

**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
April 27, 2006**

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1. Call to Order and Roll Call

Chairman Eichenberg called the Regular Board Meeting to order at 10:05 a.m. Thursday, April 27, 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
Jackie Bregman, Attorney
Staff

A quorum was present.

2. Approval of Agenda

Director Hernandez made a motion to approve the agenda. Director Saiers seconded the motion, which passed unanimously (5-0).

3. Meetings Scheduled

- a. May 25, 2006, 10:00 a.m. – Regular Meeting
- b. June 22, 2006, 10:00 a.m. – Regular Meeting

Chairman Eichenberg stated that he would like to move the June meeting to June 29, 2006, so that the Board of Directors election nominees could be certified at the June meeting. He stated he would also like to skip the July meeting, and move the August meeting to August 17, 2006.

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

The revised meeting schedule through August is as follows:

- a. **May 25, 2006, 10:00 a.m. – Regular Meeting**
- b. **June 29, 2006, 10:00 a.m. – Regular Meeting**
- c. **August 17, 2006, 10:00 a.m. – Regular Meeting**



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4. Approval of Minutes

a. March 23, 2006 Regular Board Meeting

Director Brown made a motion to approve the minutes of the March 23, 2006 Regular Board Meeting. Director Hernandez seconded the motion, which passed unanimously (5-0).

b. April 4, 2006 Special Board Meeting

Director Saiers made a motion to approve the minutes of the April 4, 2006 Special Board Meeting. Director Hernandez seconded the motion, which passed (4-0). Director Brown abstained from voting as he was not at the meeting.

5. Financial Matters

a. Approval of March 2006 Expenditures

Irene Jeffries, AMAFCA Business Manager, presented the March 2006 Expenditure Report.

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

b. Investment Report

For information only.

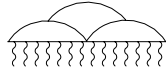
c. Financial Recap March 16, 2006 through April 15, 2006

For information only. Ms. Jeffries noted that the Construction Fund expenditures were greater than forecast due to the payment of AMAFCA's share of the Amole Arroyo Project, into the special project account.

d. Financial Forecast April 16, 2006 through May 15, 2006

Ms. Jeffries presented the Financial Forecast for the period April 16, 2006 through May 15, 2006.

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



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6. Legal – Status Report

Attorney Jackie Bregman reported on the status of various legal matters. She is working with staff to develop draft policies for employee cell phone use and computer use. A vehicle policy will also be developed.

Mr. Kelly added that the draft policies would go through the Personnel and Salary Committee for review and recommendation, then would go to the Board for approval before being incorporated in the Employee Manual

Ms. Bregman stated that the initial drafts of the policies allow reasonable personal use, but prohibit abuse.

Mr. Kelly stated AMAFCA is developing these policies as a result of an IRS ruling (in another jurisdiction) that personal use of a company cell phone could be considered a fringe benefit. AMAFCA is reviewing policies of other local agencies as a starting point.

7. AMAFCA Resolution Review – Planning and Endorsement Resolutions

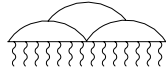
Mr. Kelly briefed the Board on the review of AMAFCA Planning and Endorsement resolutions.

He stated that “Planning and Endorsement resolutions” include those regarding community-wide planning. Resolutions adopting AMAFCA’s Drainage Management Plans will be covered under “Drainage Policy.”

He listed the resolutions in this category, describing each, and stated that staff and the Bregman Law Firm saw no need to modify, rescind or add any new resolutions in this category at this time.

Mr. Kelly stated that it was interesting that a proposed resolution, numbered 1985-7, *Multiple Use of AMAFCA Facilities*, was not adopted by the Board, although the Board directed staff to send a letter to the City supporting the City’s *Facility Plan for Arroyos* at the same May, 1985, meeting. In addition, Resolution 1987-2 confirmed AMAFCA’s commitment to participate in community planning, stating, “where appropriate, AMAFCA shall join other governmental entities in adopting plans which go beyond drainage and flood control.”

He added that in the last few years several major planning documents, in particular the Bernalillo County *Southwest Area Plan*, were not endorsed by the AMAFCA Board, nor had AMAFCA been asked to endorse the plans. AMAFCA staff supplied many comments on the *Southwest Area Plan* prior to adoption, since many drainage elements of the plan were in



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conflict with the *Amole-Hubbell DMP*. The County adopted the plan without addressing the comments from AMAFCA.

Mr. Kelly opined that AMAFCA's *Amole-Hubbell DMP* has priority over the *Southwest Area Plan*. He has been in several discussions with various personnel at Bernalillo County about this issue. The Public Works Department tends to support the AMAFCA DMP, and the Planning Department tends to support the County plan. The wording in Resolution 1987-2 does not require that all community plans be brought to AMAFCA for endorsement, but in retrospect, it would have been prudent to have the *Southwest Area Plan* brought before the Board.

Discussion followed.

Director Brown suggested AMAFCA formulate a policy resolution, similar to 1979-1, requiring a 500-year design flow standard for development along the Tijeras Arroyo. He opined that it would be prudent to do so in light of the heavy flooding the arroyo has seen in the past (in particular, in 1899, when a 20-foot wall of water rushed down the arroyo).

Mr. Kelly stated that Resolution 1980-15, *Drainage Policy*, allows AMAFCA to set higher than 100-year design flow standards where the impact to life or property could be severe. Director Brown opined that in case a developer were inclined to contest a "greater than 100-year design flow standard" request, it would be helpful to have a written policy in place.

Responding to questions from Chairman Eichenberg and Director Hernandez, Mr. Kelly replied that the necessary studies to develop a separate drainage policy for the Tijeras could cost \$25-40,000, depending on how much work had already been done by others. He stated that he would research the question and report an estimated cost to the Board at the May meeting.

In response to a question from Director Saiers, Mr. Kelly stated that, apparently, the Board in 1985 felt that AMAFCA's statutory authorization to enter into agreements with other agencies rendered Resolution 1985-7 unnecessary. A Master License Agreement covering bike trails and a series of other license agreements are examples of joint-use agreements AMAFCA has entered into. A local public agency creates a master recreation plan. After public review, AMAFCA concurs with the final plan. AMAFCA issues the license after the final plan is approved by the agency's governing body.

Mr. Kelly added that Real Estate and Personnel Resolutions will be reviewed at next month's meeting.



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8. Adoption of Resolution 2006-3, 2006 Bond Election

Mr. Kelly introduced Duane Brown, of the Modrall Law Firm, AMAFCA's Bond Counsel.

Mr. Brown stated that Resolution 2006-3 starts the process for voter approval of \$20 million in general obligation bonds at the general election on November 7, 2006. The resolution is essentially the same as that used in prior years.

Mr. Brown added that AMAFCA has gradually increased the frequency of its bond elections, but has kept the amount at \$20 million to stay under their \$40 million bonding authorization.

Ms. Bregman commented that she had been asked about the appropriateness of a phrase at the end of the elector's affidavits included in the resolution. She opined that the words "So Help Me, God" might be better stated as "under penalty of perjury." She added that she had been unable to find a statute requiring either phrase.

Asked for his legal opinion, Mr. Brown replied that the language had been in the affidavits for many previous elections. He opined that neither phrase was really necessary in a sworn affidavit, and that the phrase could be stricken without affecting the efficacy of the affidavit.

Director Lyon made a motion that the Board adopt Resolution 2006-3, *2006 Bond Election*. Director Brown seconded the motion.

Director Hernandez made a motion that the motion be amended to strike the words "So Help Me, God" wherever it appears in the Resolution. Chairman Eichenberg seconded the motion, which passed (4-1). Director Lyon voted against the amendment.

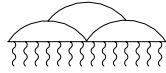
The motion to adopt the Resolution, as amended, passed unanimously (5-0).

Chairman Eichenberg asked engineer Kurt Browning, who was present at the meeting, to chair the 2006 Bond Election Committee. Mr. Browning agreed to serve in that capacity.

9. 2006 Board of Directors Election

a. Review of Election Schedule

Mr. Kelly provided a copy of the revised 2006 Election Schedule, pointing out that election petitions are due in the AMAFCA office by 5:00 p.m. on June 27, 2006, and ballot positions will be drawn at 5:15 p.m. (Petitions are due on the fourth Tuesday of June, per AMAFCA's enabling legislation.) The certification of nominees will be at the June 29, 2006 Board meeting. The last day for a candidate to withdraw from the election is September 5, 2006.



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Due to a prior commitment, Director Saiers left the meeting briefly at 10:42 a.m.

**b. Adoption of Resolution 2006-4, *Modification of Resolution 2001-14
“Adopting Five (5) Single Member Districts for the Election of the Board of
Directors of the Albuquerque Metropolitan Arroyo Flood Control Authority”***

Mr. Kelly stated that Resolution 2006-4 modifies Resolution 2001-14 to account for the Bernalillo County boundary change in the “Baja Corrales” area on January 1, 2005, and the resulting change in the AMAFCA boundary. The resolution has been reviewed by Ms. Bregman. The resolution removes a small section of District 4, Precinct 3, that is no longer a part of AMAFCA or Bernalillo County, and makes no other changes to any AMAFCA district.

Director Brown made a motion that the Board adopt Resolution 2006-4, *Modification of Resolution 2001-14 “Adopting Five (5) Single Member Districts for the Election of the Board of Directors of the Albuquerque Metropolitan Arroyo Flood Control Authority.”*

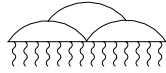
Director Lyon seconded the motion, which passed (4-0). Director Saiers was not present for the vote.

c. Adoption of Resolution 2006-5, *Board of Directors Election*

Mr. Kelly stated that Resolution 2006-5 is essentially the same as prior years, and has been reviewed by counsel. The nominating petition form was revised to list only twenty signature lines, and state that it may be photocopied as necessary. He noted that the affidavits in attachments 3 and 4 also had the “So Help Me, God” language the Board had stricken from Resolution 2006-3.

Ms. Bregman read a sentence that she had added to the bottom of the nominating petition forms since the mailout, indicating that the form had been reviewed and approved by the Board at the April 27, 2006 Board meeting for use in the November 7, 2006 election. This would help ensure that there was no question as to the election involved, and would conform to the nominating petitions in the statute, which all indicate the intended election.

Director Brown made a motion that the Board adopt Resolution 2006-4, *Board of Directors Election*, with the language read by Ms. Bregman at the bottom of the petition forms, and with the words “So Help Me, God” stricken from the affidavits in attachments 3 and 4. Director Hernandez seconded the motion, which passed (3-1). Director Lyon voted against the motion, and Director Saiers was not present for the vote.



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10. FY06 Audit – Extension of Contract for Audit Services

Director Hernandez made a motion that the Board approve extension of the contract for Audit Services with Chester W. Mattocks for an additional year, subject to final approval by the State Auditor. Director Brown seconded the motion.

Ms. Jeffries stated that Chester W. Mattocks was selected to perform audit services through an RFP process in March, 2004, and the Board approved his contract on May 27, 2004. The contract allows for two extensions, not to exceed a term of three years. This will be the second and final extension of that contract.

She added that AMAFCA will need to go out to RFP for the FY07 audit, as, with this extension, Mr. Mattocks will have conducted AMAFCA's audit for six consecutive years. Per 2.2.2 NMAC Audit Rule, the same auditor shall not conduct the agency audit for a two-year period after conducting the agency audit for a period of six consecutive years. Mr. Kelly stated that this was the second RFP in a row that had resulted in Mr. Mattocks' selection.

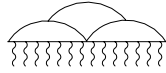
Chairman Eichenberg noted that this will be the sixth consecutive year that Mr. Mattocks will have conducted AMAFCA's audit. He stated that perhaps it would be better if at the next RFP, the firm chosen be limited to four consecutive years, so as to limit the possibility of an error being compounded over several years. He opined the allowed six-year period might be too long. Director Hernandez suggested that two two-year contracts be considered.

The motion passed (4-0).

Chairman Eichenberg called a brief recess at 10:54 a.m. to review 2006 Bond Sale bids as they came in online. The meeting resumed at 11:04 a.m.

11. AMAFCA Infrastructure Reporting – Discussion on Switching to Depreciation Approach as allowed by GASB 34

Mr. Kelly stated that AMAFCA began reporting its infrastructure under the modified approach as allowed under GASB 34 with the FY2001 audit, rather than using the depreciation approach used by most agencies. The GASB requirements will now require an extensive assessment of AMAFCA's entire inventory of over 70 facilities, rather than of just 12 new facilities, if this modified approach is continued. He stated that the cost accounting required by the modified approach is expensive, and the depreciation method would be much simpler and more cost-effective. He added that AMAFCA is the only agency in New Mexico using the modified approach.



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Mr. Kelly added that staff and Mr. Mattocks recommend AMAFCA consider switching to the depreciation approach. The inspection reports required under the modification approach have to be prepared by an engineer and must be tailored to each project, due to the technical nature of AMAFCA facilities, and must be replicable. This adds to the cost of reporting by the modified method, and much of the information gathered goes beyond the level of information that is useful to AMAFCA. Facilities would instead be depreciated over a 40-50 year time period.

Discussion followed. Consensus of the Board was that it would be beneficial for AMAFCA to switch to the depreciation method, but that the Board would like to receive an annual report on the condition of AMAFCA facilities. Director Brown suggested February or March for this report. Mr. Kelly stated an annual facility review report could be provided to the Board at the beginning of the annual budget process.

**12. West Branch Calabacillas Arroyo Storm Water Management Facility –
Consideration of Turnkey Agreement with Sandia Properties**

Chairman Eichenberg introduced Bob Murphy, Kurt Browning, and Tony Sciarrillo of Sandia Properties.

Lynn Mazur, AMAFCA Development Review Engineer, stated that the Drainage Management Plan for Quail Rancho Phase I had been approved by the City of Rio Rancho and AMAFCA. One of the major drainage facilities in the plan is a storm water management facility on the West Branch Calabacillas Arroyo. This facility will retain frequent storms up to the 5-year event and release outflow from less frequent storms at a controlled rate, mimicking historic flow conditions and alleviating the potential for downstream erosion.

She added that Sandia Properties has requested that AMAFCA maintain the West Branch Calabacillas Arroyo Storm Water Management Facility, after Sandia has constructed the facility. The right of way for the facility will be dedicated in fee to AMAFCA by plat. She added that, since the proposed agreement had been provided to the Board, a new paragraph had been added to Section 4, stating the agreement was contingent upon the Quail Ranch Phase I property being purchased by the developer, and the liability insurance requirement had been changed from \$1 million to \$2 million.

With the aid of several large maps, Mr. Browning gave a brief overview of the project. He stated that the State Engineer is satisfied with the design. Sandia Properties will build the structure at their cost. AMAFCA will own, operate, and maintain the facility after construction.



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Director Brown made a motion that the Board authorize the Executive Engineer to execute the Agreement to Provide Maintenance for West Branch Calabacillas Arroyo Storm Water Management Facility, with the additional language in to Section 4, stating the agreement was contingent upon the Quail Ranch Phase I property being purchased by the developer, and the increase in liability insurance to \$2 million.

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

13. Bidability/Constructability Reviews – Recommendation for Acceptance of Statements of Interest form Qualified Contractors

Kurt Wagener, AMAFCA Field Engineer, reported that five contractors had submitted Statements of Interest to enter into on-call contracts for design, bidability and constructability services. Staff has reviewed the statements and finds all five are qualified and have the proper licenses and experience. Staff considers the proposed fees reasonable. Mr. Kelly added that all five have served in this capacity before.

Director Hernandez made a motion that the Board accept the Statements of Interest from all five contractors and authorize the Executive Engineer to negotiate contracts with A.S. Horner, Inc., Salls Brothers Construction, Inc., RMCI, Inc., AUI, Inc., and New Mexico Underground, Inc., at the fee schedules proposed, for the Board's consideration at the regular May meeting.

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

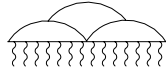
14. Environmental/Archaeological Services – Extension of On-Call Contracts

Martin Eckert, AMAFCA Real Estate Manager, stated that Taschek Environmental Consulting and Marron & Associates have been contacted and both firms would like to extend their on-call contracts for Environmental/Archaeological Services an additional year at the same rates. This would be the third and final extension to the contracts.

Director Hernandez made a motion that the Board authorize the Executive Engineer to extend the On-Call Contracts with Taschek Environmental Consulting and Marron & Associates for the third and final one-year extension of the contracts, with no change in fees, per the provisions of the contracts. Director Brown seconded the motion, which passed (4-0).

15. Adoption of Resolution 2006-5, 2006 General Obligation Bond Award Resolution

Mr. Kelly introduced Kevin Powers, of RBC Capital Markets, and Duane Brown, of the Modrall Law Firm. Mr. Brown presented Resolution 2006-5, *2006 General Obligation Bond Award Resolution*.



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Mr. Powers pointed out that AMAFCA had maintained its Aaa rating from Moody's and AA+ rating from S&P.

Director Saiers returned to the meeting at 11:27 a.m.

Mr. Powers stated eleven bids had been received during the bond sale; ten online bids and one paper bid. He added that the bids were very competitive, with most within 0.10% of each other. The low bidder was J.P. Morgan Securities Inc., with a Total Interest Cost of 3.750541%.

Director Hernandez made a motion that the Board adopt Resolution 2006-5, *2006 General Obligation Bond Award Resolution*, accepting the bid of J.P. Morgan Securities Inc. for purchase of the bonds. Director Brown seconded the motion, which passed unanimously (5-0).

16. AMAFCA Maintenance Supplies

a. Award of Bid for Guardrail

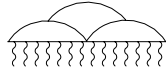
Mr. Wagener stated that two suppliers had submitted bids for guardrail materials. The lowest responsible bidder was San Bar Construction Corp. with a bid of \$14,973.75.

Director Hernandez made a motion that the Board award the bid to San Bar Construction Corp. and authorize the Executive Engineer to execute a purchase order for the purchase of guardrail components in the amount of \$14,973.75. Director Brown seconded the motion, which passed unanimously (5-0).

b. Award of Bid for 2" Steel Pipe

Mr. Wagener stated that four suppliers had submitted bids for 2" steel pipe materials. The lowest responsible bidder was Rancho Builders Supply Co. with a bid of \$12,768.00.

Director Hernandez made a motion that the Board award the bid to Rancho Builders Supply Co. and authorize the Executive Engineer to execute a purchase order for the purchase of 2" steel pipe in the amount of \$12,768.00. Director Brown seconded the motion, which passed unanimously (5-0).



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c. Award of Bid for Miscellaneous Steel

Mr. Wagener stated that three suppliers had submitted bids for miscellaneous metals for gate construction materials. The lowest responsible bidder was Choice Steel with a bid of \$6,225.66.

Director Brown made a motion that the Board award the bid to Choice Steel and authorize the Executive Engineer to execute a purchase order for the purchase of miscellaneous metals for gate construction in the amount of \$6,225.66. Director Lyon seconded the motion, which passed unanimously (5-0).

17. West I-40 Diversion Channel Extension – Briefing on Proposed Cost Sharing Agreements for Interim and Permanent Drainage Improvements within West I-40 Corridor

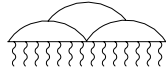
Jerry Lovato, AMAFCA Drainage Engineer, introduced Leroy Chavez and Fred Ambrogio, of Westland Development, Craig Hoover of Bohannon Huston, their engineer, and Tina Cummins of Cordero Mesa.

Mr. Lovato stated that additional funds for the West I-40 Diversion Channel Extension project were not forthcoming, so the project was re-scoped to reduce the cost. The East Amole Dam has been converted to a surge pond, saving the cost of a concrete emergency spillway. In addition, approximately 1000 feet of 96" pipe from the surge pond to Paseo del Volcan has been replaced with interim channels, reducing costs. The new cost estimate is \$10,758,000, within the \$11 million budget.

He asked for authorization for staff to negotiate the required agreements with the NMDOT, Westland Development, Cordero Mesa, the City of Albuquerque, and Bernalillo County.

In response to a question from Director Saiers about other public funding sources, Mr. Kelly stated that the City did not currently have any funds available to contribute to the project, and AMAFCA is not eligible to obtain funding through the state's infrastructure fund. NMDOT also cannot come up with more funds at this time. Interim facilities, including the interim channel mentioned earlier and an interim Unser Pond, keep the cost within the budget. Those facilities can be upgraded later. Permanent pipe is used where essential, under the climbing lane.

Replying to a comment from Director Hernandez, Mr. Lovato stated that the urgent parts of the project are the pipe that will be under the climbing lane, the improvements at the Paseo del Volcan interchange, and a connection downstream from the Paseo del Volcan Dam. These critical parts of the project can still be built if the November 2006 bond election fails.



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Invited to address the Board, Mr. Chavez stated that Westland has a concern about putting in an interim channel instead of pipe upstream of the East Amole surge pond. He would rather see the permanent pipe put in as a part of the project, rather than an interim channel. He suggested funding for this pipe could be scheduled as one of the projects for the November 2006 bond authorization.

Mr. Kelly stated that some projects are identified in the draft budget which would be funded from the November 2006 bond authorization. He added that 40% of the pipe could be installed for the cost of the interim channel. The other 60% of the pipe would cost \$1.4 million. AMAFCA needs to negotiate an agreement with NMDOT for pipe work and the design of the East Amole surge pond from the proceeds of the 2004 bond authorization. If the 2006 bond election passes, AMAFCA will finish the East Amole surge pond. If it fails, water will continue to flow south under I-40 along the East Amole Arroyo.

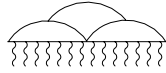
Director Hernandez made a motion that the Board authorize the Executive Engineer to draft cost share agreements with the NMDOT, Westland Development and Cordero Mesa Ltd. for funding, design, and construction of the drainage improvements within the NMDOT right-of-way described in the West I-40 DMP, for the Board's consideration at a future meeting. Director Lyon seconded the motion.

Discussion followed. Director Hernandez stated his support of the project, in spite of the 80-20 cost split, stating that the drainage improvements would be a much more expensive project after the NMDOT climbing lane has been added. Director Lyon stated that AMAFCA needs to try to get the pipe in the ground now, with the funds AMAFCA currently has available.

Chairman Eichenberg stated he did not support the motion. He agreed that AMAFCA needs to get the pipe in the ground, but could not support the funding formula. He stated that more of the private parties who are benefiting from this project should contribute to its cost. Director Hernandez agreed that additional private parties should help finance the project, because they are benefiting from it, but added that the time constraints involved lead to his support of the motion.

Director Brown stated his support of the motion. Additional private parties in the area would be tapped for funding when their feeder systems are constructed and tie into the AMAFCA backbone. Chairman Eichenberg and Director Hernandez agreed that other pieces of the system, to be built later, will probably have more developer funding.

The motion passed (4-1). Chairman Eichenberg voted against the motion.



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Chairman Eichenberg stated that lunch would be served during field highlights, and called a brief recess at 11:58 a.m. Vice Chair Hernandez called the meeting back to order at 12:04 p.m.

18. Field Highlights
a. Construction Report
b. Field Report

Mr. Lovato gave a slide show of current AMAFCA projects. He showed pictures of the West I-40 Diversion Channel Phase III project, which is proceeding satisfactorily. The pipe crossing of Unser went smoothly. The current expected completion date is June 30, 2006.

Mr. Wagener showed pictures of the work at the North Domingo Baca Park, and the Amole Arroyo Phase III and North Camino Arroyo Projects. He stated that concrete is still in short supply, so concrete pours are adhering to a tight schedule.

Ms. Mazur discussed pictures of the Lyon Storm Drain project. She reported that there had been no complaints during the detours as the pipe crossed Paradise. A 52,000 lb. storm drain wye was recently installed with the help of a special oversized crane.

Mr. Wagener finished the field report with some photos of the City Open Space mowing underbrush in the Hubbell Dam, to help prevent a repeat of the 2004 fire there. He reported that the AMAFCA crew installed a pipe railing on a cul-de-sac at the North La Cueva to reduce ATV and 4-wheeler access. At the request of the neighborhood, the boulders AMAFCA had previously installed were left in place.

19. FY 2007 Budget
a. AMAFCA Tenant Improvements

Mr. Kelly introduced Mike Griego and Kevin Austin of Paradise Village. He stated that he, Christy Burton, and Ms. Jeffries had met with Miki Roth, of Studio M, and Mr. Griego to discuss technical equipment upgrades to the Board room.

Mr. Griego reported these improvements would include a 61" plasma monitor mounted on the south wall of the Board room, surrounded by white boards on each side. The monitor would be wired to a mixer, four 6" two-way speakers, a DVD/CD recorder/VCR, a programmable radio remote/receiver, and six microphones, providing a state of the art audio recording system within the Board room. Three of the microphones would pick up the Board members, and three would be in the audience area to pick up audience comments. An equipment cabinet



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would be recessed into the pillar between the windows. One person would control the system via remote control.

Mr. Austin added that one additional microphone could be either a lapel mic or on the desktop, to help pick up softer voices. He stated that the speakers would be around the perimeter of the room and the microphones would be adjusted so that feedback would not be a problem. Mr. Austin and Mr. Griego answered several questions from the Board.

Mr. Kelly stated that these improvements will eliminate the need for the roll-down screen and projector. The image on the plasma screen monitor would be sharp at normal room illumination levels, and 61" would provide a large enough image that only one monitor would be necessary. The setup will serve the Board at its meetings, and staff and crew at their twice monthly training and safety meetings. The recording system would record straight to DVD. Estimated cost, including cabinet work and wiring, is approximately \$20,000. Video recording, via a single static camera, could be added at an additional cost of \$1,500 to \$2,000, either now or in the future.

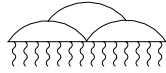
Mr. Kelly added that a line item had been added to the Operating Fund Budget for \$60,000 for Tenant Improvements. This would include the technology upgrades to the Board room, and funds for replacing existing office carpets and paint, and the Board room ceiling tiles, and would have to go out to bid.

The Board provided input on the proposed improvements. In response to a question from Director Hernandez, Mr. Kelly stated that one option would be to have the plasma monitor mounted in a cabinet, with white boards on sliding doors that could slide shut over the monitor when it was not in use.

The Board was mixed on the idea of a video camera as an option. Director Hernandez pointed out that if AMAFCA wanted to be shown on the government cable channel, two cameras would be required, rather than one static camera. Mr. Kelly responded that two DVD recorders would be required if two cameras were used.

Director Saiers asked about the possibility of expanding a portion of the Board room into the lobby area, allowing for more of a semi-circular platform layout for the Board. She asked that staff look into whether this could be done, and at what cost, before a decision as to the final layout of the technical improvements is made. Director Hernandez expressed his preference to maintain the current seating arrangement, stating that a platform can tend to create an "us versus them" dynamic between the Board and audience members. There could also be line of sight problems for audience members, and the plasma screen would need to be relocated.

The consensus of the Board was for staff to proceed with planning the suggested upgrades.



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b. Draft Operating Budget

Mr. Kelly presented the second draft of the FY 07 General Operating Budget. He outlined the changes since the March draft of the budget, which included:

- Reduced GIS services, following a suggestion by the Board to hire a intern or temporary contract worker to do the work in-house instead of contracting it out
- Increased fuel/mileage, due to recent increases in fuel costs
- Revised year-end projections

The contingency fund transfer remains at \$100,000. Expenditures and anticipated revenues balance. The USGS contract is being negotiated, but will probably be the same as currently budgeted.

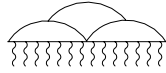
Replying to a question from Director Saiers, Mr. Kelly responded that the Storm Water Quality Education project was a joint effort by multiple area agencies. AMAFCA is the fiscal agent for the education project. The main thrust of the program is commonly known as the "Scoop the Poop" campaign. In response to another question, he stated that the informational signs on joint-use AMAFCA facilities fall under two budget categories: design is covered under Special Projects, and sign purchases are covered under Project Supplies.

The Board supported the draft budget as presented. Mr. Kelly stated that he will bring the Operating Fund Budget before the Board for approval at the May 25, 2006 Board meeting.

c. Draft Construction Fund Budget

Mr. Kelly presented the second draft of the FY 07 Construction Fund Budget, with two scenarios: one for if the November 2006 bond authorization passes, and one for if it fails. The portions of the West I-40 Diversion Channel Extension project discussed earlier in the meeting have been worked into the draft budget, with the East Amole Surge Pond added to the project list in the "bond passes" scenario. \$10 million in projects from the Project Schedule are funded in the "bond passes" scenario. He also recommended that AMAFCA match the City's contribution to completely fund the City's Osuna Storm Drain project.

The Board supported the draft budget as presented, and the list of proposed projects. Mr. Kelly stated that he will bring the Construction Fund Budget before the Board for approval at the May 25, 2006 Board meeting.



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d. Draft Debt Service Fund Budget

Mr. Kelly presented the draft FY 07 Debt Service Fund Budget. He pointed out that debt service and interest will be paid in August, 2006, and interest only in February, 2007.

The Board supported the draft budget as presented. Mr. Kelly stated that he will bring the Debt Service Fund Budget before the Board for approval at the May 25, 2006 Board meeting.

e. Draft Contingency Fund Budget

Mr. Kelly presented the draft FY 07 Contingency Fund Budget. He stated that reserve fund projects will be reviewed by the Board for possible changes at a later meeting, as a part of the resolution review.

The Board supported the draft budget as presented. Mr. Kelly stated that he will bring the Contingency Fund Budget before the Board for approval at the May 25, 2006 Board meeting.

20. Real Estate

a. Notice of Issuance of Temporary Recreation Licenses

Mr. Eckert stated that a temporary recreation license had been issued for the April 9, 2006 Run, Body, Run! event held on a portion of the North Diversion Channel property that had not already been licensed to the City via the existing master trail license. Another short-term recreational license had been issued for the South Valley Pride Day Parade, which will be held April 30, 2006. Bernalillo County plans to use the La Familia property for the parade staging area and for potential overflow parking. Board members were invited to participate.

b. Quitclaim/Partial Release of Easement for Lot 8-C-1, Lands of Costanza, North Albuquerque Acres

Ms. Mazur stated that originally this lot had been one large lot, and was replatted in 2003 into two smaller lots. AMAFCA approved the grading and drainage plan, which showed two building pads. Now the owner of one of the lots wants a larger building pad, and has suggested a change to the AMAFCA drainage easement. He will dedicate a new easement by plat to AMAFCA, and is requesting that AMAFCA vacate a portion of the old easement by Quitclaim Deed. The Quitclaim Deed will be referenced by number on the plat. At the suggestion of counsel, more detailed language will be used to describe the portion of the easement to be released, and a revised exhibit will also be used. This is a change from the document earlier provided to the Board.



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Director Lyon suggested that, at a future meeting, the Board discuss having AMAFCA staff charge the public for the time involved in researching, preparing, and recording documents such as these. Director Hernandez agreed.

Director Hernandez made a motion that the Board authorize the Board Chairman to execute a Quitclaim Deed / Partial Release of Easement for Lot 8-C-1, Lands of Costanza, North Albuquerque Acres, and accept dedication of a revised Drainage Easement by Plat, subject to review of the quitclaim deed by counsel. Director Brown seconded the motion, which passed (4-0). Director Lyon abstained from the vote.

c. Consideration of Counteroffer of SW Valley Corps of Engineers Pond 187 Property (closed session)

Mr. Eckert stated that no additional information had been received regarding the proposed purchase of the Pond 187 property. Mr. Kelly inquired if a special Board meeting should be scheduled to discuss the possibility of a counter-offer.

Chairman Eichenberg made a motion that the meeting be closed, pursuant to the Open Meetings Act, §10-15-1 NMSA 1978, Subsection H, to preserve the confidentiality of the information to be discussed, and as further described in Attorney General Madrid's document, "*Open Meeting Act, Compliance Guide for New Mexico Public and Citizens*," fourth edition, August 1999. Director Hernandez seconded the motion.

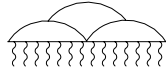
Chairman Eichenberg stated that the closed session would be for purposes of discussion only, regarding the purchase of real estate and a possible counter-offer. The motion passed unanimously (5-0).

Chairman Eichenberg closed the meeting at 12:55 p.m. The meeting was reopened at 1:03 p.m. He stated that the Board had taken no action during the closed meeting.

21. Unfinished Business

Chairman Eichenberg asked if there were an update to the unsolicited letter of interest from Salazar to purchase a portion of AMAFCA surplus property. Mr. Kelly had nothing new to report.

Director Lyon stated he'd visited the property. He opined that AMAFCA needed to get an appraisal and pursue selling the property before Salazar developed his property without the AMAFCA parcel. Director Hernandez stated his desire to view the property in person. Chairman Eichenberg opined that Salazar was not ready to develop the property, as he had not yet prepared a site plan. In the meantime, the parcel's value was continuing to increase.



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Chairman Eichenberg requested that staff send Mr. Salazar a reply letter asking for details of his proposal. The Board concurred.

22. New Business

a. Out of State Travel Request, StormCon Conference and Trade Show, July 24-27, Denver, Colorado

Mr. Kelly stated that he would like to send AMAFCA Drainage Engineer Jerry Lovato to the North American Surface Water Quality Conference (StormCon), to be held in Denver, Colorado on July 24-27, 2006. There will be many educational sessions which will be of great value to AMAFCA and Mr. Lovato. Estimated total cost of the out-of-state travel is \$1,568.00.

Director Hernandez made a motion that the Board authorize out of state travel and expenses for the AMAFCA Drainage Engineer to attend the North American Surface Water Quality Conference in Denver, Colorado, July 24-27, 2006, not to exceed \$1,800,00, pursuant to Resolution 1998-16. Director Brown seconded the motion, which passed unanimously (5-0).

23. Items from the Floor/Public Comment

None.

24. Adjourn

With no further business to discuss, Chairman Eichenberg adjourned the meeting at 1:08 p.m.

Daniel F. Lyon, Secretary-Treasurer 5/25/06

Recorded by Pam Woodruff, Secretary to the Executive Engineer