



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
November 16, 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, November 16, 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
Other attendees on file at AMAFCA

A quorum was present.

2. Approval of Agenda

Mr. Kelly stated a late mailout had included additional information on item 11, and two items of new business.

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

3. Meetings Scheduled

- a. December 14, 2006, 10:00 a.m. – Regular Meeting**
- b. January 2, 2007, 4:00 p.m. – Special Meeting (tentative time and date)**
- c. January 25, 2007, 10:00 a.m. – Regular Meeting**

There were no changes to the meeting schedule. Mr. Bregman will review the AMAFCA legislation to determine if the swearing-in ceremony must occur on January 2, 2007. The date and time of that special meeting will be finalized at the December Board meeting.

Consent Agenda:

Director Hernandez stated he would like to remove item 11 from the consent agenda, and stated he was ready to make a motion for the rest of the consent agenda.



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- 4. Approval of Minutes**
 - a. October 26, 2006 Regular Board Meeting**

- 5. Financial Matters**
 - a. Approval of October 2006 Expenditures**
 - b. Investment Report**
 - c. Financial Recap October 16, 2006 through November 15, 2006**
 - d. Financial Forecast November 16, 2006 through December 15, 2006**
 - e. FY-06 Audit Status Report**

The Financial Reports were provided by Irene Jeffries, AMAFCA Business Manager.

The memo from Ms. Jeffries stated that Chester Mattocks is in the process of finalizing the FY-06 Audit, which will be complete by the December 1, 2006 deadline.

6. Legal – Status Report

The memo from Attorney Sam Bregman reported on the status of various legal matters.

7. Results of 2006 AMAFCA Elections

The memo from Ms. Jeffries stated that unofficial results from the Bernalillo County Clerk's Office indicate Chairman Eichenberg won re-election with approximately 66% of the vote in District 3, and Director Brown won re-election with 100% of the vote in District 4. The General Obligation Bond Question passed with over 70% voting for the bonds.

8. Personnel Matters – Adjustment of Hourly Rate for Maintenance Superintendent

The memo from Mr. Kelly stated that, at the October Board meeting, the Personnel and Salary Committee recommended the Maintenance Superintendent's hourly rate be immediately increased by 10%. The funds for this increase are available in the FY-06 budget, due to salary savings from one employee on National Guard Duty since July 1, 2006, and the vacant Real Estate Manager position.

9. Ditch Safety Coordination – Consideration of Agreement with Griffin & Associates for Ditch Safety Coordination Services

The memo from Ms. Jeffries stated that, at the October Board meeting, the Board had authorized the Executive Engineer to negotiate an agreement for Ditch Safety Coordination



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Services with Griffin & Associates. The agreement is for one year, with up to three optional one-year extensions, and is not to exceed \$30,000 per year in direct compensation to Griffin & Associates.

10. Legislative Liaison Services – Consideration of Agreement with New Mexico Outsourcing for 2007 Legislative Session

The memo from Mr. Kelly stated that a Legislative Liaison Agreement had been negotiated with New Mexico Outsourcing. The \$30,000 lump sum includes Board briefings at the regular Board meetings in January, February, and March, 2007. The negotiated hourly fee for interim committee work and similar services increased to \$65/hr., with a \$5,000 limit. Staff considered the fee reasonable, and recommended approval of the agreement.

12. South Diversion Channel Outfall Sediment Removal

a. On-Call Surveying Services for Before and After Cross Sections and Quantity Calculations – Approval of Task Order No. 1 with Wilson & Company Surveying

The memo from Kurt Wagener, AMAFCA Field Engineer, stated that excess sediment stockpiled at the South Diversion Channel Outfall needed to be surveyed prior to letting a construction contract for sediment removal, and again after the removal is complete, to calculate the quantity of sediment removed. Staff recommended Task Order No. 1 under Wilson & Company's October 31, 2005 On-Call Surveying Services Agreement be approved, in the amount of \$10,366.88. Wilson and Company has done the survey work for similar sediment removal projects for AMAFCA in the past.

b. Authorization to Advertise for Bids

The memo from Mr. Wagener requested authorization to advertise for construction bids for the removal of sediment stockpiled at the South Diversion Channel Outfall. The contract would be awarded at a future Board meeting.

c. Authorization to Fund Project from AMAFCA Contingency Fund

The memo from Mr. Wagener stated the preliminary estimate for removal of an estimated 60,000 CY of sediment from the South Diversion Channel Outfall is \$180,000. The FY-07 Operating Budget did not account for this project, as normally sediment removal is only needed approximately once every six years, and most of the estimated 60,000 CY of sediment currently stockpiled was deposited in two storms this past summer.



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The memo added that, as the FY-07 Operating Budget did not account for this unexpected project but AMAFCA's Corps of Engineers 404 permit requires the sediment be removed, staff was requesting the final contract costs of surveying and removing this sediment be transferred from the Contingency Fund to the Operating Fund.

13. McCoy Dam Diversion Channels Design and Specification Update – Authorization to Advertise Request for Proposals for Value Engineering Analysis, Plan and Spec Update, and Construction Management Services

The memo from Christy Burton, AMAFCA GIS Manager, requested Board authorization to advertise the request for proposals for the McCoy Dam Diversion Channels design and specification update and construction management services. The project involves a value engineering analysis of the channels. The McCoy Dam Diversion Channels were designed in 1993, but have not yet been built.

14. Real Estate – Private Storm Drain License for Fraternal Order of Police Site on Bear Canyon Arroyo

The memo from Lynn Mazur, AMAFCA's Development Review Engineer, requested authorization for the Executive Engineer to issue a private license agreement for a storm drain connection to the Bear Canyon Arroyo, at the Fraternal Order of Police property on Jefferson Street. Tierra West has prepared a grading and drainage plan that includes a 30" pipe connection to the Arroyo as a part of a redevelopment plan for the property.

There being no other items on the consent agenda, Director Hernandez made a motion that the Board:

- approve the minutes of the October 26, 2006 Regular Board Meeting;
- approve the October 2006 Expenditure Report;
- approve the Financial Forecast for the period November 16, 2006 through December 15, 2006;
- increase the Maintenance Superintendent's hourly rate by 10%, effective November 20, 2006;
- approve the Agreement with Griffin & Associates for Ditch Safety Coordination Services not to exceed \$30,000 per year, and authorize the Executive Engineer to sign the contract;



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- approve the Agreement with New Mexico Outsourcing for legislative liaison services for the 2007 Legislative session, and authorize the Chair to execute the Agreement;
- authorize the Executive Engineer to issue Task Order No. 1 to Wilson & Company under their On-Call Surveying Services contract, for surveying and quantity calculations of the excess sediment at the South Diversion Channel Outfall, in the amount of \$10,366.88;
- authorize the Executive Engineer to advertise for construction bids for the removal of the sediment stockpiled at the South Diversion Channel Outfall;
- authorize the Executive Engineer to transfer funds from the Contingency Fund to the Operating Fund for the final contract costs of Surveying and Sediment Removal of the sediment stockpiled at the South Diversion Channel Outfall;
- authorize the Executive Engineer to advertise the request for proposals for the design and specification update, and construction management services for the McCoy Dam Diversion Channels; and
- authorize the Executive Engineer to issue the Private License Agreement for Storm Drain Connection to the Bear Canyon Arroyo.

Director Brown seconded the motion, which passed unanimously (5-0).

Regular Agenda:

11. Raymac Dam Watershed Drainage Management Plan – Consideration of Engineering Services Agreement with Resource Technology, Inc.

The memo from Ms. Mazur stated that the Board had approved selection of Resource Technologies, Inc., for an Engineering Services Agreement for the Raymac Dam Watershed Drainage Management Plan at the October Board meeting. The proposed agreement has a fee estimate of \$144,700 plus New Mexico Gross Receipts Tax. Staff considered the fee reasonable, and recommended approval of the Agreement.

Mr. Kelly introduced Elvidio Diniz, of Resource Technology, Inc.

Mr. Kelly stated that Resource Technology, Inc., proposed a realistic schedule for the project, considering the public meetings involved. RTI will use a streamlined prudent line analysis



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Ayres and Associates developed in conjunction with the City of Austin, Texas. Otherwise, the scope and project are very similar to the Don Felipe Dam Watershed DMP Project. The fee negotiated is \$5,000 below the amount budgeted, and near the average of the blind cost estimates received at the time proposals were received.

Director Brown suggested that the budget process include a lump sum total for all anticipated studies in the fiscal year, rather than a specific line item amount for each. Director Hernandez expressed a concern of his constituents regarding leachate entering runoff and groundwater at the Southwest Valley Landfill. Mr. Diniz stated that he will look into all appropriate issues.

Director Hernandez made a motion that the Board approve the Agreement with Resource Technology, Inc., to provide Professional Engineering Services for the Raymac Watershed Drainage Management Plan in the amount of \$144,700.00, plus New Mexico Gross Receipts Tax. Director Brown seconded the motion, which passed unanimously (5-0).

Director Saiers noted that Maurice and Mary Hobson, of New Mexico Outsourcing, were present, and informed them their contract had been approved by the Board during the consent agenda. She also asked the Hobsons if any other counties or other municipalities had approached them about representation of a new flood control district.

Mr. Hobson stated Otero County had asked them to help set up a new flood control district, and he believed Hatch was also interested in putting together a flood control district. In conversations with Mr. Kelly, he had learned that El Paso and Belen were also looking at putting together flood control districts in their areas. These other areas are looking to AMAFCA for advice. They hope to get legislation passed to create the flood control district and gain bonding ability as the first step in the process, and plan to work with the Corps of Engineers. They had not asked him to represent them before the legislature.

Mrs. Hobson added that they were glad to continue to work for AMAFCA.

15. Executive Engineer – Consideration of Increase in Compensation (closed session)

Chairman Eichenberg stated the discussion of limited personnel matters regarding extension of the Executive Engineer's contract would be in closed session.

Director Hernandez 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, "*The Open Meeting Act, A Compliance Guide for New Mexico Public Officials and Citizens*," fifth



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edition, January 2004, to discuss limited personnel matters. Director Lyon seconded the motion, which passed unanimously (5-0).

Chairman Eichenberg closed the meeting at 10:21 a.m. The meeting reopened at 10:41 a.m. He stated that the Board had taken no action during the closed meeting, but had discussed limited personnel matters. He then declared a short recess while the Board awaited further information from Mr. Kelly. The meeting resumed at 10:46 a.m.

Director Saiers made a motion that the Board extend the Executive Engineer's employment contract, dated November 22, 1999, for an additional two years, with the first year's salary at \$106,300 and an additional 10% raise the second year. Director Hernandez seconded the motion, which passed unanimously (5-0).

Mr. Kelly thanked the Board for their confidence in him, and stated his appreciation to the Board, AMAFCA's attorney, and staff for their excellent support.

16. West I-40 Diversion Channel Extension

a. Consideration of Resolution 2006-9, Adopting West I-40 DMP Modifications 2006

Mr. Lovato stated that the modifications to the West I-40 Drainage Management Plan had been discussed during previous Board meetings. No changes had been made since last month. Resolution 2006-9 formally adopts the modified plan.

Director Lyon made a motion that the Board adopt Resolution 2006-9, *Adoption of West I-40 Drainage Management Plan Modifications 2006*. Director Hernandez seconded the motion, which passed unanimously (5-0).

b. Consideration of Cost Sharing Agreement between AMAFCA and Westland for Interim and Permanent Storm Drainage Improvements within West I-40 Corridor

Mr. Lovato had provided the proposed cost share agreement between AMAFCA and Westland Development, and requested Board approval of the agreement, substantially as provided to the Board. He stated that the agreement was still undergoing final legal review by Westland and SunCal. Any changes would be reviewed by AMAFCA's attorney.

Director Brown made a motion that the Board authorize the Chairman to execute the "Agreement for Design, Construction and Construction Engineering Services for Drainage



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Improvements Required by the West I-40 DMP in Conjunction with the GRIP I-40 Corridor Project Unser Blvd to Paseo del Volcan" between AMAFCA and Westland Development Co., substantially the same as provided to the Board, with any changes made by SunCal or Westland to be brought back to AMAFCA for approval before signature. Director Lyon seconded the motion.

Chairman Eichenberg stated that if SunCal's or Westland's attorneys made any changes to the agreement, he would like the revised document to be brought back to the Board for approval before it was signed. Chairman Eichenberg made a motion to defer action until legal review is complete.

Mr. Lovato introduced Fred Ambrozi of Westland Development, who confirmed that, while SunCal was still reviewing the draft agreement, they had expressed agreement in principle with the concept. In response to a question from Chairman Eichenberg, he stated that waiting until December for the agreement to be finalized would not jeopardize the project.

Chairman Eichenberg's motion to defer died for lack of a second.

The original motion passed unanimously (5-0). Mr. Bregman stated for the record that the consensus of the Board was that any changes to the document would need to be approved by the Board before the agreement could be signed.

c. Consideration of Cost Sharing Agreement between AMAFCA and NMDOT for Interim and Permanent Storm Drainage Improvements within West I-40 Corridor

Mr. Lovato had provided the proposed cost share agreement between AMAFCA and the NMDOT, and requested Board approval of the agreement. He stated that legal review of the document was complete, and the only change to the agreement since the October Board meeting was the addition of "lump sum" language to describe AMAFCA's contribution.

Director Brown made a motion that the Board authorize the Chairman to execute the "Agreement for Design, Construction and Construction Engineering Services for Drainage Improvements Required by the West I-40 DMP in Conjunction with the GRIP I-40 Corridor Projects Unser Blvd to Paseo del Volcan -- Utility Owner/Albuquerque Metropolitan Arroyo Flood Control Authority" between AMAFCA and the NMDOT, with the requirement that it - be executed after the Cost Share Agreement with Westland is executed.

Director Hernandez seconded the motion, which passed unanimously (5-0).



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Director Hernandez briefly left the meeting at 11:04 a.m.

17. AMAFCA Resolution Review – Further Discussion of Draft Resolution for Reimbursement for AMAFCA Goods and Services

Mr. Kelly stated he and Mr. Bregman had reviewed the draft resolution for reimbursement of AMAFCA goods and services and had revised it pursuant to Board comments at the October Board meeting. He asked for further direction from the Board.

In response to a question from Director Saiers, Mr. Kelly stated that he and Ms Mazur were covering the Real Estate Manager's workload, with Ms. Mazur handling the bulk of the research and paperwork. The Real Estate Manager's position would be advertised soon.

Consensus of the Board was support for the resolution as now drafted, and that it be brought before the Board for approval at the next Board meeting. Director Lyon stated it was well-drafted.

18. Piedras Marcadas Detention Dam Park – Briefing by Christina Sandoval, City of Albuquerque, Department of Municipal Development

Mr. Kelly introduced Christina Sandoval and Colleen Frenz, of the City of Albuquerque Department of Municipal Development, and Chris Green, of Consensus Planning. He also introduced Jay Evans, of the City of Albuquerque Parks and Recreation, Sander Rue and Alan Schwartz, of the Rancho Sereno Neighborhood Association, and Theresa Baca, of the City of Albuquerque Department of Municipal Development.

Ms. Sandoval and Mr. Green briefed the Board regarding the proposed Piedras Marcadas Detention Dam Park. Ms. Sandoval stated that, since the briefing a year ago, the park had been moved to the spillway area of the dam to improve access. To avoid possible conflicts with the main purpose of the emergency spillway, the play area and plaza had been moved to an area outside the emergency spillway. As a result of discussions with the Rancho Sereno neighborhood, trail access from nearby neighborhoods had been included, along with off street parking for the 3.5 to 4 acre park. A basketball court may be built in another plaza area. Funding would be from the City's FY05 General Obligation Bond fund.

Director Hernandez returned to the meeting at 11:09 a.m., during Ms. Sandoval's presentation. In response to a question from Director Hernandez, Ms. Sandoval stated the large play area would be grass turf. While she expected that events such as practices would occur there, she did not anticipate regularly scheduled games. Responding to an inquiry from Chairman



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Eichenberg, she stated that there would be one point of ingress and egress for the parking lot, so that only one median cut would be necessary on Eagle Ranch Road.

In response to several questions from Director Lyon, Ms. Sandoval stated that public meetings with nearby neighborhoods would be held soon; the trail access points illustrated on the conceptual drawing would not need median cuts; and the play area near Eagle Ranch Road would be protected from traffic with decorative fencing. Director Saiers suggested two additional neighborhood access points from the neighborhood where there are breaks in the fence.

Mr. Rue and Mr. Schwartz commented in favor of the plan, stating the park would serve a large number of homes in their neighborhood, and in nearby neighborhoods which are currently in need of a local park.

In response to Director Saiers' request for AMAFCA multi-use signage, Mr. Kelly stated that the park's plaza area would be an ideal location for such signage. He pointed out that, due to interpretation of unadopted City trail standards, some of the illustrated trails might remain unpaved.

Mr. Rue stated that the neighborhood has always had an excellent relationship with AMAFCA, in particular Larry Trujillo, Jerry Lovato, John Kelly, and Martin Eckert, in regards to prompt response for access control, ATV problems, and paintballers. The neighborhood surrounds the dam area and uses it for recreation already. He then asked a question about lighting at the park.

Mr. Green responded that if there were any gaps in the existing lighting, a new light might be added at the parking lot. There were no plans for additional lighting at this time.

Ms. Baca added that the existing formal and informal trail system would tie into the park.

After further discussion, consensus of the Board was support of the park.

Mr. Kelly stated that staff would begin coordinating the project with the State Engineer, and the City will begin the public meeting process.

The rest of the items on the agenda were taken out of order.



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21. Ditch Safety Coordination 2006 – Briefing by Griffin & Associates

Mr. Kelly introduced Dezaree Vega, of Griffin & Associates, stating that Joan Griffin was unable to be present due to a family emergency.

Ms. Vega briefed the Board on the activities of the Ditch and Water Safety Task Force during the previous year, as required by the November, 2002, agreement.

Ms. Vega stated that 72 assemblies and special events, reaching 23,174 children, had been held in the 2005-2006 program year. \$19,725 had been raised for swim passes. She also provided a spreadsheet of media coverage and ads in the past year, with a total value of approximately \$30,000.

Chairman Eichenberg called a brief recess for lunch at 11:35 a.m. The meeting resumed at 11:40 a.m.

20. Field Highlights
a. Construction Report
b. Field Report

Staff presented a slide show of current AMAFCA projects.

Mr. Lovato showed pictures of the West I-40 Diversion Channel Phase III ribbon cutting. Chairman Eichenberg MC'ed the event, and Mayor Martin Chavez spoke. The Mayor and Chairman Eichenberg, Director Hernandez, Director Lyon, and Director Saiers opened the bike trail with a ribbon cutting ceremony, assisted by the children in attendance. The Fire Department christened the channel with water from a fire truck. He added that the final adjusting change order for the project, with \$450,000 in liquidated damages withheld as specified in the takeover agreement, will be processed soon.

Mr. Wagener discussed photos of Bob Keeran's La Cueva project. Mr. Kelly pointed out a training dike built by AMAFCA years ago. He stated that Mr. Keeran had suggested extending the channel, which could eventually result in surplus AMAFCA property.

Mr. Wagener next showed pictures of AMAFCA's Amole Phase III Project. The crossing at 98th Street will be finished and open to traffic approximately December 15, 2006.

Ms. Burton discussed photos of the Isleta/Hartline Storm Drain Project. Work is progressing satisfactorily, with drain and paving work complete on three of the streets.



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Mr. Wagener showed a follow-up photo of the Albuquerque Bernalillo County Water Utility Authority's bridge over the North Diversion Channel, showing one of the water pipes in place. This is the largest of the bridges that will cross AMAFCA facilities.

Mr. Wagener then showed pictures of the AMAFCA crew installing access control at the Ladera Dam 14, and using the rental D-8 bulldozer to stockpile sediment at the Amole Dam. Further pictures showed the installation of a test portion of crystalline Xypex, a waterproofing process. The product is supposed to stop the ASR process in concrete. The product was applied to a 20-30 foot section of underground box culvert, and also to an exposed section of concrete, surrounding untreated portions of concrete for control purposes. The test sections were chosen because they showed signs of ASR prior to treatment.

Mr. Kelly added that, if the treatment works, the need for repairs to the concrete in this area could be delayed. AMAFCA may decide to try the Xypex treatment in other areas.

Chairman Eichenberg called a brief recess at 12:00 noon. The meeting resumed at 12:05 p.m.

c. Extension of Rental of D-8 Bulldozer

Mr. Wagener stated the rental agreement for the D-8 bulldozer approved by the Board at the September 21, 2006, meeting allowed for up to four one-week extensions of the rental agreement. He anticipated the need for two one-week extensions to continue work on the designated areas, and requested Board authorization.

Director Hernandez made a motion that the Board authorize the Executive Engineer to execute a purchase order to Worldwide Rental Services (WRS) for the additional two week rental of the Caterpillar D-8 Bulldozer in the amount of \$6,500.00 plus NM Gross Receipts Tax. Director Brown seconded the motion, which passed unanimously (5-0).

**d. Authorization for Change Order to Isleta Tributary Storm Drain Project
– Televising Small Diameter Storm Drain Lines**

Ms. Burton stated that, according to City of Albuquerque specifications, small diameter storm drain lines must be televised in order to ensure the lines are in proper condition and free of debris. AMAFCA's contract with New Mexico Underground Contractors, Inc., for the construction of the Isleta Tributary Storm Drain / Hartline Drainage Improvements Project specifies it follows City of Albuquerque specifications for storm drain lines. The specification states that the "owner" shall pay for television the first time through, which, during



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construction, is AMAFCA. After construction is complete, all storm drains in the project will be owned and maintained by the City or County.

She added that AMAFCA usually builds large diameter storm drains that can be inspected by a walk through, and the City requirement for televised inspection was not brought to AMAFCA's attention during plan review. NMUI proposed a cost of \$1.73/LF for televising 5,795 LF of storm drains. Staff recommended the Board authorize the Executive Engineer to add this new bid item to the contract.

Director Hernandez clarified with staff that, according to the specifications, this work is necessary. Mr. Kelly confirmed that it is required under the City specifications, which apply to this project.

Director Hernandez then made a motion that the Board authorize the Executive Engineer to include a new bid item for televising small diameter storm drain lines in the contract, with an estimated quantity of 5,795 LF at a unit price of \$1.73/LF for an estimated total of \$10,025.35. Director Brown seconded the motion, which passed unanimously (5-0).

22. U.S. Army Corps of Engineers Southwest Valley Drainage Improvement Projects and Bureau of Reclamation Issues – Briefing by Pete Doles, Corps of Engineers Project Manager

Mr. Lovato introduced Pete Doles, of the Corps of Engineers. Mr. Doles briefed the Board on the Southwest Valley Drainage Improvement Projects and Bureau of Reclamation issues. The projects in the southwest valley include the Southwest Valley Flood Damage Reduction Project and the Black Mesa Project. Planning for the Southwest Valley Flood Damage Reduction Project is continuing. The bill for funding has not been called out of committee to be considered by the U.S. Senate.

Mr. Doles stated the biggest problem facing both projects is that the Bureau of Reclamation has a 1996 policy that precludes any storm water introduction into Bureau of Reclamation facilities. The Bureau of Reclamation is concerned about mixing storm water with agricultural irrigation water and possibly losing their EPA NPDES water quality exemption. The Corps is putting together a white paper for the congressional delegation on this issue.

He added that, over the years, the drain system has become a storm water conveyance system as well. There should be no water quality impact if water returned to the river follows all storm water quality standards. He opined that a waiver can be obtained from the Bureau of Reclamation. The Corps will be meeting with the Bureau of Reclamation to determine the procedure to gain approval to use the drain system for the projects.



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Director Hernandez pointed out that the projects would be considerably more expensive, and possibly impossible, if the drain system cannot be used. Mr. Doles replied that the federal drains are the backbone of the entire drain system in the Southwest Valley, and all drainage projects in the valley are hampered if the drains cannot be used.

Mr. Kelly stated that he recently met with officials in Valencia County, who would like to create a flood control authority to reduce flood damage from future storms in that area. Due to their topography, it would be prohibitively expensive for them to build an alternative to using the drain system to return water to the river. As a result, Valencia County officials will be allies in working with the Bureau of Reclamation on this issue.

He added that Connie Rupp, Area Manager Upper Colorado Region for the Bureau of Reclamation, was also at the meeting in Belen, and was intrigued to learn of a series of joint projects AMAFCA has had with MRGCD in the past that were approved by the Bureau and MRGCD. She was also interested in AMAFCA's storm water quality improvement efforts. Mr. Kelly will plan a tour of AMAFCA facilities for representatives of the Bureau.

Mr. Kelly stressed that Mr. Doles stated a key point in the ongoing discussions is the difference between an "irrigation drain" and an "irrigation conveyance facility." It is a much simpler process to discharge storm water into an irrigation drain.

19. Paseo del Norte / I-25 Interchange – Briefing by Paul Lindberg, NMDOT

Mr. Lovato introduced Paul Lindberg, Project Manager with NMDOT, and Chris Baca, of Parsons Brinckerhoff. Mr. Lindberg and Mr. Baca briefed the Board on several alternative designs of the Paseo del Norte/I-25 interchange, and their impact on AMAFCA facilities.

Mr. Lindberg stated that NMDOT is interested in improving traffic flow in the Paseo del Norte/I-25/Jefferson area, to reduce peak congestion and improve local circulation. Studies show that building a "Channel Arterial" along the North Diversion Channel from Osuna to at least El Pueblo, and possibly as far as Alameda, will improve local circulation for the area slightly, by around 15%.

Four alternatives for the Paseo del Norte/I-25/Jefferson area were presented to the Board. All attempted to separate regional through-traffic from local circulation in some way, to improve traffic flow and relieve congestion in the area. Direct connections are made between I-25 and Paseo del Norte through the use of flyovers. A new grade-separated interchange near Jefferson is a key element of the plans.



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Two of the alternatives he presented to the Board showed a new business loop along the south side of the Domingo Baca Arroyo, roughly from just east of the North Diversion Channel to near I-25. Through traffic (continuing on Paseo del Norte east of the freeway) and traffic accessing I-25 would continue using the old alignment of Paseo del Norte.

Mr. Kelly interjected that AMAFCA controls the right of way for the Domingo Baca Arroyo from the North Diversion Channel inlet up to the concrete channel. The City of Albuquerque controls the right of way for the portion upstream of the beginning of the concrete channel.

Two other alternatives show the Domingo Baca Arroyo converted to box culverts in this area, allowing local traffic on Paseo del Norte to travel on a new roadway alignment on top of the channel. In these alternatives, the old alignment of Paseo del Norte becomes primarily a route for regional through traffic to I-25 and beyond. Additional north-south neighborhood linkages can be made under the old alignment of Paseo del Norte, connecting to the new local traffic alignment of Paseo del Norte, also improving local circulation and improving public transportation connectivity.

He stated that all alternatives are preliminary and still need to be studied thoroughly. Some of them have several options available for the interchanges, which also need to be studied. Accessibility modeling will also be done.

Mr. Lindberg and Mr. Baca answered several questions from the Board. Consensus of the Board was support for the interchange improvements, with some reservations expressed by some Board members to a lot of traffic alongside the North Diversion Channel in a so-called "Channel Arterial."

Mr. Kelly stated that design for a proposed water quality facility for the North Domingo Baca Arroyo has been suspended until it is clear what will be happening in this area.

23. Unfinished Business

None.

24. New Business

a. AMAFCA 2006 Bond Committee Final Report

Mr. Kelly stated Kurt Browning, Chair of the AMAFCA 2006 Bond Committee, regretted that he had been unable to attend the Board meeting.



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Mr. Kelly reported that the committee raised more than \$37,000, all except \$187 of which was used on advertising for the bond question. The remaining \$187 was donated to the Ditch and Water Safety Task Force. The bond question passed handily, with more than 70% of the voters voting for the bonds. Thank-you postcards will be sent to all contributors.

The Board signed letters expressing their thanks to Mr. Browning and the committee.

b. Middle Rio Grande Flood Control Association Breakfast, Tuesday, December 5, 2006, 7:00 a.m.

Mr. Kelly stated that he was scheduled to speak at the Middle Rio Grande Flood Control Association Breakfast, which would be held Tuesday, December 5, 2006, 7:00-9:00 a.m., at Albuquerque's Petroleum Club. Director Lyon stated he planned to attend. Chairman Eichenberg and Director Hernandez stated they were interested in attending, but could not confirm until later.

c. Out of State Travel Request, World of Concrete, Las Vegas, Nevada, January 23-26, 2007

Mr. Kelly stated that he wished to send two crew members to the World of Concrete Conference and trade show in Nevada, January 23-26, 2007. One crew member will attend the field supervisor seminar track, and the other will take the concrete basics and concrete repair seminar track. The conference has been of great benefit to AMAFCA in the past. The total cost for out of state travel and expenses for two crew members is estimated at \$2,399.20.

Director Hernandez made a motion that the Board authorize out of state travel and expenses for two AMAFCA crew members to attend the World of Concrete Trade Show in Las Vegas, Nevada, in January, 2007, not to exceed \$2,500, pursuant to Resolution 1998-16. Director Brown seconded the motion, which passed unanimously (5-0).

d. AMAFCA Holiday Schedule

Mr. Kelly stated the AMAFCA office will be closed on November 23-24, 2006, for the Thanksgiving holiday. The office will also be closed on December 25, 2006, and January 1, 2007. The crew will be on vacation the week of December 26-29, 2006, returning to work on January 2, 2007. The office will be open the week of December 26-29, but at a reduced staffing level.

25. Items from the Floor/Public Comment

None.



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24. f. Spanish Translation of Directors Election Notice and Notice of Bond Election

Ms. Jeffries had provided the Board with a copy of a *Journal* newspaper article regarding the poor Spanish translations of the bond questions on the November 7, 2006 ballots, which cited the AMAFCA bond question as its primary example.

She stated that, although the Spanish translations of the bond issues on the ballots were confusing, in her opinion AMAFCA's election notices had been correctly translated before being published in the *El Hispano News* on the schedule required by AMAFCA's election resolutions. She opined that the County Clerk's errors in translating the AMAFCA bond question for the ballot had been primarily a problem with the tense used and an attempt to translate AMAFCA's name.

Mr. Kelly added that he had not received any calls regarding the ballot question translation, nor any indication that it had been a problem, other than the article in the newspaper.

e. Pino Dam Emergency Spillway

Director Brown, stating he had a conflict of interest in the form of an ownership interest in the underlying parcel, excused himself from consideration of this item and left the meeting at 12:55 p.m. He distributed a letter of explanation to the other Board members.

Mr. Kelly introduced Craig Hoover, of Bohannon Huston, the engineer working on this issue.

Mr. Kelly stated that AMAFCA has an easement-only interest for the Pino Dam, including the dam emergency spillway, over several tracts of land. Dr. William Galbreth has engaged Bohannon Huston Inc. ("BHI") to evaluate the feasibility of a house pad encroaching into the emergency spillway on one of these tracts. The spillway is designed to erode during a storm, but not erode enough to reach a critical point. In the easement, the underlying grantor reserves the right to reshape the spillway provided the plans and specifications are prepared by a professional engineer and approved by AMAFCA.

Mr. Kelly stated that the AMAFCA review would consider any changes to the velocity of flow through the spillway, and if the downstream owner would be adversely affected. Any analysis would have to be approved by the State Engineer. Consistent with Corps of Engineers guidelines, he has informed BHI that changes in the velocity of less than 2 feet per second would be acceptable.



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He added that after analysis by BHI, review by AMAFCA and preliminary review by the State Engineer, while a house pad encroaching into the spillway may be technically feasible, it would be very expensive.

He added that the next step would be a full re-analysis of the dam hydrology and hydraulics, and construction drawings of what is proposed. New regulations from the Office of the State Engineer treat a modification to an existing facility almost like a submittal for a completely new structure, which may require a full technical study, spillway inundation map, and preparation of an emergency operations plan. AMAFCA had not planned to do the updated inundation map and emergency operations plan until 2012. The New Mexico State Engineer Dam Safety Bureau has directed that any further submittals be through AMAFCA, as the dam owner.

Mr. Kelly stated that BHI requested a briefing before the Board to discuss the analysis and seek the Board's position on the encroachment. Dr. Galbreth would like concurrence from AMAFCA before he authorizes BHI to prepare the State Engineer submittal.

He added that, as less upstream development has occurred than anticipated, the dam has about 14' of freeboard at the 100 year event. There is about 6' of freeboard with the 500 year event. BHI anticipates the dam could contain an approximately 1500 year event without water going over the spillway. The State Engineer Office is concerned about Probable Maximum Flood (PMF). The 1977 design PMF flow through the spillway is 32,000 cfs. Current State Engineer criteria yield a PMF of 26,500 cfs.

Mr. Kelly stated that the encroachment has not been approved in any fashion by AMAFCA or the State Engineer. A number of erosion improvements around the encroachment, and possibly across the entire spillway control section, would be necessary if the request were to be approved. He added he could bring a more detailed briefing to the Board at a later time.

Mr. Hoover stated that they were retained to determine if the contemplated encroachment is technically feasible. The results so far indicate it is feasible. His client wanted to know if the Board would be favorable to the encroachment before going through the expense of further engineering studies.

In response to a question from Director Saiers, Mr. Kelly stated that, unlike most of AMAFCA's dams, the land was not re-platted along the lines of the easements for the dam. AMAFCA holds an easement interest in the area covered by the dam and spillway, across pre-existing platting.



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Discussion followed. Chairman Eichenberg expressed a concern over liability if the encroachment were allowed and a loss resulted. Directors Saiers and Hernandez expressed uneasiness with the idea of a house partially located in the dam spillway, although Director Hernandez acknowledged the risk of water actually being in the spillway was remote.

Some question arose as to AMAFCA's role as "dam owner" while holding only an easement interest in the underlying land.

Consensus of the Board was not to make a decision without a specific plan, but expressing a general uneasiness with the concept. The Board asked to be kept apprised of this issue.

26. Adjourn

Director Lyon made a motion to adjourn the meeting. Director Saiers seconded the motion, which passed (4-0).

Chairman Eichenberg adjourned the meeting at 1:13 p.m.

Daniel F. Lyon, Secretary-Treasurer 12/14/06

Recorded by Pam Woodruff, Secretary to the Executive Engineer