Negra Arroyo would go before the City Council for their approval. Necessary policies to effect the prudent line treatment would accompany the proposal. She added that the Volcano Heights Planning Study Team would like AMAFCA to agree to take on the role of drainageway maintenance as a part of that proposal.

In response to a question from Director Hernandez, Mr. Kelly stated he was unaware of any avulsions in the area.

Director Hernandez also asked about controlling the problem of illegal dumping in the arroyo. Ms. Wolfley referred the question to Dan Hogan, of the City of Albuquerque. Mr. Hogan stated that dumping can be a problem, including people throwing debris over their back wall then disavowing any knowledge of how the debris got there.

Mr. Kelly stated that this is one of the issues that needs to be considered when discussing arroyo maintenance. He added that, in the final development with subdivisions on both sides and gated access at the road crossings, dumping is not usually a problem. Dumping usually occurs during development when the arroyo is not yet fully closed off.

Mr. Kelly stated that the City will ask AMAFCA to endorse the area plan that includes the prudent line treatment/open space corridors, which includes AMAFCA maintenance of the drainageways. This will indicate AMAFCA's concurrence with the prudent line treatment. In



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response to a question from Director Hernandez, he stated that the natural arroyos would be sufficient to contain the expected flow since, due to master-planned upstream detention, developed flows along the arroyo will be about half of the historic flows.

In reply to a question from Director Saiers, Mr. Hogan stated that the master plan sewer would run around the dam to the new westside high school. This study project is being driven, in part, by the need for utilities to support the new high school and other development in the area.

Responding to another question from Director Saiers, Mr. Kelly stated that AMAFCA's maintenance crew was augmented by annual contracts for manual debris removal and for vacuum cleanup, and in-house and standing contracts, paid from the maintenance budget.

Further discussion centered on the width of the easement corridor necessary under the prudent line treatment. Mr. Kelly stated that, based on his and Mr. Lovato's and Mr. Hogan's experience, they expected that a corridor 250-300 feet wide would contain the prudent line. It would cost \$40,000 to \$50,000 for a full prudent line study to determine the specific location of the prudent line. Given the low flow rates, 250-300 feet was probably very close to the actual prudent line.

Ms. Wolfley added that in some cases, the corridor was wider. Design criteria, location of the floodplain, and platting were all considered in developing the prudent line corridor.

Consensus of the Board was to have staff make an educated judgment of a corridor that would contain the prudent line, and have developers initiate a prudent line study if they wish to prove that the corridor is too wide in their area, rather than have AMAFCA take on the expense of a full prudent line study.

The Board also came to the consensus that AMAFCA would accept drainageway maintenance in the Volcano Heights area.

18. West I-40 Diversion Channel Extension

a. Status of West I-40 DMP Potential Modification

Mr. Lovato introduced Fred Ambrogi of Westland Development, and Craig Hoover of Bohannon Huston, their engineer. Westland hired Bohannon Huston to modify the West I-40 Drainage Management Plan as necessary to address development plans in the area west of Coors along the I-40 corridor.



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Mr. Lovato stated that draft DMP modifications were submitted to AMAFCA for review on February 15, 2006, and staff is in the process of reviewing those modifications. When the draft passes this technical review, it will be brought before the Board for review and discussion.

b. Further discussion on NMDOT Plans for I-40 Westbound and Paseo del Volcan Interchange

Mr. Lovato briefed the Board on the current status of the NMDOT's plans for I-40 Westbound and the Paseo del Volcan Interchange. He stated that the project will be phased. The portion from Unser to 98th Street is currently at 60% design, with construction estimated to begin in August 2006. The design for the portion from 98th Street to Paseo del Volcan is expected to be complete in November 2006, with construction to begin in January 2007.

Mr. Lovato added that funding is complete under GRIP 1 for the construction portion of the contract. NMDOT will save money if an interim channel to the Unser Pond can be built instead of extending NMDOT culverts. They would apply these funds to interim channel construction. Discussion followed.

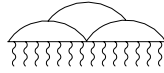
Mr. Kelly reported that staff is working on putting together funding for the drainage for this area, so that the pipe that is to run along the NMDOT right of way can be put in at the same time as the roadway construction. Doing so saves the NMDOT a considerable amount of money that they will contribute towards the pipe installation.

He added that, since this portion of the system would be built before some of the downstream portions are complete, some temporary detention ponds and interim channels will need to be built, and a permanent detention pond will need to be enlarged somewhat to accommodate the stormwater and avoid causing downstream facilities to be overwhelmed.

Director Hernandez asked how much AMAFCA would save by doing this project now, rather than later. Mr. Kelly replied that staff is still determining the pipe size that would be necessary to carry the expected flow, which will affect the cost of the project. Once the project cost has been determined, AMAFCA's savings by building the pipeline now can be estimated. Director Brown stated he expected AMAFCA to save at least \$250,000 by installing the pipeline as a part of the NMDOT project.

After further discussion, Board consensus was that the pipeline needs to be built during the NMDOT project.

Mr. Kelly suggested a Board field trip to the site, perhaps the day before a workshop on the project to further discuss the phased plan for this project and possible funding. He suggested



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the Board meet sometime after the revised amounts from the DMP are received in mid-March. This meeting will be scheduled later.

The consensus of the Board was to have staff begin developing a Memorandum of Understanding with the NMDOT to move the project forward.

Due to a prior commitment, Director Brown left the meeting at 1:40 p.m.

19. Raymac Dam Watershed Drainage Management Plan

a. Review and Discussion on Scope of Services

Mr. Lovato presented the proposed scope of services for the Raymac Dam Watershed Drainage Management Plan.

Mr. Kelly stated this was similar to the scope for the Don Felipe Dam Watershed that was presented last month, except this scope did not include a prudent line analysis. He stated a lot of development has occurred since the dam was constructed in 1983, and the watershed has not been studied since then. He added that it was appropriate to do a Drainage Management Plan at this time.

The Board was satisfied with the proposed scope of services.

b. Authorization to Advertise Request for Proposals

Director Saiers made a motion that the Board authorize the Executive Engineer to advertise the request for proposals for the development of a Drainage Management Plan for the Raymac Dam Watershed. The motion was seconded by Director Hernandez, and passed (4-0).

20. Unfinished Business

a. Floodplain Development in North Albuquerque Acres

Ms. Mazur reported to the Board that the setback variance requested by the owners of the stilt house lot was not approved by the County Zoning Administration. The Zoning Administrator will have seven days to make a final determination.

She stated she had begun reviewing the No Adverse Impact managing principle developed by the Association of State Floodplain Managers (ASFPM). The ASFPM provides tools and guidelines for communities to develop policies for their own specific needs.



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The ASFPM national conference will be in Albuquerque June 11-16, 2006. One program, "Property Rights and Floodplain Management, Legally Speaking," will focus on how far public agencies can go in regulating construction in floodplains. There will be discussion on the U.S. Supreme Court's "Taking Issues" cases and the challenge regulators face to be bold in setting policy but remain sensitive to property rights.

Ms. Mazur stated that, in exploring the ASFPM website, she discovered they have color brochures which would be useful as hand outs at a public meeting. The website also had an excellent Powerpoint presentation that might be used at a public meeting.

21. New Business

a. Out of State Travel Request – International Right of Way Association Annual Meeting, Denver Colorado, June 18-21, 2006

Mr. Kelly stated that AMAFCA Real Estate Manager Marty Eckert would like to attend the International Right of Way Association Annual Meeting in Denver, Colorado on June 18-21, 2006. The event includes many educational sessions which will be beneficial to AMAFCA and Mr. Eckert, and will allow him to obtain 24 hours towards his 75 hour requirement for SR/WA designation recertification. Mr. Kelly stated that Mr. Eckert proposed driving his own vehicle to and from Denver. He estimated that travel and conference costs will total approximately \$1800.

Director Hernandez made a motion that the Board authorize out of state travel and expenses for the AMAFCA Real Estate Manager to attend the International Right of Way Association Annual Meeting and Educational Seminar in Denver, Colorado, June 18-21, 2006, not to exceed \$2,000.00, pursuant to Resolution 1998-16. Director Lyon seconded the motion.

Chairman Eichenberg remarked that Southwest will begin direct flights between Albuquerque and Denver in March. He requested that staff review the cost of a round-trip plane ticket, to be sure that the mileage reimbursement cost does not exceed the cost of a plane ticket. He stated his understanding that the mileage reimbursement could not exceed the cost of travel by air and a rental car. Mr. Kelly stated they would do so.

The motion passed (4-0).

b. Village of Los Ranchos 4th Street Storm Drain Project

Chairman Eichenberg reported that he wished to send a letter to Albuquerque Mayor Martin Chavez, requesting his cooperation in the City's entering into an agreement with the Village of Los Ranchos for the discharge of 5 cfs of storm water flow to the City's Montano Storm



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Drain system, which is drained by the City's Montano Pump Station. There were no objections to his sending such a letter to the Mayor.

16. Field Highlights

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

Mr. Lovato presented a brief slide show depicting current projects. On the West I-40 project, he stated that the completion contractor and the surety walk the job together every day. The surety has a good working relationship with both the contractor and AMAFCA. Change Order 15 will add additional scope to the project, add about \$20k to the contract, and add some time for additional work and weather delays. There will be a public meeting with local neighborhood associations the evening of February 23, 2006, to discuss the West I-40 Diversion Channel Project and the NMDOT project in the same area.

He reported that Salls Brothers has removed and replaced sections of concrete that had been improperly built by the first contractor, and riprap that did not meet specifications or was improperly installed. AMAFCA authorized Salls Brothers to replace some of the channel that was designed as a concrete channel with shotcrete. Twin Mountain had installed a pedestrian bridge as a part of the adjacent NMDOT project.

Mr. Wagener discussed several pictures of the Amole Phase I Project, which was almost complete. He also showed some pictures of pipework for the City Drinking Water Project at the Ladera Dam. The pipe had to be pressure tested before it could be encased and covered. Another set of pictures showed the traveling form used to construct the box culvert at the North Domingo Baca Park.

Mr. Wagener stated that at the Amole Arroyo Phase III Project, Qwest had relocated a fiber optic line. The North Camino Arroyo Project was underway, with staking and equipment mobilization begun.

Ms. Mazur stated that work continues on the Lyon Storm Drain project. Mr. Lovato added that the contractor will try to do the detour at Lyon and Paradise during Spring Break at the end of March, to limit traffic disruption.

Mr. Wagener showed pictures of RP Construction doing manual trash removal at the Amole Arroyo. AMAFCA uses such contract work to do cleanup work on the channels. Other pictures showed the AMAFCA crew repairing a seal and plates on the Snow Vista Channel, and installing guardrail at Rio Bravo to control access to an AMAFCA maintenance road.



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Other work done by the crew included sediment removal at the La Orilla Water Quality Facility, and sediment cleanup on the Corrales Main Canal.

22. Items from the Floor/Public Comment

None.

23. Adjourn

With no further business to discuss, Chairman Eichenberg adjourned the meeting at 2:00 p.m.

Daniel F. Lyon, Secretary-Treasurer 3/23/06

Recorded by Pam Woodruff, Secretary to the Executive Engineer