



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 1**

**1. Call to Order and Roll Call**

Chairman Brown called the Regular Board Meeting to order at 1:02 p.m., Thursday, February 26, 2009. Roll was noted as follows:

Directors present:	Chairman Ronald D. Brown Director Janet Saiers Director Danny Hernandez Director Daniel Lyon
Directors excused:	Director Tim Eichenberg
Others present:	John Kelly, Executive Engineer Marcus Rael, Jr., Attorney Staff Other attendees on file at AMAFCA

A quorum was present.

**2. Approval of Agenda**

Chairman Brown stated that he would like to move agenda item 18 forward in the agenda, to between item 6 and item 7. Mr. Kelly noted that there was a late mailout memo on agenda item 16.

Director Saiers made a motion to approve the agenda, with item 18 moved to between item 6 and item 7. Director Lyon seconded the motion, which passed (4-0).

**3. Meetings Scheduled**

- a. **March 26, 2009, 1:00 p.m. – Regular Meeting**
- b. **April 23, 2009, 1:00 p.m. – Regular Meeting**
- c. **May 28, 2009, 10:00 a.m. – Regular Meeting**

There were no changes to the meeting schedule as set forth.

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

None.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 2**

- 5. Appointments to Boards and Committees**
- a. MRCOG Board of Directors (includes Executive Board through June 2009)**
  - b. MRCOG Metropolitan Transportation Board**
  - c. MRCOG Water Resources Board**
  - d. Personnel and Salary Committee**
  - e. Real Estate Committee**

Chairman Brown made the following committee appointments:

- MRCOG Board of Directors: Janet Saiers
- MRCOG Metropolitan Transportation Board: Janet Saiers
- MRCOG Water Resources Board: Danny Hernandez
- Personnel and Salary Committee: Danny Hernandez (chair) and Ronald D. Brown
- Real Estate Committee: Danny Hernandez (chair) and Daniel F. Lyon

Director Janet Saiers made a motion to approve the committee appointments set forth by Chairman Brown. Director Hernandez seconded the motion, which passed (4-0).

- 6. NMDOT Award for West I-40 Partnership – Presentation by Larry Velasquez, P.E., NMDOT District Three Engineer**

Mr. Kelly introduced Michael Plese of the New Mexico Department of Transportation, who stated that Larry Velasquez, NMDOT District Three Engineer, was unable to attend the meeting as the NMDOT Commission was meeting at the same time.

Mr. Plese stated that the NMDOT and AMAFCA had received a partnership award from the National Partnership for Highway Quality for the West I-40 Project. He presented the award to Chairman Brown and the Board, stating he appreciated the partnership. Chairman Brown accepted the award on behalf of AMAFCA, thanking him. Chairman Brown noted that AMAFCA enjoys partnering with NMDOT when the opportunity presents itself.

Mr. Kelly then introduced a new AMAFCA Maintenance Truck Driver, Vernon Calavaza, giving a summary of his background. Mr. Kelly stated that Mr. Calavaza has been at AMAFCA about two months, has a CDL license and is working on his HazMat endorsement. On behalf of the Board, Chairman Brown welcomed Mr. Calavaza to AMAFCA. Mr. Calavaza thanked the Board, stating he looked forward to his career at AMAFCA.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 3**

- 18. Amole Arroyo/Unser Boulevard Crossing Project and Proposed Right-of-Way Dedication to City of Albuquerque**
  - a. Briefing by Michael Riordan, Deputy Director, City of Albuquerque Department of Municipal Development**
  - b. Review of Draft *Agreement for Construction, Maintenance and Transfer of Right of Way for the Unser Blvd. Crossing of the Amole Arroyo***

Mr. Kelly introduced Michael Riordan, Deputy Director of the City of Albuquerque Department of Municipal Development.

Mr. Riordan briefed the Board regarding the Amole Arroyo/Unser Boulevard Crossing Project. He stated that this project will widen Unser Boulevard SW from two lanes to four lanes in the developed areas between San Ygnacio and Rio Bravo, and with a new two lane Unser Boulevard extension in undeveloped areas. The two existing sections of Unser Boulevard SW do not currently connect with each other. When the undeveloped areas are developed, the developer will be required to build the two outside lanes.

He stated that the Unser expansion will cross AMAFCA's Amole Arroyo right of way. Access points to the arroyo maintenance road will be provided on all four quadrants of the crossing. The bridge over the Amole Arroyo will be four lanes.

Mr. Kelly stated that the usual way to handle a road crossing over an AMAFCA channel is to deed the crossing to the City, retaining an easement for the Arroyo and maintenance roads. An alternative might be to grant a license for the roadway crossing over the arroyo, but that is not the usual procedure. He proposed dedicating the roadway to the City, with AMAFCA retaining a drainage easement under the bridge. He asked the Board's input on the proposal and the draft agreement.

Responding to a question from Director Lyon, attorney Marcus Rael, Jr., stated that he had reviewed both the draft agreement and the deed and had made a few changes, which were acceptable to the City's attorney.

After discussion, consensus of the Board was acceptance of the terms of the draft agreement. Mr. Kelly stated he would bring the final agreement to the Board for consideration at the March Board meeting.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 4**

**7. Approval of Minutes**

**a. January 22, 2009**

Director Hernandez made a motion to approve the minutes of the January 22, 2009 Regular Board Meeting. Director Saiers seconded the motion, which passed (4-0).

**8. Financial Matters**

**a. Approval of January 2009 Expenditures**

Ms. Jeffries presented the January 2009 Expenditure Report. There were no questions.

Director Lyon made a motion to approve the January 2009 Expenditure Report. Director Saiers seconded the motion, which passed (4-0).

**b. Investment Report for January 2009**

For information. There were no questions regarding the Investment Report.

**c. Financial Recap January 16, 2009, through February 15, 2009**

For information. Ms. Jeffries noted that in the Debt Service Fund, tax collections includes a negative \$236,000 entry for six parcels that were protested by Qwest. Once that protest is resolved, all or part of the tax funds for those parcels due to AMAFCA will be disbursed.

In response to a question about the \$1,000,000 payment in the Construction Fund which had not been forecast, Mr. Kelly stated that the original invoice from MRGCD was rejected in January because the wrong agreement was referenced on the invoice. At the time the forecast was prepared for the January 22, 2009 Board meeting, staff did not anticipate that the revised invoice would be received in time for payment on February 10, so it was not included in the forecast. However, the corrected invoice was received in time, and was therefore paid with other Construction Fund invoices on February 10, 2009.

**d. Financial Forecast February 16, 2009, through March 15, 2009**

Ms. Jeffries presented the Financial Forecast for the period February 16, 2009, through March 15, 2009. She noted that the Construction Fund includes a withdrawal from the State Short Term Fund of \$400,000 which includes payments to David Montoya Construction, Inc., for the



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 5**

Calibacillas Arroyo Grade Control Structure 7b, and \$75,000 to the Village of Los Ranchos for the Garduño Road Storm Drain.

Director Hernandez made a motion to approve the Financial Forecast. Director Lyon seconded the motion, which passed (4-0).

**9. Legal**

**a. Status Report**

Attorney Marcus Rael, Jr., briefed the Board on the status of various legal matters, answering several questions from the Board.

**b. Personnel Matters (closed session)**

Chairman Brown stated that discussion of personnel matters 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 edition, January 2004. Director Saiers seconded the motion.

Chairman Brown stated that the closed session would be for purposes of discussion only, regarding personnel matters. The motion passed (4-0), on a roll call vote.

Chairman Brown closed the meeting at 1:27 p.m.

Director Lyon made a motion that the meeting be re-opened. Director Hernandez seconded the motion, which passed (4-0), on a roll call vote.

Chairman Brown reopened the meeting at 1:46 p.m. He stated that the Board had taken no action and made no decisions during the closed meeting, but had reviewed and discussed personnel matters.

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

The memo from Mr. Kelly stated that in the past month, six on-call services task orders had been issued as described in his memo.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 6**

In response to a question from Director Hernandez, Mr. Kelly stated that the AMAFCA Miscellaneous Construction Projects 2009 Project includes a number of small, miscellaneous construction projects throughout AMAFCA. These include access control, concrete repairs, project signage, and a number of similar small projects. As the work is spread out over a large area, the construction management fee is a little higher than it would be if the work was all on one job site.

***Consent Agenda (items 11-15):***

**11. Calabacillas Arroyo Grade Control Structure 7b – Award of Construction Contract to David Montoya Construction, Inc.**

The memo from Kurt Wagener, AMAFCA Field Engineer, recommended the Board accept David Montoya Construction as the lowest responsible bidder, of eight bids received, and authorize the Chairman to execute a contract with them for the construction of the Calabacillas Arroyo Grade Control Structure 7b in the amount of \$292,282.75.

**12. AMAFCA Miscellaneous Construction Projects 2009 – Award of Construction Contract to TLC Company, Inc.**

The memo from Mr. Wagener recommended the Board accept TLC Company, Inc., as the lowest responsible bidder of seven bids received, and authorize the Chairman to execute a contract with them for the construction of the AMAFCA Miscellaneous Construction Projects 2009 Project in the amount of \$288,364.00.

**13. Parkway Storm Drain – Assumption of Completed Project by the City of Albuquerque – Consideration of Agreement for Construction, Maintenance, Transfer and Assumption of the Parkway Storm Drain Project**

The memo from Mr. Kelly recommended the Board approve the agreement and authorize the Chairman to execute it.

**14. Parkway Storm Drain – Authorization to Advertise for Construction Bids**

The memo from Mr. Wagener recommended the Board authorize the Executive Engineer to advertise for construction bids for the Parkway Storm Drain Project.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 7**

**15. Out of State Travel – 2009 ESRI User Conference, San Diego, CA, July 13-17, 2009**

The memo from Loren Hines, AMAFCA Real Estate Manager, recommended that the Board authorize out of state travel and expenses for Kevin Troutman, GIS Technician, to attend the 2009 ESRI International User Conference.

In response to a question from Director Saiers, Mr. Kelly noted a few of the recent jobs that David Montoya Construction had been involved in. Director Saiers also noted that the bids of TLC Company, the low bidder on the AMAFCA Miscellaneous Construction Projects 2009 Project, and RMCI, the second-lowest bidder, were very close.

There being no further items on the Consent Agenda, and there being no other questions, Director Lyon made a motion that the Board take the following actions on agenda items 11-15:

- Accept David Montoya Construction, Inc., as the lowest responsible bidder and authorize the Chairman to execute the contract for the construction of the Calabacillas Arroyo Grade Control Structure 7b, in the amount of \$292,282.75;
- Accept TLC Company, Inc., as the lowest responsible bidder and authorize the Chairman to execute the contract for construction of the AMAFCA Miscellaneous Construction Projects 2009 Project, in the amount of \$282,364.00;
- Approve the *Agreement for Construction, Maintenance, Transfer and Assumption of the Parkway Storm Drain Project* and authorize the Chairman to execute the same on behalf of AMAFCA;
- Authorize the Executive Engineer to advertise for construction bids for the Parkway Storm Drain Project; and
- Authorize out of state travel and expenses for Kevin Troutman, GIS Technician, to attend the 2009 ESRI International User Conference in San Diego, California, July 13-17, 2009, not to exceed \$2,100.00, pursuant to Resolution 1998-16.

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

***Regular Agenda:***

**16. 2009 Legislative Session – Briefing by New Mexico Outsourcing, Inc.**

Mr. Kelly introduced Maurice and Mary Hobson, of New Mexico Outsourcing, Inc.

Mr. Hobson briefed the Board on the recent actions of the New Mexico 2009 Regular Legislative Session. He stated that, as of the 37<sup>th</sup> day of the 60-day session, 13.5% of the bills introduced had passed the first house, and only 14 had passed both houses. Only five bills had made it to the



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 8**

Governor for signature. This session, only 1978 bills have been introduced, instead of the expected 3000, generally due to budget woes.

He noted that the first ten days of the session dealt with the state's budget, reducing expenses to meet reduced revenues. There will probably be a special session in April or May to do final budget adjustments to this year's budget once final stimulus figures are known, and depending on what oil and gas prices do. The budget will be in better shape if oil and gas prices rise, increasing state revenue.

He discussed House Bill 63, *State Engineer's Authority of Dam Construction* (the bill changing which dams are under the jurisdiction of the Office of the State Engineer), and Senate Memorial 18, *Rio Grande Levee Status Study* (the memorial suggested by AMAFCA and the Middle Rio Grande Conservancy District). Ms. Hobson noted that some house bills are currently being scheduled on the senate floor, so she expected HB-63 to reach the senate floor soon.

Mr. Hobson noted that Mr. Kelly, Director Hernandez, and Senator Eichenberg (AMAFCA's Director Eichenberg) had provided valuable assistance in educating legislators about the levee situation and Senate Memorial 18 during the session.

The Board briefly discussed House Bill 63 and Senate Memorial 18, as well as several other bills listed on the Hobsons' report.

Director Saiers asked if House Bill 63 does anything to increase the staffing of the Office of the State Engineer. Mr. Hobson stated that it did not.

Mr. Kelly and Director Hernandez noted that, if House Bill 63 passes, the case load on the Office of the State Engineer will be reduced as they will have fewer dams in their jurisdiction. This will allow re-certification of dams to proceed more quickly, and will also speed up certification of new dams.

Responding to a question from Director Saiers, Mr. Hobson stated that, if a special session is called, they will attend and monitor the session.

**17. Southwest Valley Drainage Improvements Project: Accelerated Construction of Certain Project Elements by Albuquerque Public Schools – Briefing by Pete Doles, P.E., U.S. Army Corps of Engineers, and Karen Alarid, AIA, Albuquerque Public Schools**

Jerry Lovato, AMAFCA Drainage Engineer, introduced Pete Doles, P.E., of the U.S. Army Corps of Engineers, Karen Alarid and Roldan Pasion, of Albuquerque Public Schools (APS), and Tyler Ashton, Mario Juarez-Infante, and Chris Perea of Wilson and Company.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 9**

Mr. Lovato reviewed drainage work planned as a part of the Southwest Valley Drainage Improvements Project. Several years ago, AMAFCA purchased Pond 187 and Pond 187a near Rio Grande High School as a part of that project.

He stated that, within the last year, Wilson and Company came to AMAFCA regarding plans to upgrade Rio Grande High School. Taking the drainage pipe across school athletic fields will be far cheaper than purchasing additional property along the school's western and southern perimeter to put a box culvert in. With some changes to the original drainage project plan, routing the pipe through the school property will save the Corps project \$900,000 - \$1,000,000. AMAFCA will also be allowed to pond water on some APS property west of the Isleta Drain.

Responding to a question from Director Hernandez, Mr. Lovato stated that money for this project has been identified in the project schedule, however, for a different location in the project. This proposal would simply use that money for Pond 187/187a instead of at the Los Padillas Outfall at this time.

Pete Doles explained how the Corps of Engineers funding could be used for this project. He noted that the Project Cooperation Agreement for the Southwest Valley Drainage Improvements Project has been completed. Funding for construction was authorized in the FY08 appropriations bill. An agreement between APS and the Corps of Engineers will allow APS to serve as the construction manager on this project. This will allow the Corps to obligate the funds to this project. Construction of the box culvert across school property can be done in conjunction with APS construction at Rio Grande High School. Upon completion, the money will be reimbursed to APS.

He added that this plan is much more efficient and cost-effective than the original project plan.

Mr. Lovato stated that a similar project was done last year with the NMDOT, where the NMDOT put in the drainage pipe portion of the project along Coors Boulevard. When the project is certified, reimbursement of the drainage portion is made by the Corps of Engineers.

Responding to a question from Director Saiers, Mr. Lovato stated that APS would manage the construction as they are experts at construction at school sites, and working around school schedules.

Karen Alarid explained that APS is planning a major renewal at Rio Grande High School. Having the student parking across the street is a problem, because it is difficult to supervise.

Ms. Alarid introduced Rupal Engineer, of Design Plus, LLC, the architect for the APS project.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 10**

Ms. Engineer detailed the plans for Rio Grande High School. The planned improvements include building new buildings, replacing others, and moving athletic fields and student parking. Construction will be phased. The changes planned will improve campus security, resolve traffic issues, and improve drainage. The new student parking access will be on the east side of the campus, with bus access remaining on the west side, which will increase student safety.

In response to a question from Director Saiers, Ms. Alarid stated that public meetings are always held to explain the planned campus improvements and obtain feedback from the school's neighbors before a project is begun. Feedback so far is that the community is looking forward to the improvements.

Mr. Lovato noted that the new athletic fields will go in an area that has been a vandalism problem in the community. The east-side student parking access will be hidden from the neighbors by the bank of the lateral drain, which is above-ground near the school, providing a natural buffer to the neighborhood to the east. This same road will provide maintenance access to the drainage ponds, and fire access.

Mario Juarez-Infante explained a conceptual drawing of the planned changes. He noted how the plan will solve several drainage issues on the east side of the campus. Laterals will drain the campus and put the water into the new underground culvert. Mr. Juarez-Infante introduced Brad Catanach and Amor Solano-Hood from Bernalillo County Public Works, noting the planned changes will also collect storm water from Arenal, which is being re-designed by the County.

Mr. Juarez-Infante noted that the current student parking lot will become a drainage pond with public multi-use. The pond is anticipated to be approximately 8 to 10 feet deep, as groundwater is reached at 12 feet. Ms. Engineer stated the multi-use may include a learning lab for outdoor education.

Mr. Juarez-Infante stated that utility relocation will begin this summer. About a month later, storm drain construction will begin, working around the sports schedule. Construction of the new ISD building is expected to go to bid at the end of June, with construction beginning in July and expected to take about a year.

In response to a question from Director Lyon, Mr. Lovato stated that all property needed for this revision to the project is currently owned by either APS or AMAFCA. The project as originally conceived would require the acquisition of additional privately-held property.

Responding to a question from Director Hernandez regarding the proposed property, Mr. Kelly stated it is easiest to deed the property to APS, reserving drainage easements to AMAFCA. APS would have control over everything else not included in "drainage maintenance," including surface maintenance.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 11**

Chairman Brown stated he preferred deeding the property to APS with AMAFCA reserving a drainage easement, as it would provide continuity of the Rio Grande High School site ownership.

Mr. Kelly stated a drainage easement agreement will be needed with APS for AMAFCA to accept maintenance of the Isleta Diversion. They need this in order to enter into a construction reimbursement agreement with the Corps of Engineers. The other agreements will follow later.

Consensus of the Board was to proceed with the proposed changes to the project.

Director Lyon noted these changes to the project will save the taxpayer money.

Responding to questions from Director Saiers, Mr. Kelly stated the project will control the storm waters, with minor flows remaining in the drain and large storm flows held in the ponds until it can be metered back into the drain.

Chairman Brown called a brief recess at 2:45 p.m. The meeting resumed at 2:47 p.m.

**19. South Diversion Channel Storm Water Quality Reconnaissance Study – Briefing by Clint Dodge, WHPacific, Inc.**

Mr. Kelly introduced Clint Dodge and Sharon Procopio, of WHPacific, Inc., (formerly ASCG).

Kevin Daggett, AMAFCA Storm Water Quality Program Engineer, stated that the MS-4 co-permittees had prioritized the structures identified in the South Diversion Channel Storm Water Quality Reconnaissance Study, based upon the requirements of the new EPA MS-4 permit. Of the 42 facilities identified in the study, the three highest priorities are a water quality structure with Coanda screen and roll-off dumpsters at the baffle chute drop structure west of the I-25 crossing, a linear pond at the old Mesa Oil site, and a water quality feature at the South Diversion Channel Outfall. All three of these can be built within existing AMAFCA right of way.

Mr. Dodge briefed the Board regarding the proposed concepts. He stated that five concepts were developed. Of those, WHPacific recommended building an in-channel water quality facility at the baffle chute drop structure, a linear water quality pond, and an outfall water quality pond at this time. A portion of the outfall water quality pond will be a wet detention basin with plants, as the roots of the plants treat the water, removing many contaminants.

Responding to a question from Director Saiers, he stated that there is no hard data, but he believes the runoff into the South Diversion Channel is a bit different from the runoff into the North Diversion Channel. There are a lot more industrial properties and fewer residential properties surrounding the South Diversion Channel.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 12**

Mr. Kelly noted there are three main tributaries, plus the Tijeras Arroyo, that empty into the South Diversion Channel, far fewer than discharge to the North Diversion Channel.

Mr. Dodge stated that building all 42 proposed structures will cost \$26-35 million, for which AMAFCA will seek federal funding. However, AMAFCA can fund the first three structures itself. The in-channel water quality facility at the I-25 baffle structure will cost about \$2.5 to 3 million, the linear pond at the Mesa Oil site will cost about \$200,000, and the storm water quality pond at the South Diversion Channel Outfall will cost about \$2.3 million. He recommended that they be prioritized in that order, with the first two being built fairly soon.

Mr. Kelly stated that it was his recommendation that AMAFCA fund these first three structures on its own, and seek Corps of Engineers Section 1135 funding for the rest of the proposed structures. He explained that Section 1135 funding is for environmental restoration of existing projects. He added that the EPA will look favorably on AMAFCA if these projects are on the Project Schedule and AMAFCA is moving forward on them, as they will be the first major water quality structures on the South Diversion Channel.

After discussion, consensus of the Board was support of including these three water quality facilities on the FY-10 Project Schedule. They supported amending the contract with WHPacific to design the first two facilities so that they can be constructed this fall, as the funding is already in the budget.

Mr. Kelly noted that the third facility will probably be scheduled two or three years in the future.

**20. Albuquerque MS-4 Permit Renewal –Briefing on Draft Permit**

Mr. Lovato briefed the Board on the status of the Albuquerque MS-4 Permit.

He stated that the MS-4 co-permittees met with EPA representatives on February 11, 2009. The purpose of the meeting was to identify the strengths, weaknesses, and failures of the co-permittees' performance over the last five years. The new permit focuses on the co-permittees' efforts to address failures and weaknesses.

Mr. Lovato stated that there were two failures. Toxicity Testing could not be done because the test protocol required that the test be run within a two-day period after the required fish species, flathead minnows, are imported from Colorado. The test criteria require that the fish not be held over beyond the two day period. In the past five years, it has not rained in the two-day period after the fish arrived. The test protocol does not allow another species, such as silvery minnows, to be substituted. This year, the co-permittees will try shipping storm water to Colorado for testing instead of ordering new minnows every time rain is in the forecast.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 13**

Another failure was that the co-permittees did annual mean calculations and reporting instead of event mean calculations and reporting. The annual mean method is in the Storm Water Management Plan (SWMP) dated January 2001. The EPA was unaware that the SWMP had changed, and there was a conflict between the MS-4 permit and the SWMP. The co-permittees will begin event mean calculations and reporting on April 10, 2009.

The co-permittees did some things well, and were weak in some other areas.

AMAFCA was the first agency in the state to add a Storm Water Quality Program Engineer. Adding personnel to address water quality was a positive with the EPA. The EPA said the co-permittees' efforts were "AMAFCA-centric." The next permit will spell out who is responsible for each task, giving more responsibilities to the other co-permittees.

Mr. Daggett added that the EPA has stated that construction monitoring, generally by the City of Albuquerque, needs to meet measureable goals.

In response to a question from Chairman Brown, Mr. Daggett stated that the EPA would prefer to see point-source testing and treating, but the strategy used to date has been to build water quality facilities at the outfall, and work our way up the watershed, adding additional facilities where they will do the most good.

Chairman Brown noted that both the in-channel water quality facility at the I-25 baffle structure and the Mesa Oil linear water quality ponds will address the EPA's request for more point-source water quality treatment, and treating water discharged from industrial areas.

Responding to a question from Director Lyon, Mr. Daggett stated that the co-permittees cooperate to assign monitoring (wet/dry screening) sites to avoid duplication of efforts.

Director Saiers left the meeting at 3:28 p.m., due to a prior commitment.

**21. Real Estate**

**a. Grant of PNM Electric Easement (underground) – La Cueva Inlet**

Mr. Hines stated AMAFCA is in the process of constructing a storm water quality feature at the La Cueva Inlet to the North Diversion Channel. PNM had an underground electrical distribution line located in the path of the construction, which they agreed to move to a licensed area along the southern boundary of the AMAFCA parcel. This is a triangular parcel next to the Balloon Fiesta Park, obtained in a trade with the City of Albuquerque in March 2006.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 14**

PNM is requesting a permanent easement along the southern edge of the parcel to replace the existing easement along the northeast and northwest edges of the parcel.

Director Lyon made a motion that the Board authorize the Board Chairman to execute the PNM Underground Electrical Easement over a portion of Tract G-1 conveyed to AMAFCA by the City of Albuquerque. Director Hernandez seconded the motion.

After brief discussion, the motion passed (3-0).

**b. License Agreement to N.M. Environment Department for Exploratory Bores and Monitoring of Wells for Nitrate Plume Adjacent to South Diversion Channel**

Mr. Hines introduced Bart Faris and Justin Ball, of the New Mexico Environment Department.

Mr. Hines stated the New Mexico Environment Department had requested access to the South Diversion Channel to install soil borings and/or monitoring wells to establish the extent and concentration of an identified nitrate plume in adjacent groundwater.

The license was brought before the Board for approval because the Executive Engineer does not have the authority to issue a license for purposes other than utilities, communication lines, landscaping, filming, and short term recreation. AMAFCA counsel has reviewed the license and concurs with the form of the license.

Director Hernandez made a motion that the Board authorize the Executive Engineer to grant a License, for a term not to exceed five years, to NMED to access the South Diversion Channel to install soil borings and/or monitoring wells. Director Lyon seconded the motion, which passed (3-0).

**22. Field Highlights**  
**a. Construction Report**  
**b. Field Highlights**

Mr. Wagener presented a slide show of various projects and crew activities.

**23. Unfinished Business**

None.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
February 26, 2009**

**Page 15**

**24. New Business**

**a. Discussion on Development of FY-2010 Project Schedule**

Mr. Kelly stated that, as they did last time, a Tech Team will meet to prioritize projects, which will then be submitted to the Board for review. The first review will cover east side projects. He asked for input on scheduling the four review sessions. After discussion, the consensus was to keep the main business of the March regular Board meeting short. The review will be held after the rest of the regular meeting, following a brief break.

Mr. Kelly stated he expected the project review workshops to be held in March, April, May, and June, with a draft Project Schedule review in July, and adoption of the Project Schedule planned in August.

Chairman Brown stated that if the combined regular meeting and project review in March runs too long, the Board meeting and review can be separated to different days for the subsequent review sessions.

**b. Ditch Opening March 5, 2009, 10:00 a.m. at Angostura Diversion Dam**

Mr. Kelly stated the Ditch and Water Safety Task Force will be holding a news conference to alert people to the start of the 2009 irrigation season, on Thursday, March 5, at 10:00 a.m. at the Angostura Dam in Algodones. Board members who wished to attend were asked to inform staff.

**25. Adjourn**

There being no further business to come before the Board, Chairman Brown adjourned the meeting at 3:49 p.m.

---

Danny Hernandez, Secretary-Treasurer 3/26/09

Recorded by Pam Woodruff, Secretary to the Executive Engineer