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Arroyo Flood Control Authority  
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**1. Call to Order and Roll Call**

Chairman Hernandez called the Regular Board Meeting to order at 10:00 a.m. Thursday, July 26, 2007. Roll was noted as follows:

Directors present:	Chairman Danny Hernandez Director Janet Saiers Director Tim Eichenberg Director Ronald D. Brown Director Daniel Lyon
Directors excused:	None
Others present:	John Kelly, Executive Engineer Jackie Bregman, Attorney Staff Other attendees on file at AMAFCA

A quorum was present.

**2. Approval of Agenda**

Director Brown made a motion to approve the agenda. Director Lyon seconded the motion. Mr. Kelly noted that there was a late mailout as well as a handout on item 21c. The motion passed unanimously (5-0).

**3. Meetings Scheduled**

- a. August 23, 2007, 10:00 a.m. – Regular Meeting
- b. September 27, 2007, 10:00 a.m. – Regular Meeting
- c. October 25, 2007, 10:00 a.m. – Regular Meeting

After discussion, the September meeting was changed to 2:00 p.m. on September 25, 2007. Chairman Hernandez stated the time of the other meetings may need to be adjusted later, depending on his graduate school schedule, which he would not know until early August. The tentative revised meeting schedule is as follows:

- a. **August 23, 2007, 10:00 a.m. – Regular Meeting**
- b. **September 25, 2007, 2:00 p.m. – Regular Meeting**
- c. **October 25, 2007, 10:00 a.m. – Regular Meeting**



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Mr. Kelly noted that the Bond Sale will occur at 11:00 a.m. on September 25, 2007, prior to the meeting.

**4. Approval of Minutes**

**a. June 28, 2007**

Director Brown made a motion to approve the minutes of the June 28, 2007, Regular Board Meeting. Director Eichenberg seconded the motion, which passed (4-0). Chairman Hernandez abstained from the vote as he had not attended the meeting.

**5. Financial Matters**

**a. Approval of June, 2007 Expenditures**

Irene Jeffries, AMAFCA Business Manager, presented the June, 2007 Expenditure Report.

In response to a question from Director Saiers, Ms. Jeffries stated that the dolly rental was to move flat files, mylar cases, and other heavy equipment during the office remodel. Mr. Kelly added that AMAFCA owns a standard dolly, but specialized dollies were rented rather than purchased.

In response to a question from Director Eichenberg, Ms. Jeffries confirmed another expense was for the crew to maintain their Class A Commercial Drivers Licenses. Mr. Kelly stated that it is a requirement that crew members have a Class A CDL, so those expenses are paid by AMAFCA. Incentive pay is provided for those who also hold HazMat Certification, which is needed to drive the fuel truck.

Responding to other questions, Pam Woodruff, AMAFCA Executive Secretary, stated that a FedEx overnight delivery had been a pay estimate sent out-of-state to the Surety on the West I-40 Diversion Channel project, and Mr. Kelly stated that, at the time of the office remodel, he was able to locate other office furniture matching the 1960's-vintage furniture in the Executive Engineer's office. The new pieces allowed him to discard an old particle board computer desk. Those two new pieces of furniture plus his existing desk and the Board room credenza were refinished to match each other by Loren Mainz, former AMAFCA Drainage Engineer, who is also a very skilled woodworker.

Director Saiers made a motion to approve the June, 2007 Expenditure Report. Director Brown seconded the motion, which passed unanimously (5-0).



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**b. Investment Report for June, 2007**

For Information.

**c. Financial Recap June 16, 2007, through July 15, 2007**

For Information. In response to a question from Director Saiers, Ms. Jeffries stated that the Amole and Isleta special accounts, required by the terms of the cost share agreements for those projects, would be closing shortly. Mr. Kelly added that, after final bills from testing firms and others were received, the final accounting of project costs could be performed and invoices or refunds sent to the other parties to the agreements.

**d. Financial Forecast July 16, 2007, through August 15, 2007**

Ms. Jeffries presented the Financial Forecast for the period July 16, 2007, through August 15, 2007. She noted that, in the Debt Service Fund, principal and interest payments will be made on the General Obligation Bonds.

There being no questions, Director Saiers made a motion to approve the Financial Forecast. Director Lyon seconded the motion, which passed unanimously (5-0).

**e. Acceptance of Inventories**

Ms. Jeffries provided the Board with the inventories for the office and maintenance. Each area had separate inventories for items under and over \$5,000. She noted that all items were accounted for, except a 35mm camera, item #249, listed on the inventory for \$229.95. This is a different camera from the one reported lost last year.

She stated that the State Auditor requires that only inventory over \$5,000 be capitalized unless it was on the inventory prior to the change in the capitalization threshold. She stated she would report the loss to the State Auditor and delete it from the inventory list. She would also remove obsolete items from the inventory list, and report the deletions to the State Auditor.

In response to a question from Chairman Hernandez, Mr. Kelly stated that he wished to wait until all unpacking from the recent office remodel was complete before reporting loss of the camera to the police. As it may turn up, a police report could be premature at this time.

Replying to a question and comment from Director Saiers, Ms. Jeffries stated that the column labeled "value" on the inventories was actually the "purchase price," and would be relabeled to more correctly identify the information. She added, in response to a comment from



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Director Lyon, that purchase date information had been inadvertently omitted from the Office inventory of items over \$5,000, and would be provided where available.

Director Lyon made a motion that the Board accept the Inventory Lists as presented. Director Saiers seconded the motion, which passed unanimously (5-0).

**6. Notification of On-Call Services Task Orders**

**a. HDR, Inc., Engineering Services Task Order #4 for AMAFCA 2008 Miscellaneous Projects and Concrete Channel Rehab**

Mr. Kelly stated that HDR, Inc., was assigned On-Call Engineering Services Task Order #4 for design of the AMAFCA Miscellaneous Projects – 2007 in the amount of \$39,359.55. \$40,000 was budgeted for this project. The project includes 14 bid lots at 30 locations, including three access control bid lots, four access ramp bid lots, 18 access drive pad bid lots, one sign bid lot, and two water quality modifications.

He added that a separate task order would be issued to an on-call engineering firm for construction management services in approximately October 2007. Construction management has been budgeted at \$25,000. Another assignment for geotechnical engineering services is budgeted at \$5,000 for testing.

**b. Bohannon Huston, Inc., Surveying Task Order #8 for Dam Crest Surveys**

Mr. Kelly stated that Bohannon Huston, Inc., was assigned On-Call Engineering Services Task Order #8 for dam crest surveys in the amount of \$10,950. Bohannon will do elevation surveys on Piedras Marcadas Dam, Raymac Dam, Black Arroyo Dam, Borrega Dam, and Hubbell Lake Dam. They will also establish new monumentation on Borrega Dam, and will re-establish two monuments on Hubbell Lake Dam. The scope of work includes completing mylars and submittal data for the New Mexico Office of the State Engineer Dam Safety Bureau, as required.

He added that eight more dam crest surveys will be taken care of via future on-call assignments, estimated at \$13,000. The FY-08 budget includes \$25,000 for dam crest surveys.

Director Eichenberg thanked Mr. Kelly for providing this information to the Board.

**7. Legal – Status Report**

Attorney Jackie Bregman briefed the Board on the status of various legal matters, and answered several questions from the Board.



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In response to a question from Director Eichenberg about the Albuquerque Excavators bankruptcy, Jerry Lovato, AMAFCA Drainage Engineer, reported that, to the best of his knowledge, the Federal Bankruptcy Court had finalized the list of approximately 28 creditors the previous month. There were no assets. AMAFCA's claim was fully satisfied by the Surety.

**8. AMAFCA General Counsel Services – Selection Advisory Committee Recommendation**

Chairman Hernandez stated that the initial Selection Advisory Committee, consisting of Chairman Hernandez, Director Eichenberg, John Kelly, and Irene Jeffries, met on July 13, 2007. At that time, they found three of the seven proposals to be responsive. The others had not submitted the Campaign Contribution Disclosure Form. The responsive firms were:

- Bauman, Dow & León
- Dolan & Associates
- Luebben, Johnson & Barnhouse

Chairman Hernandez stated that, while the Campaign Contribution Disclosure form was still required, the law had changed on July 1, 2007, which was between issuance of the RFP and the proposal due date. As the law now stands, it is up to the Board whether they wish to deem non-responsive the proposals of the firms who had not provided the form. Previously, they were required to do so.

Extensive discussion followed, with legal opinion from Ms. Bregman. Representatives of two firms who had not submitted the form, Duane Brown of Modrall Sperling, and Luis Robles of Robles, Rael & Anaya, also addressed the Board. The history of the RFP process, and the legal counsel selection process, was also covered during the discussion period.

Chairman Hernandez suggested the RFP could be re-issued, with the requirement for the Campaign Contribution Disclosure Form clearly stated in the scope.

Other options were also discussed, including reverting to the Selection Advisory Committee's three highest-ranked firms, regardless of whether or not they submitted the Campaign Contribution Disclosure Form with their proposal. The three highest-ranked firms were Dolan & Associates, ranked first, with Sutin Thayer & Browne and Modrall Sperling tied for second.

Director Eichenberg made a motion that the Selection Advisory Committee selection revert to the three highest-ranked firms based on qualifications, and that the Board interview these top three firms. Chairman Hernandez seconded the motion.



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Director Lyon made a motion to amend the motion to require the firms who had not previously done so to submit the Campaign Contribution Disclosure Form before the Board considers their proposals. Director Eichenberg seconded the amendment to the motion, which passed unanimously (5-0).

The amended motion, to revert to the Selection Advisory Committee's three highest-ranked firms based on qualifications, and that the Board interview these top three firms, with the firms who had not previously done so to submit the Campaign Contribution Disclosure Form before the Board considers their proposals, failed on a 2-3 vote. Directors Eichenberg and Lyon voted for the amended motion. Chairman Hernandez, and Directors Brown and Saires, voted against the amended motion.

Director Brown made a motion to direct staff to re-advertise the Request for Proposals with the minimum advertising period required by law. Director Eichenberg seconded the motion, then made a motion to amend the motion to change "minimum advertising period required by law" to "following the standard advertising schedule in accordance with the Procurement Code." Director Brown seconded the motion for the amendment.

Chairman Hernandez stated he had been advised that the Board needed to reject the recommendation of the Selection Advisory Committee and reject all proposals, before starting over with a new Request for Proposals.

Director Eichenberg then made a motion to further amend the motion, to reject the recommendation of the Selection Advisory Committee, and reject all proposals. Director Brown seconded the motion for the second amendment.

The second amendment passed (4-1), with Director Eichenberg voting against the amendment.

The first amendment, to follow the standard advertising schedule, passed unanimously (5-0).

The amended motion, to reject the recommendation of the Selection Advisory Committee, reject all proposals, and direct staff to re-advertise the Request for Proposals following the standard advertising schedule in accordance with the Procurement Code, passed unanimously (5-0).

Chairman Hernandez summarized that the full Board would serve as the Selection Advisory Committee, and would hold a special meeting to conduct interviews. Those dates would be set later. The selection of legal counsel will be by consensus of the Board. The new RFP will make it clear that the Campaign Contribution Disclosure Form must be completed for the proposal to be considered responsive.



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Chairman Hernandez called a brief recess at 11:21 a.m. The meeting resumed at 11:35 a.m.

***Consent Agenda:***

**9. AMAFCA Technical Standards Committee – Extension of Terms for Committee Members**

The memo from Ms. Jeffries stated that AMAFCA's Resolution 1980-15, Drainage Policy, Section 16, requires that AMAFCA have a Technical Standards Committee, to be made up of five qualified people appointed by the Board. The Technical Standards Committee serves as an appeal panel for constituents who feel aggrieved by the application of rules, regulations, policy, and design standards. All five existing members of the committee, Aldo Vaio, Art Peterson, John Andrews, Dr. Julie Coonrod, and Phyllis Taylor, had been contacted and agreed to serve another three-year term, subject to the Board's approval.

In response to a question from Director Lyon, Mr. Kelly briefly stated the background and qualifications of each of the members of the Technical Standards Committee. Director Eichenberg suggested that they be recognized for their service, perhaps with a plaque similar to that given to the Chair of the Bond Election Committee. Mr. Kelly stated that he would arrange for this.

**10. Real Estate**

**a. Quitclaim/Release of Access Easement for Tract 1-A-1, Alban Hills, Unit 1 (Hoffmantown Church West)**

The memo from Lynn Mazur, AMAFCA Development Review Engineer, stated an access easement was granted by plat for the benefit of property owners to the north and AMAFCA in 2003, at the time of the initial site plan for Hoffmantown Church West. This easement, according to the final site plan, would run through a landscape buffer area. Tierra West, the engineer, suggested that this access easement be relocated to the drive aisle through the parking lot. The owner is requesting quitclaim/release of the existing easement, and dedication by plat of a new easement.

There being no other items on the Consent Agenda, Director Brown made a motion that the Board:



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- Approve reappointment of the existing members of the Technical Standards Committee as listed above, for an additional three-year term through August 1, 2010; and
- Authorize the Board Chairman to execute the Quitclaim Deed/Release of Access Easement for Tract 1-A01, Alban Hills, Unit 1.

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

***Regular Agenda:***

**11. 2007 Bond Sale – Approval of Resolution 2007-9, Notice of Bond Sale**

Mr. Kelly introduced Erik Harrigan, representing Kevin Powers, of RBC Capital Markets, AMAFCA's Financial Advisor, and Duane Brown, of Modrall Sperling, AMAFCA's Bond Counsel.

Mr. Brown walked the Board through Resolution 2007-9, *Notice of Bond Sale*. He noted the dates would be changed to correspond to the new meeting date of September 25, 2007 at 2:00 p.m. The sale will be held electronically at 11:00 a.m. on that date.

Responding to a question from Director Saiers, Mr. Harrigan stated that the projected percentage of valuation growth has risen from 3.8% to 9.05% this year, as it is the first of two catch-up years for commercial valuations. After the 2009 tax year, the growth rate is expected to drop back to close to 3.8%. Final assessed values will be available in mid-August.

Mr. Brown explained that \$500,000 of the bond sale is from the 2004 bond election authorization. The sale also includes \$10.25M of the authorization from the 2006 bond election, for a total bond sale of \$10.75 million. Subsequent bond sales will be held under the "bank-qualified" \$10 million limit for the next three bond issues, before another "catch-up" sale will take place.

Mr. Herrigan stated that Mr. Powers had determined that conditions were favorable for a larger sale at this time, returning to a bank-qualified sale for the next bond sale.

The Board discussed the amount and timing of the bond sale. Board consensus was to hold a \$10.75 million bond sale in September, 2007, as proposed. Staff was also given direction to consider a larger non-bank-qualified sale at some time in the future, so that non-bank-qualified sales would be necessary only once every six years or so.



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Director Lyon made a motion that the Board adopt Resolution 2007-9, *Notice of Bond Sale*. Director Brown seconded the motion, which passed unanimously (5-0).

**12. West I-40 Survey and Platting – Consideration of On-Call Services Task Order with Wilson and Company**

Mr. Lovato stated that with construction of the West I-40 Diversion Channel Phase III Project complete, AMAFCA needed to conclude all contractual obligations with the City of Albuquerque. Under the funding agreement with the City, AMAFCA is required to prepare plats and quitclaim all portions of the project within city limits to the City. Staff requested an estimate from Wilson and Company to complete the survey work required to assemble approximately 17 parcels and re-plat the project including New Mexico Department of Transportation right of way.

He added that the cost of this work is approximately \$69,000, or \$19,000 over the \$50,000 budgeted. The budget did not include the additional work required by the Federal Highway Administration and the NMDOT to relocate and monument the access control line along I-40 and the transfer of approximately fourteen acres of right of way from NMDOT to AMAFCA and the City.

Mr. Lovato stated that as the estimate is over budget and near the \$75,000 limit for on-call engineering services, staff requested Board concurrence prior to the assignment of the on-call task to Wilson and Company. He added that the additional \$19,000 was available within the current budget. This work was not identified in the construction documents, and was not included in that contract, so cannot be covered by the Surety.

Director Eichenberg made a motion that the Board table this item. Director Brown seconded the motion, for discussion purposes.

Discussion centered upon the fact that a paper plat would cost close to the \$50,000 budgeted. The Board directed staff to use their best efforts to get the NMDOT to accept a paper plat rather than a full survey, citing the Board's direction to offer only a paper plat.

Mr. Lovato pointed out it is advantageous to AMAFCA to hold the property in fee simple rather than as an easement. If it were held as an easement, AMAFCA could be required to move the drainage infrastructure at some point in the future, if NMDOT needed the land for transportation purposes. If AMAFCA holds the land in fee simple, that would not be the case.

Mr. Kelly stated that NMDOT has requested a full survey. He will offer a paper plat, citing the Board's direction to do so.



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The motion to table passed unanimously (5-0).

**13. West I-40 Diversion Channel Extension East Amole Arroyo Surge Pond**

**a. Review of Scope of Services**

Mr. Lovato provided a proposed scope of services for design and construction management work for tasks to be completed by AMAFCA as a part of the West I-40 Diversion Channel Extension Project. The scope of services will accompany the request for proposals for design and construction management services for the East Amole Surge Pond.

In response to a question from Director Eichenberg about the difference between Quality Control and Quality Assurance, Mr. Lovato stated that since the NMDOT is the lead agency on this project, AMAFCA cannot talk directly to the NMDOT's contractor. The information gained via this contract will allow AMAFCA to certify the project to the New Mexico Office of the State Engineer.

Mr. Kelly added that contracts for construction management of AMAFCA's own projects cover both Quality Control and Quality Assurance, as AMAFCA contracts and pays directly for the testing services.

**b. Authorization to Issue Request for Proposals for East Amole Surge Pond Final Design, Permitting and Construction Management Services**

Mr. Lovato requested Board authorization for publication of a request for proposals for the East Amole Surge Pond final design, permitting, construction management services, and construction inspection of the 98th Street Pond.

Director Lyon made a motion that the Board authorize the Executive Engineer to advertise the request for proposals for the final design of the East Amole Surge Pond and construction of the 98th Street Pond. Director Brown seconded the motion, which passed unanimously (5-0).

**14. Discussion of Changes to AMAFCA Procurement Regulations**

Ms. Bregman reviewed the main implications of HB823 as regards AMAFCA's Procurement Regulations. The main issues were that the new law now prohibits bidding by those who directly participated in the preparation of specifications, qualifications, or evaluation criteria; requires disclosure of potential conflicts of interest; small source and small purchase contracts are prohibited between state agencies and their public officials; and certain political activities are prohibited.



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The Board discussed these issues.

There was some concern as to how these regulations would affect AMAFCA's constructability/bidability reviews of planned projects by on-call construction contractors. Discussion followed. Mr. Kelly suggested, and the Board agreed, that one possible solution might involve having the reviewers "self-disqualify" themselves from bidding on the construction project. There was some concern if there would be sufficient suitable reviewers willing to review plans and specifications under those conditions.

Ms. Bregman pointed out that the law specifically states bids are prohibited from those who "directly participated" in the preparation of the specifications. When the bidability/constructability review is assigned, the assignment could include language stating, "Your comments back to us will not be considered direct participation in creating the specification. We want to know of any fatal flaws, but we are in charge of the specifications and will alter them the way we see fit."

The Board concurred with Ms. Bregman's suggestion, and directed legal counsel to meet with the Executive Engineer to come up with a policy and/or procedure to use to avoid "direct participation," for the Board to adopt at a subsequent meeting.

Ms. Bregman recommended that a "Conflict of Interest Disclosure Form" be developed, to be filled out by those submitting proposals and bidding on contracts, similar to the Campaign Contribution Disclosure Form. This new form would assist the Board and staff to avoid potential conflicts of interest, adding an additional layer of protection to avoid conflicts of interest.

Mr. Kelly stated the new form could be a required part of the proposal and/or bid documents, as is the Campaign Contribution Disclosure Form.

Ms. Bregman also noted that the Campaign Contribution Disclosure Form will be changed slightly, to list the names of the directors on the form. The Conflict of Interest Disclosure Form will be a separate form.

Director Eichenberg suggested that, as on-call contracts are renewed, Campaign Contribution Disclosure Forms and Conflict of Interest Disclosure Forms should be obtained from them, too, if staff does not have current forms on file for them. The Board directed legal counsel review the suggestion of either not renewing on-call contracts, or not making additional on-call assignments after a certain date, until the forms are received.

For small source and small purchase contracts, Ms. Bregman suggested that language be added to the Personnel Manual so that employees would be vigilant to choose appropriate



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sources for their AMAFCA purchases, and disclose any personal conflicts of interest. She suggested a section on prohibited political activities also be added to the Personnel Manual.

Director Eichenberg stated the Personnel and Salary Committee could meet and make appropriate recommendations to the Board regarding changes to the Personnel Manual. Mr. Kelly stated the appropriate changes would also be made to AMAFCA's Procurement Regulations, for the Board's approval at a later meeting.

Board consensus was support of the various measures suggested to help keep AMAFCA in compliance with the law. The Board also supported having Ms. Bregman request an Attorney General opinion as to their office's interpretation of HB823.

Chairman Hernandez called a brief recess at 12:49 p.m. The meeting resumed at 12:55 p.m.

**17. UNM Hydraulic – Briefing by Dr. Julie Coonrod on FY-07/08 Program**

Mr. Kelly introduced Dr. Julie Coonrod, of the University of New Mexico, Department of Civil Engineering. Dr. Coonrod briefed the Board on the Open-Channel Modeling program and lab at UNM. A new engineering building is being constructed which will provide a larger, more convenient lab and classroom space. The new lab will bear AMAFCA's name, and AMAFCA projects will be given first priority. The new lab is expected to open at the end of next summer.

She stated the Fluids Lab (mostly undergraduates) and the Hydraulics Lab (mostly graduates) would be combined into one room when the new building is opened.

She stated that Todd Marti, a graduate student for the Hydraulics Lab who graduated in May, 2007, designed a drop flow debris filter that removed debris from storm water channels. Several pictures of the filter experiments were shown. He used this experiment not only for his graduate thesis, but also presented it at the ASCE (American Society of Civil Engineers) Water Resources meeting in May, where it was very well received. It was published in the ASCE Proceedings with a credit to Todd Marti and AMAFCA.

She also showed pictures of modeling of the La Cueva Channel, where various ways to take water out of the channel for water quality treatment are being tested, and pictures of students in the lab and in the field, visiting AMAFCA facilities. The current experiment in the Fluids Lab, a Coanda Screen, takes clean stormwater out of the debris rather than taking debris out of the water.



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In coming months, the Hydraulic Lab will be testing the use of artificial turf in detention ponds. Concerns have been raised about the possibility of floatation/blocking outlets, and the flow of water over the surface causing ridges in the underlying base layer.

Director Brown commented he could attest to this latter problem, based on the use of artificial turf on baseball fields.

**19. Briefing by Ciudad Soil and Water Conservation District**

**a. Watershed Restoration Action Strategy Presentation**

Mr. Kelly introduced Steve Glass, Executive Director of the Ciudad Soil and Water Conservation District (CSWCD), who briefed the Board on the Ciudad SWCD Watershed Restoration Action Strategy (WRAS). Tim Karpoff, a contractor for the Ciudad SWCD, answered questions from the Board regarding funding sources and cooperative efforts through WRAS.

Mr. Glass stated the CSWCD is a political subdivision of the state, created by 73-20-25 et seq. NMSA 1978. It is one of 46 such soil and conservation districts in the state.

He stated that their specific charges are to conduct research, investigations and surveys treating soil erosion, flood water and sediment damage; develop comprehensive plans for natural resource conservation, development, and utilization, including flood prevention, control and prevention of soil erosion; and assist, contract with, and render financial aid to district landowners and state or federal agencies administering land within the district that are engaged in erosion control and prevention projects, flood prevention works, or the conservation, development, utilization and disposal of water within the district. He added that, as a result, there is a natural connection between CWSCD and AMAFCA.

Mr. Glass stated that the CSWCD mission is to promote conservation, protection, improvement, and responsible development of natural resources in their district.

He discussed water quality as an indicator of the health of the watershed, and the two studies that showed fecal contamination from birds, dogs, and humans in stormwater discharged into the Rio Grande. He stated about 22% of fecal coliform bacteria comes from dog feces, which is a highly controllable source. He cited the "Scoop the Poop" and "Keep the Rio Grand" educational campaigns, and AMAFCA's stormwater quality efforts to capture trash, as two examples of ways to improve stormwater quality.

He stated that New Mexico Environment Department (NMED) and CSWCD have created the Rio Grande-Albuquerque Watershed Group, with funding from the United States



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Environmental Protection Agency. The Watershed Group drafted a Watershed Restoration Action Strategy, involving voluntary education projects, voluntary water treatment projects, and suggested Best Management Practices for watershed improvement. Agencies throughout the district have given input to the Group.

CSWCD identified several sources of future funding, including federal, state, and cooperative local sources. They asked for an AMAFCA representative on the Watershed Group, help in acquiring funding, implementation of Best Management Practices in our part of the watershed, and help in advocating our projects for continued public support and new funding, by letting them know what we are doing for water quality.

**b. Proposed Amendment to Cooperative Agreement for Storm Water Quality Education**

Mr. Kelly stated that the Ciudad Soil and Water Conservation District has expressed an interest in joining the Cooperative Agreement Regarding the National Pollution Discharge Elimination System – Storm Water Management Program, using \$10,000 in funds they have obtained which are earmarked for education. The current members of the program are AMAFCA, the City, the County, UNM, and NMDOT, collectively known as the Storm Water Team. The agreement would have to be amended to bring in CSWCD.

Mr. Kelly added that, after discussions with the member agencies, it was also recommended that the amendment include creation of an oversight committee, with one member from each funding agency, so that every agency has a say in the program. The oversight committee would meet on a quarterly basis, with AMAFCA continuing to serve as fiscal agent. AMAFCA's involvement in the program would remain about the same. This would be similar to the Ditch Safety program.

In response to questions from Director Eichenberg, Mr. Kelly stated that member agencies make annual contributions to the Storm Water Team program. AMAFCA's contribution is \$10,000 a year. The grant money Ciudad has is one-time funding. Ditch Safety is set up so that those who fund the program are voting members, and those who do not provide funds for a certain year are advisory members that year.

Mr. Glass added that it is the intention of Ciudad to remain as a contributory member. He stated that the current \$10,000 grant came from the Soil and Water Conservation Commission. He anticipated other grants will be obtained to allow continued funding.

After discussion, the consensus of the Board was to begin revising the agreement to add the Oversight Committee. The Board asked for more information about Ciudad, their governing



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Board, and the permitted uses of their grant, prior to making a final decision on adding Ciudad to the agreement.

**18. United States Geologic Survey Co-op Program – Briefing by Jack Veenhuis on FY-07/08 Program**

Mr. Kelly introduced Jack Veenhuis, Todd Kelly, and Orlando Romero, of the United States Geologic Survey. Mr. Veenhuis briefed the Board on the Cooperative Program. Todd Kelly displayed a rain gauge used by the USGS to collect rainfall data. Near real-time rain gauge data is now available at <http://waterdata.usgs.gov/nm/nwis/rt>, with more gauges coming online in the near future. There is about a 1 to 4 hour delay in the data being posted online, via a satellite connection. Data is available online for the previous 31 days.

Mr. Veenhuis also reported that, on an annual basis, the Albuquerque area is meeting the EPA's stream water quality standards. A detailed report will be given at a later date.

Todd Kelly pointed out that, as Albuquerque's storms tend to be intense and short-lived, and usually occur over just a portion of town, a wide network of rain gauges is needed for the USGS to capture accurate precipitation data for each storm.

**15. AMAFCA FY-08 Project Schedule – Review and Discussion of Draft Project Schedule**

Mr. Kelly stated that the first draft of the FY-08 Project Schedule included ongoing work, as well as proposed projects, and covered fiscal years 2008 through 2013. Since the June meeting, funding for the Coal Street Storm Drain was moved forward a year to match up with the City's funding schedule, funding for the Corps of Engineers Southwest Valley Project was changed to match up with the project's funding schedule, and funding for the Santa Anita Storm Drain was reduced to the agreement amount per the Board's direction at the June 26, 2007 meeting.

He added that, after approval of the final Project Schedule, it will be published and uploaded to AMAFCA's website. The goal is to have the Project Schedule ready for approval at the August 23, 2007 Board meeting, so that it can be used at the bond rating briefings.

Discussion followed. Director Eichenberg expressed concern that funding had been switched around by the Executive Engineer at this late date. He stated he understood why the funding was changed, but stated that those funding decisions should be made by the Board rather than staff. The Board had discussed the Santa Anita Storm Drain, but he did not recall a discussion of the Coal Street Storm Drain.



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Mr. Kelly stated that the Coal Street Storm Drain was part of the City's funding request. Mr. Hogan had mentioned at the last meeting that the City's timing on the project was ahead of the funding proposed by AMAFCA.

Responding to a question from Director Eichenberg about the timing of the Coal Street Storm Drain Project, Dan Hogan, of the City of Albuquerque Department of Municipal Development Hydrology Division, stated that the project is on the project list for the City's October bond election. The design consultant will be selected in August, assuming the bond election will pass. Construction will begin as soon as funds are available and after the 2008 storm season. As City funds will be available approximately January 2008, and AMAFCA funds July 2008, construction would begin the fall of 2008.

Mr. Hogan added that the City's storm issues usually pass, so he anticipated that this bond would also pass, and the project would be built on schedule.

Board consensus was support of the proposed Project Schedule. Mr. Kelly stated he would provide some additional breakdown comparisons in the introduction, as requested by Director Saiers.

In response to a question from Director Lyon, Mr. Kelly stated that AMAFCA routinely provides copies of Board packets to others, except for matters concerning real estate acquisition and pending litigation. Chairman Hernandez pointed out that additional copies of the draft project schedule were available to any interested audience members.

The Board commented that the Project Schedule was in a nice format, and that they appreciated the hard work that went into preparing it.

**16. Field Highlights**

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

Kurt Wagener, AMAFCA Field Engineer, presented a slide show of current AMAFCA projects.

Mr. Wagener commented on photos of the Calabacillas Bank Protection Project, showing installation of rip rap and the slope backfill. He also discussed photos of the Embudo Floor Replacement Project, with detail photos of spall repairs, the underdrain system, and areas of full-depth repair upstream and downstream of the repaired section. As some sections of delamination due to ASR (Alkali Silica Reactivity) were observed, additional repairs on the



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Embudo Channel will be recommended in the near future. Mr. Kelly added that those will probably be done this winter.

Mr. Hogan stated similar delaminations had been observed on the Hahn Arroyo, and the City hoped to accomplish similar repairs there in the future.

Mr. Wagener also had photos of the Albuquerque Bernalillo County Water Utility Authority's Raw Water Project, installing a bridge "just in time" before runoff hit, and the UNM Hydraulic Modeling Lab, with a model of a Coanda Screen being tested.

Mr. Wagener then showed pictures of the AMAFCA crew at the South Diversion Channel. The Water Authority had a 14" water line fall off the Second Street Bridge at the South Diversion Channel. Other pictures showed the Mechanical Trash and Debris Removal and Manual Trash and Debris Removal contractors at work, sediment at the North Diversion Channel Outfall, Paseo del Norte Extension Ribbon Cutting, Isleta Phase II Ribbon Cutting, and the Amole/98th Street Crossing Ribbon Cutting.

In response to a question from Director Lyon, Mr. Kelly explained that a Coanda Screen sifts clean water out of debris instead of the traditional method of trying to take debris out of the water. AMAFCA plans to test the screen on the North Pino as a retrofit. It is a wire wedge screen that shaves off slivers of water as it flows across it. One square foot of screen can treat 1 cfs of water. It is self-cleaning. The trash can be kept in a reservoir while the clean water flows downstream.

**20. Unfinished Business**

**a. NMDOT/MTB Action on West I-40 Extension**

Mr. Kelly stated the Metropolitan Transportation Board would be taking action on the changes to the Transportation Improvement Program (TIP) for the West I-40 Diversion Channel Extension to make AMAFCA the lead on the funding, at their meeting that evening. They could not take action last month due to lack of a quorum. NMDOT has briefed their Commission on the project and everything is set for their approval as soon as the MTB approves.

**21. New Business**

**a. Authorization of Out-of-State Travel, Dam Safety 2007, September 9-13, 2007, Austin, Texas**

Mr. Kelly's memo requested Board authorization for out of state travel for Field Engineer Kurt Wagener to attend the Dam Safety Conference 2007 in Austin, Texas, September 9-13, 2007. He stated the conference will include sessions on many issues associated with dam



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safety which will be beneficial to AMAFCA and Mr. Wagener, and can apply towards his continuing education requirement for maintaining his professional engineer's license. Estimated costs for the conference and travel were \$1,880.

Director Saiers made a motion that the Board authorize out of state travel and expenses for Kurt Wagener to attend the Dam Safety Conference 2007, not to exceed \$2,000, pursuant to Resolution 1998-16. Director Lyon seconded the motion, which passed unanimously (5-0).

**b. Authorization of Out-of-State Travel, Water Environment Federation Technical Exhibition and Conference 2007, October 12-17, 2007, San Diego, California**

Mr. Kelly requested authorization for out of state travel for Drainage Engineer Jerry Lovato to attend the Water Environment Federation Technical Exhibition and Conference 2007 in San Diego, California, October 12-17, 2007.

Mr. Kelly's memo stated the conference will include sessions on many issues associated with storm water quality, storm water management, pre- and post-development peak flows as they relate to best management practices, and new US Environmental Protection Agency initiatives. The information will be valuable to AMAFCA as the MS4 permit reapplication process begins next year. Seminar hours will also apply towards his continuing education requirement for maintaining his professional engineer's license.

The memo stated that Mr. Lovato would also be attending a Water Quality Workshop chaired by the EPA to provide an overview of new regulatory drivers to address urban wet weather runoff and the use of mathematical tools to support management decision-making on storm water controls. This workshop is being presented the day before the conference. Estimated costs for the conference, workshop, and travel were \$3,135.

In response to a question from Director Eichenberg about the cost of the conference, Mr. Lovato stated he would be attending an extra EPA workshop the day before the conference, at an additional cost of \$250. The Dam Safety conference is also subsidized by the Association of Dam Safety Officials, while the Water Environment Conference was not subsidized. Mr. Wagener added that the Dam Safety training is needed because the New Mexico Office of the State Engineer is asking for confirmation of the training of dam safety officials.

Director Brown made a motion that the Board authorize out of state travel and expenses for Jerry Lovato to attend the Water Environment Federation Technical Exhibition and Conference 2007, not to exceed \$3,500, pursuant to Resolution 1998-16. Director Lyon seconded the motion, which passed unanimously (5-0).



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**c. Proposed Amendment to La Cueva Sector Plan**

A memo from Mr. Kelly stated that the City Council has requested that the text of the La Cueva Sector Plan be amended to compute allowable densities via net acreage instead of gross acreage. The change would require existing and proposed rights of way, including drainage rights of way, be excluded from the acreage prior to computing the number of allowed lots for a subdivision.

He had provided a copy of a letter which he had sent to the Environmental Planning Commission on July 16, the EPC staff report of July 19, and a late mailout of a letter written by City Councilor Brad Winter to AMAFCA on July 17. Chairman Hernandez stated there was also a handout of a possible reply to Dr. Winter from the Board.

After extensive discussion, the consensus of the Board was that the Executive Engineer's reply be short, stating that Dr. Winter's letter had been reviewed by the Board, and that they would be glad to meet with him, at his convenience, to explain AMAFCA's policy for disposition of property that is excess to AMAFCA's drainage needs.

**22. Items from the Floor/Public Comment**

Director Eichenberg asked if AMAFCA recycled plastics. Mr. Wagener stated plastics could be added to AMAFCA's paper recycle container.

Director Eichenberg suggested that the RFP for legal counsel also include a request for a list of the Continuing Legal Education (CLE) classes taken by the primary and secondary attorneys on the contract. This would allow the Board to determine if the attorneys are keeping up-to-date in the areas of law that matter to AMAFCA.

**23. Adjourn**

With no further business to discuss, Chairman Hernandez adjourned the meeting at 3:14 p.m.

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Tim Eichenberg, Secretary-Treasurer 8/23/07

Recorded by Pam Woodruff, Secretary to the Executive Engineer